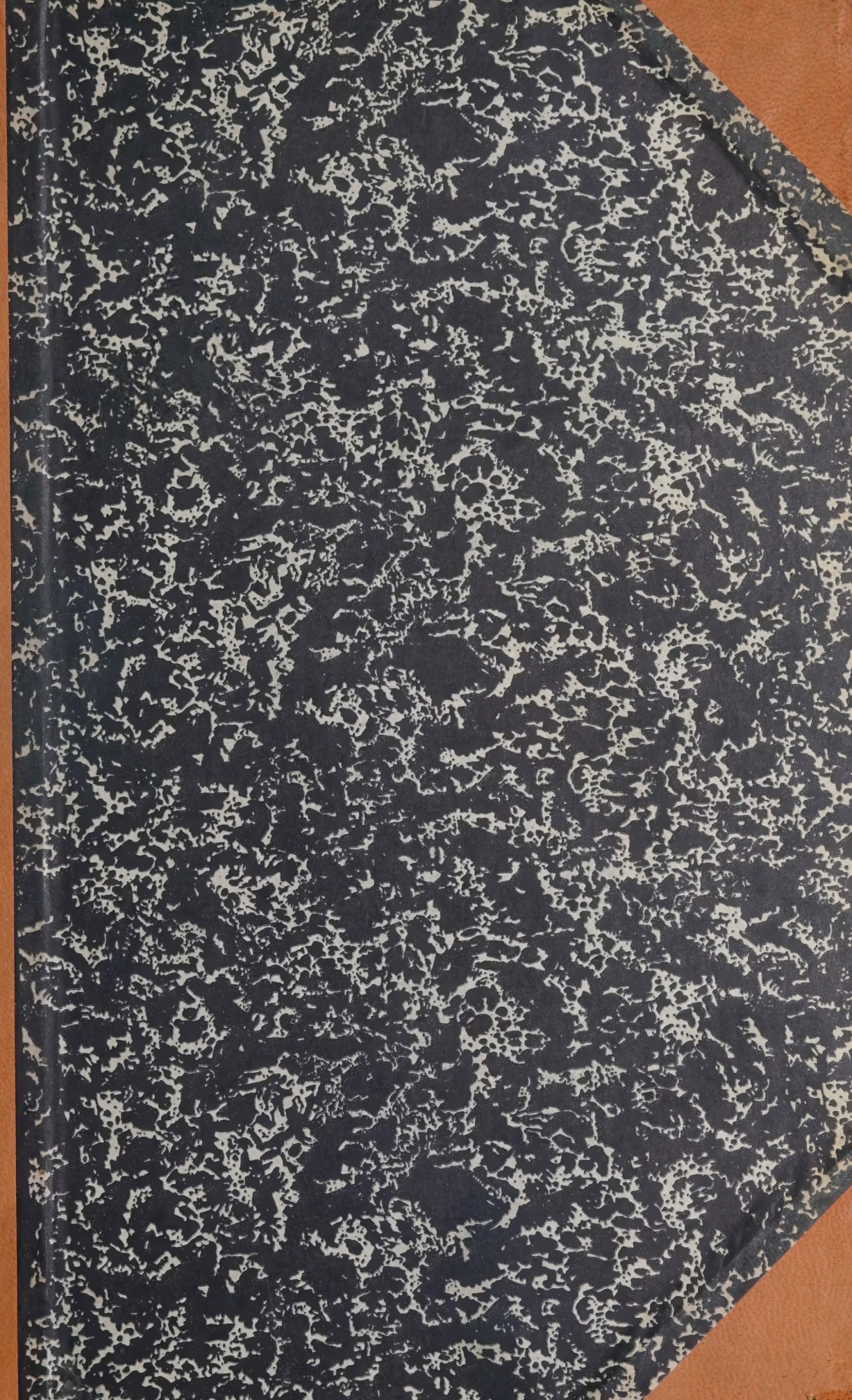

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COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Extraordinary Session of 1936.

Vol. 19. HARRISBURG, PA., THURSDAY, JULY 9, 1936. No. 31.

SENATE

THURSDAY, JULY 9, 1936

The Senate met at 2:00 o'clock P. M.

The PRESIDENT (Lieutenant-Governor Thomas Kennedy) in the Chair.

PRAYER

The Chaplain, Rev. William E. Howard, D.D., offered the following prayer:

O Thou Creator of all things, we thank Thee for the beautiful art gallery Thou has constructed and bestowed upon man. Its foundation is omnipotent creative power. Its superstructure and dome are Thy heart-throbs of love for us. It has sixty-six spacious rooms. Upon their walls Thou hast hung many pictures painted by Thine own skillful hand, depicting scenes enacted upon earth from the morning-dawn of time to the coming of Thy Son. His career is painted in living colors and the struggle to establish His kingdom on earth is made startingly real.

We call this art gallery the Bible, Thy Holy Word. If we would more frequently wander through its sixty-six rooms and study the paintings hanging upon their walls, Thy Spirit would speak to our souls in audible tones and our lives would be brought into closer touch with Thee. Lead us to enter this sacred structure daily, there to commune with Thee, the Master Artist of the ages. Amen.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. KAHLE, the further reading was dispensed with, and the Journal was approved.

NOMINATIONS BY THE GOVERNOR

The Secretary to the Governor being introduced, presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows, and referred to the Committee on Executive Nominations:

NOTARIES PUBLIC

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 9, 1936.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

ALLEGHENY COUNTY

Miss T. Eleanor Austerltiz, 2415 Grant Bldg., Pittsburgh.
Michael A. Smolin, Leetsdale.

DAUPHIN COUNTY

P. H. Englehart, Harrisburg.

DELAWARE COUNTY

Arthur J. O'Brien, Collingdale.

GEORGE H. EARLE.

JUSTICE OF THE PEACE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 9, 1936.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Edwin T. Kavanagl., of Blandburg, Cambria County, for appointment as Justice of the Pea e in the Township of Reade, Cambria County, vice George W. Cree, deceased, until the first Monday in January, 1938.

GEORGE H. EARLE.

RESOLUTION RELATIVE TO REAPPORTIONMENT OF SENATORIAL DISTRICTS

Mr. RODGERS. Mr. President, I move that the Senate do now proceed to the consideration of Senate Resolution No. 6.

Mr. HARRIS. Mr. President, I second the motion.

The motion was agreed to.

The PRESIDENT. This resolution was reported favorably from the Committee on Legislative Apportionment, was laid over for printing, and is now before the Senate.

The resolution was read as follows:

Whereas, The Constitution makes it mandatory that after each decennial census that there be a reappointment of Senatorial Districts into fifty senatorial districts of compact and contiguous territory as nearly equal in population as may be, and each district shall be entitled to elect one Senator. Each county containing one or more ratios or population shall be entitled to one Senator for each ratio, and to an additional Senator for a surplus of population exceeding three-fifths of a ratio, but no county shall form a separate district unless it shall contain four-fifths of a ratio, except where the adjoining counties are each entitled to one or more Senators, when such county may be assigned a Senator on less than a ratio, and no county shall be entitled to separate representation exceeding one-sixth of the whole number of Senators. No ward, borough or township shall be divided in the formation of a district. The Senatorial ratio shall be ascertained by dividing the whole population of the State by the number fifty, and

Whereas, This provision has been ignored by the Legislature; and

Whereas, Several attempts have been made to have this mandate carried out; therefore be it

Resolved, That the President pro tempore appoint a committee of seven (7) members of the Senate of Penn-

sylvania and the purpose of this committee will be to make a survey of the State and to recommend to the next session of the Legislature a comprehensive plan of reappointment to provide for fifty (50) senatorial districts in conformity with Article II, Section XVI of the Constitution.

Mr. RODGERS. Mr. President, I move the adoption of the resolution.

Mr. HARRIS. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were required by Mr. RODGERS and Mr. LAW, and were as follows, viz:

YEAS—28

Batchelor,	Harris,	Miller,	Ruth,
Baumer,	Harvey,	Pierson,	Staudenmeier,
Buckman,	Homsher,	Prince,	Thompson,
Cavalcante,	Howell,	Pytko,	(Centre)
Coyne,	Huffman,	Rankin,	Thompson,
Ealy,	Lanius,	Roberts,	(Westmoreland)
Frey,	McClure,	Rodgers,	Woodward,
Gelder,	McGinnis,		

NAYS—12

Aron,	Kahle,	Owlett,	Salus,
Bean,	Law,	Reed,	Scott,
Chapman,	Mallery,	(Washington)	Shapiro,
Graff,			

So the question was determined in the affirmative.

REPORT FROM COMMITTEE

Mr. FREY, from the Committee on Municipal Government, reported as amended, Senate Bill No. 85 (House Bill No. 81), entitled:

An Act to amend section one of the act, approved the twenty-fifth day of April, one thousand nine hundred and thirty-five (P. L. 82), entitled "An act requiring certain cities to allow members of the fire department twenty-four consecutive hours of rest each week and fourteen days vacation each year, except in emergency cases," by providing that the provisions of said act shall be mandatory; and prohibiting any diminution of salary or compensation.

BILL OVER IN ORDER

Mr. WOODWARD. Mr. President, I ask unanimous consent that Senate Bill No. 6, on third reading, entitled:

Joint Resolution proposing an amendment to article nine section eight of the Constitution of the Commonwealth of Pennsylvania

go over in its order.

The PRESIDENT. Is there objection?

Mr. WOODWARD. Mr. President, the Senators from Allegheny County expressed their willingness to have me appear before them to see if I could persuade them to allow Allegheny County to be included in this amendment, and I therefore ask that this bill go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 46, entitled:

An Act relating to proceedings for the forfeiture of rights, privileges or franchises of corporations making claim against street railway, traction or motor power companies in certain cases; and providing for the disposition of rights, privileges or franchises forfeited and for contracts relating thereto.

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill?

Mr. WOODWARD. Mr. President, this bill was drafted by a member of the Philadelphia Bar who perhaps is a better bill drafter than John H. Fertig, which is saying a great deal. I spent one Sunday evening with Judge McDevitt, going over the items of this bill, and he advised me to introduce the bill. The bill has therefore been intelligently criticised. I did not consult His Honor, the Mayor, but I am very happy he is here today so that I can consult him openly. He and I were instrumental, although the Philadelphia Record claims to be a third partner—but that is not true, in saving the citizens of Philadelphia from a bond issue of $129,000,000 to acquire these 42 underlying companies of the Philadelphia Rapid Transit. The price originally was $200,000,000, when Mr. Stotesbury was Chairman of the Board. Then, you may remember, Commissioner Benn resigned under pressure because he was accused of—well, the gossip was that he was Mr. Mitten's messenger boy—in arranging an appraisal of $129,000,000 on the traction system of Philadelphia; and Mayor Mackey, General Atterbury, Drexel & Company, Mr. Mitten—I would not like to say conspired together but they had a good set-up to sell the transportation system to Philadelphia for $149,000,000; and His Honor, the Mayor and myself have the honor, I think, of upsetting the applecart. Now the price has fallen to $84,000,000. From $200,000,000 to $84,000,000 is a considerable drop.

The Mayor and I may part company on the fundamental question of whether the city ought to be the owner of the system or not but the P. R. T. and all these underlying companies are forever having a family row. The P. R. T. every October had to send a $9,000,000 check to the Union Traction Company, to pay the rentals. The P. R. T. is in arrears, and you may have noticed there is a hearing now before a Master by which the underliers are trying to prove they own everything and the P. R. T. owns nothing.

This bill is introduced in the hope that the family row will go so far that somebody will become angry enough to have the traction company foreclose, and have the P. R. T. declared the owner of the franchises; and then, when the P. R. T. undertakes to operate the system, if it does not operate it properly it can be brought into court and perhaps forfeit its charter, so that the citizens of Philadelphia may recover the rights to their streets, which they gave away—under their Council and Mayor—at that time for nothing, for a period of 999 years. I submit that that is a long time to wait, and this bill might be a short cut.

I do not want to detain the Senators not interested in Philadelphia matters, but I do want to say that in my opinion this Union Traction matter was conceived in sin and born in iniquity; and it is a matter of record that the Mayor of Philadelphia then locked his door on a million dollar check of John Wanamaker for those franchises.

All this may be ancient history, but it bears out the proverb, "Chickens come home to roost"; and this bill will be instrumental, perhaps, in restoring to the citizens

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of Philadelphia the rights to their streets that were given away for 999 years.

And the question recurring,

Will the Senate agree to the bill?

BILL OVER IN ORDER

Mr. WOODWARD. Mr. President, I ask unanimous consent that Senate Bill No. 46, on third reading, go over in its order, at the request of the Mayor of Philadelphia.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 54 (House Bill No. 73), entitled:

An Act to enable persons associations partnerships and corporations to borrow money and secure the repayment thereof by the execution and recordation of chattel mortgages on any chattels of any kind or descriptions providing for bonds with confessions of judgments regulating the assignment and release of such mortgages and designating the operation and effect of the lien of such mortgages.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—39

Aron,	Graff	McCreesh,	Rodgers,
Batchelor,	Harris,	McGinnis,	Ruth,
Baumer,	Harvey,	Miller,	Salus,
Bean,	Homsher,	Owlett,	Scott,
Buckman,	Howell,	Pierson,	Staudenmeier,
Cavalcante,	Huffman,	Prince,	Thompson,
Chapman,	Kahle,	Pytko,	(Centre)
Coyne,	Lanius,	Rankin,	Thompson,
Ealy,	Mallery,	Rice,	(Westmoreland)
Frey,	McClure,	Roberts,	Woodward,
Gelder,			

NAYS—4

Law,	Reed, (Dauphin)	Reed, (Washington)	Shapiro,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 79 (House Bill No. 100), entitled:

An Act to further amend the title, to re-enact and further amend paragraph (e) of section one, and to further amend section thirty-nine of the act, approved the twentieth day of June, one thousand nine hundred nineteen (Pamphlet Laws, five hundred twenty-one), entitled, as amended, "An act providing for the imposition and collection of certain taxes upon the transfer of property passing from a decedent who was a resident of this Commonwealth at the time of his death, and of property within this Commonwealth of a decedent who was a nonresident of the Commonwealth at the time of his death; defining and taxing transfers made in contemplation of death; and making it unlawful for any corporation of this Commonwealth, or national banking association located therein, to transfer the stock of such corporation or banking association, standing in the name of any such decedent, until the tax on the transfer thereof has been paid; and providing penalties; and citing certain acts for repeal", by defining as transfers, and taxing, the right of survivorship in property as to which such right exists, and providing for the extension of the Commonwealth's lien on real property for a further period of time.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—39

Aron,	Howell,	Pierson,	Salus,
Baumer,	Huffman,	Prince,	Scott,
Bean,	Kahle,	Pytko,	Shapiro,
Buckman,	Lanius,	Rankin,	Sones,
Cavalcante,	Law,	Reed,	Staudenmeier,
Ealy,	Mallery,	(Washington)	Thompson,
Frey,	McClure,	Rice,	(Centre)
Graff,	McCreesh,	Roberts,	Thompson,
Harris,	McGinnis,	Rodgers,	(Westmoreland)
Harvey,	Miller,	Ruth,	Woodward,
Homsher	Owlett,		

NAYS—5

Batchelor,	Coyne,	Reed,
Chapman,	Gelder,	(Dauphin)

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

MOTION TO RECOMMIT

Mr. BUCKMAN. Mr. President, I move that Senate Bill No. 101 (House Bill No. 63), on third reading, entitled:

An Act to amend section five hundred and one of the act approved the first day of May one thousand nine hundred and five, entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensng the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by requiring extra fees for the assignment of special registration plates

be recommitted to the Committee on Military Affairs.

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Mr. HUFFMAN. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. MALLERY. Mr. President, I would like to interrogate the Senator from Bucks, Mr. Buckman.

The PRESIDENT. Will the Senator from Bucks, Mr. Buckman, permit himself to be interrogated?

Mr. BUCKMAN. Mr. President, I will.

Mr. MALLERY. Mr. President, does the Senator know that in the Governor's Call he asks for an appropriation for the Disabled Veterans' Commission?

Mr. BUCKMAN. Mr. President, I am aware of that fact, yes, and I believe that there will be ample provision made for such relief as may be needed, without tapping what is known as the Fund for the construction of roads and highways in this State. For a period of thirty years this State has maintained a fund from the tax on gasoline and motor licenses for road purposes, and road purposes only. This is an entering wedge to tap that fund for relief. I believe the people in this Commonwealth are amply able to raise money for relief purposes, whether it be for the Disabled Veterans' Commission or for any other purpose without having to tap the motor license fund. I am opposed to it regardless of who may be the recipient of that relief.

Mr. MALLERY. I would like to have the Senator from Bucks inform the members in what way this bill will be tapping the motor fund.

Mr. BUCKMAN. Mr. President, the bill provides for extra licenses for favorite friends for motor registration plates. After taking $1.00 of that fund for overhead expenses, they appropriate the rest of it for relief to some Veterans' organization.

Mr. MALLERY. Mr. President, I would like to inform the Senate that this bill does not tap the motor fund. This bill provides for a special license which anyone in the State who desires can obtain the special license if he wants it. If he does not want it, he can obtain a license at the rates that prevailed heretofore. Since the setting up of this fund, for this disabled Veterans' Commission, the State of Pennsylvania has appropriated almost a million dollars for the care of disabled veterans and their dependents. The war may be over, but we still have the disabled veterans and we still have the dependents. On leaving to come down here this week, I was stopped just as I was leaving my office, by the widow of a veteran, who died leaving a family of some six or eight children, and that veteran has a bonus coming to him, but the widow nor the children have received it, and it may be months before they do receive, and what will it amount to when they do receive it? I do not think the time has come that we in Pennsylvania want to deny people who wish to contribute to that fund for widows and children, and I hope there will not be a member of this Senate who will refuse to vote for this bill.

Mr. HUFFMAN. Mr. President, I am opposed to this bill, not because of the privilege it gives to veterans, but because it starts, I think, a vicious condition in this State in relation to issuing licenses for automobiles. We have had, up until a year ago, what, I think, was unfair and improper distribution of license plates in this State, favoring people. The rich man and politically influential men were able to secure for their cars automobile plates which gave them privileges that the common people did not have. This bill is intended to restore that vicious condition. I want to say that I am as willing as anybody else on this floor to make an appropriation to veterans. I am for them, but I want to do it openly and above board, and not be by a lottery scheme that permits a lot of people in this State to secure advantages from the police force that the ordinary man does not have.

And the question recurring,

Will the Senate agree to the motion?

The yeas and nays were required by Mr. BUCKMAN and Mr. HARRIS and were as follows, viz:

YEAS—10

Batchelor,	Buckman,	Huffman,	Rodgers,
Baumer,	Gelder,	Lanius,	Woodward,
Bean,	Howell,		

NAYS—33

Aron,	Homsher,	Prince,	Ruth,
Cavalcante,	Kahle,	Pytko,	Salus,
Chapman,	Law,	Rankin,	Scott,
Coyne,	Mallery,	Reed,	Shapiro,
Ealy,	McClure,	(Dauphin)	Sones,
Frey,	McCreesh,	Reed,	Staudenmeier,
Graff,	McGinnis,	(Washington)	Thompson,
Harris,	Miller,	Rice,	(Centre)
Harvey,	Pierson,	Roberts,	Thompson, (Westmoreland)

So the question was determined in the negative.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 101 (House Bill No. 63), entitled:

An Act to amend section five hundred and one of the act, approved the first day of May, one thousand nine hundred and five, entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damage caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees and miscellaneous receipts; making an appropriation and providing for refunds," by requiring extra fees for the assignment of special registration plates.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—39

Aron,	Homsher,	Pierson,	Salus,
Batchelor,	Huffman,	Prince,	Scott,
Baumer,	Kahle,	Pytko,	Shapiro,
Bean,	Lanius,	Rankin,	Sones,

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Cavalcante,	Law,	Reed,	Staudenmeier,
Chapman,	Mallery,	(Dauphin)	Thompson,
Coyne,	McClure,	Reed,	(Centre)
Ealy,	McCreesh,	(Washington)	Thompson,
Frey,	McGinnis,	Rice,	(Westmoreland)
Graff,	Miller,	Roberts,	Ziesenhelm,
Harris,	Owlett,	Ruth,	

NAYS—6

Buckman,	Harvey,	Rodgers,	Woodward,
Gelder,	Howell,		

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILLS OVER IN ORDER

Mr. BUCKMAN. Mr. President, I ask unanimous consent that Senate Bill No. 104 (House Bill No. 153), on third reading, entitled:

An Act making an appropriation to the State Emergency Relief Board for direct relief, work relief, and expenses, defining the purposes for which such moneys may be expended, and prescribing the powers and duties of the State Emergency Relief Board and certain State Departments, and ratifying, confirming and validating the action of the Governor and the fiscal officers in making moneys available for unemployment relief prior to the adoption of this act

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. BUCKMAN. Mr. President, I ask unanimous consent that Senate Bill No. 105 (House Bill No. 154), on third reading, entitled:

An Act ratifying, confirming and validating the transfer of money from the Liquid Fuels Tax Fund and the Liquor License Fund to the General Fund, and providing for the subsequent return from the General Fund of the transferred money

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. McCLURE. Mr. President, I ask unanimous consent that Senate Bill No. 28 (House Bill No. 19), on second reading, entitled:

An Act to amend section three of the act, approved the sixteenth day of May, one thousand nine hundred thirty-five (Pamphlet Laws, two hundred eight), entitled "An act to provide revenue for State purposes by imposing an excise tax, for a limited period of time, on the net income of certain corporations, joint-stock associations, and limited partnerships; providing for the assessment and collection of the tax, and appeals to courts; conferring powers, and imposing duties on certain persons, corporations, joint-stock associations, limited partnerships, State, and county officers, boards, and departments; making an appropriation, and providing penalties," by increasing the rate of tax for a limited period of time

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. McCLURE. Mr. President, I ask unanimous consent that Senate Bill No. 30 (House Bill No. 27), on second reading, entitled:

An Act to amend the act, approved the twenty-second day of June, one thousand nine hundred thirty-five (Pamphlet Laws, four hundred fourteen), entitled "An act to provide revenue for State purposes; imposing taxes upon certain classes of personal property; providing for the assessment, collection, and lien of the same, and the distribution of the proceeds thereof, imposing duties on executors, administrators, registers of wills, recorders of deeds, prothonotaries, and court clerks, and on persons, copartnerships, associations, banks, national banks, trust companies, and other corporations receiving deposits of money, and on certain corporations and limited partnerships, conferring powers and imposing duties on certain State officers and departments; imposing penalties; and making an appropriation," by increasing the rate of tax; removing certain exemptions; changing the listing date, the date of filing reports, and the date and manner of payment of the tax; and making further provision with regard to penalties

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispended with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 60, as follows:

A Joint Resolution proposing an amendment to section one article nine of the Constitution of the Commonweath of Pennsylvania

Section 1 Be it resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met That the following amendment to the Constitution of the Commonwealth of Pennsylvania be and the same is hereby proposed in accordance with the eighteenth article thereof

That article nine section one of the Constitution of Pennsylvania be amended to read as follows

Section 1 All property taxes shall be uniform upon the same class of subjects within the territorial limits of the authority levying the tax and shall be levied and collected under general laws but the General Assembly may by general laws exempt from taxation public property used for public purposes actual places of religious worship places of burial not used or held for private or corporate profit institutions of purely public charity and real and personal property owned occupied and used by any branch post or camp of honorably discharged soldiers sailors and marines

Income inheritance estate and other excise taxes shall be levied and collected under general laws but such laws may grant exemptions and may impose graded rates

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispended with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 75, as follows:

A Joint Resolution proposing an amendment to article nine of the Constitution of the Commonwealth of Pennsylvania by adding thereto section one C

Section 1 Be it resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met That the following amendment to the Constitution of the Commonwealth of Pennsylvania is hereby proposed in accordance with the eighteenth article thereof

That article nine of the Constitution of Pennsylvania is hereby amended by adding thereto the following section

Section 1C Political subdivisions shall annually reduce their respective tax levies on the assessed valuation of real estate so that the combined rates of all taxes (exclusive of taxes for debt service) for the year one thousand nine hundred and forty-three and any subsequent year on any parcel of real estate shall not exceed a total of ten mills The General Assembly shall enact legislation fixing the annual reductions to be made by classes of political subdivisions previous to the tax year one thousand nine hundred and forty-three and the maximum tax millage within said ten mill limitation which may be levied by any class of political subdivisions for the tax year one thousand nine hundred and forty-three and thereafter

The assessment or valuation of real property for tax purposes made for the year one thousand nine hundred and forty-three and thereafter shall be made only at the fair market value

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 86 (House Bill No. 82), as follows:

An Act to amend section one of the act approved the thirtieth day of March one thousand nine hundred and fifteen (Pamphlet Laws thirty-four) entitled "An act to promote the health and efficiency of firemen in cities of the second class by providing for a two-platoon system for firemen in the department of public safety of such cities" as amended by changing the hours of the day and night shifts

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of the act approved the thirtieth day of March one thousand nine hundred and fifteen (Pamphlet Laws thirty-four) entitled "An act to promote the health and efficiency of firemen in cities of the second classs by providing for a two-platoon system for firemen in the department of public safety of such cities" as last amended by the act approved the fifth day of May one thousand nine hundred and thirty-one (Pamphlet Laws ninety-three) is hereby further amended to read as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the head of the department of public safety or of the department having charge of or supervision over the fire department or bureau in each city of the first second and third class shall from and after the first day of January one thousand nine hundred twenty divide the officers and members of companies of the uniformed fire force in the employ of such cities or in the case of a volunteer fire department the firemen and drivers regularly employed and paid by the city excepting the chief engineer and assistant chiefs into two shifts bodies or platoons one to perform day service and the other to perform night service The hours of day service shall not exceed ten commencing at eight o'clock in the morning the hours of night service shall not exceed fourteen commencing at six o'clock in the afternoon In cases of riot serious conflagration or other such emergency the chief engineer of the bureau of fire or the assistant chief deputy or chief officer in charge at any fire shall have the power to assign all the members of the fire force to continuous duty or to continue any member thereof on duty if necessary. No member of either of said shifts bodies or platoons shall be required to perform continuous day service or continuous night service for a longer consecutive period than two weeks nor be kept on duty continuously longer than ten hours in the day shift body or platoon or fourteen hours in the night shift body or platoon excepting at the end of each two weeks period the night shift body or platoon ending said period may be required to work eighteen hours and the day shift body or platoon starting a new period twenty hours as may be necessary to equalize the hours of duty and service required by this act and also excepting in cases of riot serious conflagration or other such emergency as above provided Provided however that this act shall not apply to employes who are employed subject to call

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 102 (House Bill No. 136), as follows:

A Joint Resolution proposing an amendment to article nine of the Constitution of the Commonwealth of Pennsylvania by adding thereto a section

Section 1 Be it resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met That the following amendment to the Constitution of Pennsylvania be and the same is hereby proposed in accordance with the eighteenth article thereof

That article nine be amended by adding thereto the following section

Section 17 In addition to the purposes stated in article nine section four of this Constitution the State may be authorized to issue bonds to the amount of forty-two millions of dollars ($42,000,000) for the acquisition of lands and buildings and the construction and improvement of State owned buildings and the equipment thereof for the care and maintenance of penal offenders delinquents mental defectives epileptics persons mentally diseased and tuberculous patients

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

RECESS

Mr. BUCKMAN. Mr. President, I move that the Senate do now take a recess until four o'clock this afternoon.

Mr. MILLER. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS

The PRESIDENT. The time of recess having elapsed, the Senate will be in order.

BILLS SIGNED

The PRESIDENT (Lieutenant Governor Thomas Kennedy) announced that the Chief Clerk having reported that the following bills had passed both Houses of the General Assembly and the same being correct, the titles were publicly read as follows:

House Bill No. 63, entitled:

An Act to amend section five hundred and one of the act, approved the first day of May, one thousand nine hundred and twenty-nine (P. L. 905), entitled "Vehicle Code," by requiring extra fees for the assignment of special registration plates.

House Bill No. 73, entitled:

An Act to enable persons associations partnership and corporations to borrow money and secure the repayment thereof by the execution and recordation of chattel mort-

gages on any chattels of any kind or description providing for bonds with confessions of judgments regulating the assignment and release of such mortgages and designating the operation and effect of the lien of such mortgages.

House Bill No. 100, entitled:

An Act to further amend the title, subsection (e) of section one, and section thirty-nine of the act, approved the twentieth day of June, one thousand nine hundred nineteen (Pamphlet Laws, five hundred twenty-one), entitled, as amended "Transfer Inheritance Tax Law," by defining as transfers, and taxing, the right of survivorship in property as to which such right exists, and providing for the extension of the Commonwealth's lien on real property for a further period of time.

Whereupon,

The PRESIDENT (Lieutenant Governor Thomas Kennedy) in the presence of the Senate signed the same.

BILL ON THIRD READING

Mr. WOODWARD. Mr. President, I move that the Senate do now proceed to the consideration of Senate Bill No. 6, on third reading, entitled:

Joint Resolution proposing an amendment to article nine section eight of the Constitution of the Commonwealth of Pennsylvania

Mr. ARON. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 6, as follows:

A Joint Resolution proposing an amendment to article nine section eight of the Constitution of the Commonwealth of Pennsylvania

Section 1 Be it resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met That the following amendment to the Constitution of the Commonwealth of Pennsylvania be and the same is hereby proposed in accordance with the eighteenth article thereof

That article nine section eight of the Constitution of Pennsylvania is hereby amended to read as follows

Section 8 The debt of any county city borough township school district or other municipality or incorporated district except as provided herein and in section fifteen of this article shall never exceed seven (7) per centum upon the assessed value of the taxable property therein but the debt of the city and county of Philadelphia may be increased in such amount that the total city and county debt of said city and county shall not exceed fifteen (15) per centum upon the assessed value of the taxable realty therein nor shall any municipality or district incur any new debt or increase its indebtedness to an amount exceeding two (2) per centum upon such assessed valuation of taxable property or taxable realty without the consent of the electors thereof at a public election in such manner as shall be provided by law In ascertaining the borrowing capacity of the city and county of Philadelphia at any time there shall be deducted from such debt so much of the debt of said city and county as shall have been incurred or is about to be incurred and the proceeds thereof expended or about to be expended upon any public improvement or in the construction purchase or condemnation of any public utility or part thereof or facility therefor to the extent that such public improvement or public utility or part thereof whether separately or in connection with any other public improvement or public utility or part thereof may yield or may reasonably be expected to yield revenue in excess of operating expenses sufficient to pay the interest and sinking fund charges thereon The method of determining such amount so to be deducted may be prescribed by the General Assembly

In incurring indebtedness for any purpose the city and county of Philadelphia may issue its obligations maturing not later than fifty (50) years from the date thereof with provision for a sinking fund sufficient to retire said obligations at maturity the payment to such sinking fund to be in equal or graded annual or other periodical installments Where any indebtedness shall be or shall have been incurred by said city and county of Philadelphia for the purpose of the construction or improvements of public works or utilities of any character from which income or revenue is to be derived by said city and county or for the reclamation of land to be used in the construction of wharves or docks owned or to be owned by said city and county such obligations may be in an amount sufficient to provide for and may include the amount of the interest and sinking fund charges accruing and which may accrue thereon throughout the period of construction and until the expiration of one year after the completion of the work for which said indebtedness shall have been incurred but not in excess of five years from the time of the incurring of such indebtedness and said city and county shall not be required to levy a tax to pay said interest and sinking fund charges as required by section ten article nine of the Constitution of Pennsylvania until the expiration of said period of one year after the completion of said work Provided however That any county city borough township or other municipality or incorporated district may with the consent of the electors thereof increase its indebtedness to the extent of three (3) per centum over and beyond any limitation fixed herein toward the sole purpose of constructing or completing sewage treatment works

And said bill having been read at length the third time,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

Mr. WOODWARD. Mr. President, I ask unanimous consent to amend section 1, page 1, line 13, by inserting after the word "but" the following: "the debt of the county of Allegheny may be increased in an amount that the total county debt of such county shall not exceed ten (10) per centum upon the assessed value of the taxable realty therein and"

The PRESIDENT. Is there objection? The Chair hears none.

On the question,

Will the Senate agree to the amendment?

Mr. WOODWARD. Mr. President, I just want to state that the Philadelphia Senators, the Senators from Allegheny and the Mayor of Philadelphia met in the room to the left, considered this amendment and agreed upon it.

Mr. RODGERS. Mr. President, all five of the Senators from Allegheny County are heartily in favor of this amendment to Senate Bill No. 6, and in view of the fact that it requires another session of the Legislature to be passed upon and to a vote of the people of Allegheny County, we feel that this enabling legislation will be properly handled by the people who after all are the court of last resort. This three per cent in the amendment permits the county to borrow to that extent, solely for the purpose of sewers and other necessary works.

I believe it personally to be a splendid thing for Philadelphia and Allegheny County at this time. We know there is strong agitation for the cleaning out of our streams, and I believe there is only one way in which we will ever get a stream pollution bill properly enacted to enforce it, and that is to enable municipalities to borrow sufficient money to build these public works which, in

turn, will take care of our sewers, and so I say that for Allegheny County, and I speak as just one Senator, I am heartily in favor of the amendment to Senate Bill No. 6, and I believe that our other Senators are also in favor of it.

And the question recurring,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended be printed for the use of the Senate.

REPORT FROM COMMITTEE

Mr. COYNE. Mr. President, I ask unanimous consent to make a report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. COYNE, from the Committee on Executive Nominations reported with favorable recommendation the following nominations made by His Excellency, the Governor of the Commonwealth:

NOTARIES PUBLIC

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 9, 1936.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

ALLEGHENY COUNTY

Miss T. Eleanor Austerlitz, 2415 Grant Bldg., Pittsburgh.
Michael A. Smolin, Leetsdale.

DAUPHIN COUNTY

P. H. Englehart, Harrisburg.

DELAWARE COUNTY

Arthur J. O'Brien, Collingdale.

GEORGE H. EARLE.

JUSTICE OF THE PEACE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 9, 1936.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Edwin T. Kavanagh, of Blandburg, Cambria County, for appointment as Justice of the Peace in the Township of Reade, Cambria County, vice George W. Cree, deceased, until the first Monday in January, 1938.

GEORGE H. EARLE.

EXECUTIVE SESSION

By unanimous consent,

A motion was made by Mr. SONES,

That Rule 38, which requires nominations made by the Governor, to lie on the table one day be dispensed with, and the Senate do now resolve itself into Executive Session, for the purpose of acting upon the foregoing nominations.

Which was agreed to.

Whereupon,

A motion was made by Mr. SONES,

That the Senate do advise and consent to the nominations reported.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreebly to the provisions of the Constitution, and were as follows, viz:

YEAS—46

Aron,	Harvey,	Owlett,	Ruth,
Batchelor,	Homsher,	Pierson,	Salus,
Baumer,	Howell,	Prince,	Scott,
Bean,	Huffman,	Pytko,	Shapiro,
Buckman,	Kahle,	Rankin,	Sones,
Cavalcante,	Lanius,	Reed,	Staudenmeier,
Chapman,	Law,	(Dauphin)	Thompson,
Coyne,	Mallery,	Reed,	(Centre)
Ealy,	McClure,	(Washington)	Thompson,
Frey,	McGreesh,	Rice,	(Westmoreland)
Gelder,	McGinnis,	Roberts,	Woodward,
Graff,	Miller,	Rodgers,	Ziesenheim,
Harris,			

NAYS—0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

Mr. SONES. Mr. President, I move that the Executive Session do now rise.

Mr. RICE. Mr. President, I second the motion.

The motion was agreed to.

QUESTION OF PERSONAL PRIVILEGE

Mr. CAVALCANTE. Mr. President, I rise to a question of personal privilege.

The PRESIDENT. The Senator from Fayette, Mr. Cavalcante, will state his question of personal privilege.

Mr. CAVALCANTE. Mr. President, last evening I made some remarks tending to lay some base for a sound relief estimate for the period of July 1, 1936 to February 1, 1937. It was not my purpose to emphasize the figures I used in illustrating my points. The thing that I did want to emphasize indelibly was the wisdom of adopting the formula suggested by the Senator from Delaware, Mr. McClure. I did not carefully make the divisions, deductions and additions involved in the figures stated by me.

I do wish at this time to clarify certain phases of my remarks. I will also try to give figures more carefully selected and based upon tangible facts.

I realize fully that in the selection of a typical week of relief expenditure, I selected the average week of the first quarter of this year. My colleagues can justly criticise this selection for it apparently is the quarter of the year during which the relief expenditures are the highest. I say that this criticism is just as fair as my criticism of the Senator from Delaware, Mr. McClure, for selecting one of the lowest weeks of relief expenditures as the basic and typical week. However, these two points of view can easily be reconciled by taking the month of lowest and the month of highest expenditures and evolve from them the average week of expenditure. This surely should be a fair base from which to draw a respectable relief estimate.

It appears that the months of January and June of

this year are respectively the months of the highest and lowest relief expenditures. In January the expenditures were $6,523,439.57. In the month of June the expenditures were $4,923,869.28. Both these expenditures were for periods of four weeks each, or a total of eight weeks. Th total expenditures for both these months were $11,-447,308.85. Dividing this total by eight, the result is $1,430,913.61. This represents the average week of relief expenditure. If we multiply this by 30½ the result will be $43,642,865.11, which will represent the estimated average expenditure for the 30½ weeks. Let us deduct from this 17% or the sum of $7,419,287.07 to allow for the transfer of 33,000 cases to W. P. A., and the remainder is $36,223,578.04, the actual relief estimate for the period July 1, 1936 to February 1, 1937. We must now add to this 8% or $2,897,886.24 for administration costs, and the total is $39,121,464.28. The Senator from Delaware, Mr. McClure, would deduct from this 5% or $1,956,073.21 for purging the ineligibles from the relief rolls, and the remainder—$37,165,390.89—the gentleman would allow as the total relief estimate for the period July 1, 1936 to February 1, 1937. If we add to this $8,716,211, the sum transferred from special funds since the middle of May, and the total is $45,881,601.89, which, under the formula of the Senator from Delaware, Mr. McClure, would allow as a relief estimate from the middle of May to February 1, 1937.

But, as I stated yesterday, I think the deduction of 5% for purging the ineligibles from relief rolls should not be allowed, and the basic relief estimate should be $47,-838,675.10, or roughly, 48 millions. Yesterday my figures were roughly 48½ millions, but they were based differently than the ones I have just given. Yesterday's figures included a duplication of administration costs sufficient to cover the transfers made up to July 1st. Today's figures have corrected that error and also clarify the point that about 48 million dollars will repay the transfers and provide a fair fund for unemployment relief from July 1, 1936 to February 1, 1937.

BILL ON THIRD READING AND FINAL PASSAGE

Mr. GELDER. Mr. President, I move that the Senate do now proceed to the consideration of Senate Bill No. 104 (House Bill No. 153), on third reading, entitled:

An Act making an appropriation to the State Emergency Relief Board for direct relief, work relief, and expenses, defining the purposes for which such monies may be expended, and prescribing the powers and duties of the State Emergency Relief Board and certain State Departments, and ratifying, confirming and validating the action of the Governor and the fiscal officers in making monies available for unemployment relief prior to the adoption of this act.

Mr. HUFFMAN. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order.

The Senate proceeded to the third reading and consideration of Senate Bill No. 104 (House Bill No. 153), as follows:

An Act making an appropriation to the State Emergency Relief Board for direct relief work relief and expenses defining the purposes for which such monies may be expended and prescribing the powers and duties of the State Emergency Relief Board and certain State Departments and ratifying confirming and validating the action of the Governor and the fiscal officers in making monies available for unemployment relief prior to the adoption of this act

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of five million dollars ($5,000,000) is hereby specifically appropriated from the General Fund to the State Emergency Relief Board to provide direct relief work relief and for administrative expenses as hereinafter provided

Section 2 The State Emergency Relief Board shall make allocations from time to time out of the monies appropriated to it among the several counties of this Commonwealth for work relief and direct relief on the basis of need and payments shall be made under such system of requisitioning and accounting as the Governor Auditor General and State Treasurer shall determine

Section 3 The money so allocated to a county over and above the sum set aside by the State Emergency Relief Board for work relief shall be available for expenditure in that county for direct relief for the unemployed who are without means of support through such agencies as shall be designated by the State Emergency Relief Board and under such rules and regulations as the board shall adopt

Section 4 The State Emergency Relief Board may from time to time expend or authorize the expenditure of such sums as may be necessary out of the appropriation made by this act for the payment of salaries wages or other compenation of the director and other employes or assistants for the payment of postage traveling expenses mileage charges to the Department of Property and Supplies for the use of automobiles telephone rentals telephone toll charges telegrams expenses of operating and maintaining automobiles and other motor equipment newspaper advertising and notices freight express cartage for the purchase of automobiles furniture furnishings and equipment for the purchase of supplies printing binding patent indices for the payment of premiums on surety bonds for such officers and employes as may be required by statute or otherwise to furnish them for the faithful performance of their official duties or to account for funds in their possession for the payment of a premium or premiums on a policy or policies of liability insurance covering all motor vehicles owned and operated by the board which policy or policies shall protect both the Commonwealth and State officers or employes operating such motor vehicles against claims for damages for injury to person or property for the payment of a premium or premiums on a policy or policies of insurance insuring the Commonwealth against workmen's compensation liability to employes for injuries and to dependents of deceased employes of the board for payment to the State Work Relief Compensation Fund of such monies as may be necessary under the provisions of the act approved the third day of June one thousand nine hundred thirty-three (Pamphlet Laws one thousand five hundred fifteen) for the payment of rents for such buildings offices rooms storage space and lands as may be required for the accommodation or performance of the work of the board and for such other uses as the State Emergency Relief Board may in its discretion deem necessary to carry out the purposes for which the appropriation is made under this act

Section 5 The action of the Governor Auditor General and State Treasurer in making the sum of two million dollars ($2,000,000) available for expenditure for unemployment relief by the State Emergency Relief Board prior to the effective date of this act in accordance with Concurrent Resolution Serial number forty-two approved by the Governor is hereby ratified confirmed and validated

Section 6 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time,

and the amendments made thereto having been printed as required by the Constitution,

On the question,

Will the Senate agree to the bill?

Mr. HUFFMAN. Mr. President, I wish at this time to make a motion to reconsider the vote by which Senate Bill No. 104 (House Bill No. 153) passed second reading, for the purpose of allowing me to offer an amendment on second reading.

Mr. THOMPSON (Centre). Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. GELDER. Mr. President, I would like to interrogate the Senator from Monroe, Mr. Huffman.

The PRESIDENT. Will the Senator from Monroe permit himself to be interrogated?

Mr. HUFFMAN. Mr. President, I will.

Mr. GELDER. Mr. President, I would like the Senator from Monroe, Mr. Huffman, to state to us the purpose of the amendment.

Mr. HUFFMAN. Mr. President, this bill, House Bill No. 153, has been amended in Committee, increasing the appropriation from $2,000,000 to $5,000,000; and there is an accompanying bill transferring $3,000,000 from the other funds. In other words, this bill is carrying out the principle we have followed since this session began—transfer funds from other sources and then pass an appropriate bill to cover it. I wish to amend this bill back to its original form, which is for $2,000,000 of money that has already been expended, and which is provided for. The $5,000,000 for which the bill calls has not been provided for, except that it would be taken again from special funds—which I oppose.

Mr. ARON. Mr. President, I desire to interrogate the Senator from Monroe, Mr. Huffman.

The PRESIDENT. Will the Senator from Monroe, Mr. Huffman, permit himself to be interrogated?

Mr. HUFFMAN. Mr. President, yes, certainly.

Mr. ARON. Mr. President, I would like to ask the Senator from Monroe, if his amendment passes, does it stop relief?

Mr. HUFFMAN. Mr. President, it has already stopped.

Mr. ARON. Mr. President, I would like to further interrogate the Senator from Monroe, Mr. Huffman.

The PRESIDENT. Will the Senator from Monroe, Mr. Huffman, permit himself to be further interrogated?

Mr. HUFFMAN. Mr. President, I will.

Mr. ARON. Mr. President, if we pass the bill in its present form, do we not have relief for the unemployed at once?

Mr. HUFFMAN. Mr. President, I cannot answer that "yes" or "no"; but I want to say this, that it is a temporary arrangement. We have no provision here, so far as I know, for the appropriation of sufficient money to take care of the relief from now down to the end of January. This is carrying out the plan that the Republican side of the House has followed, as I said, since the beginning of the Session—for a period of ten or eleven weeks; and we, on our side, feel that the time has arrived when we must stop. The other funds are needed where they are. The Highway Department has pretty nearly broken down. There came a delegation from one of my counties here today to say that 200 men, working on a highway project out in one of the counties, will be thrown out of work at the end of this week because there is no money to continue the project. That is a beginning. You are taking money from the Liquid Fuels Tax Fund, which money belongs to the counties and the townships and the boroughs now, and they need it. No provision is being made by taxation to return these funds. We have taken $17,500,000 from the road fund alone, and under the proposed tax bill program of the Republican Party in Pennsylvania the best I can figure out of it is that it will net about $30,000,000.

The Governor is asking, and the Emergency Relief Board is asking, for $55,000,000; and no program, no set of figures, will teach us that $30,000,000, or $35,000,000, if you please, will be sufficient to take care of the poor down to the end of the period; and until that time arrives we do not feel like transferring funds from sources that now need those funds.

Mr. OWLETT. Mr. President, I would like to interrogate the Senator from Monroe, Mr. Huffman, further.

The PRESIDENT. Will the Senator from Monroe, Mr. Huffman, permit himself to be interrogated further?

Mr. HUFFMAN. Mr. President, I will.

Mr. OWLETT. Mr. President, I would like to ask the Senator from Monroe where we would get the money to continue relief now—at this time—this week, if all the tax bills now on the program were passed.

Mr. HUFFMAN. Mr. President, I would answer the Senator from Tioga, Mr. Owlett, by saying, I think that is your problem.

Mr. OWLETT. Mr. President, I would like to ask the Senator from Monroe the further question: Is it not a fact that there has been no bill introduced in this Legislature yet for providing for the issuance of tax anticipation notes to get money for relief?

Mr. HUFFMAN. Mr. President, I would answer that by saying, yes, there has been.

Mr. OWLETT. Mr. President, when was it introduced?

Mr. HUFFMAN. Mr. President, to the best of my information, it was introduced last week, or this week.

Mr. OWLETT. Mr. President, is it not a fact that it was introduced the day before yesterday by a member of the House of Representatives who was not even a recognized member of the Democratic organization in this State?

Mr. HUFFMAN. Mr. President, I cannot say "yes" or "no" to either question; I do not know whether it was the day before yesterday that the bill was introduced, and I do not know who introduced it.

Mr. OWLETT. Mr. President, is it not a fact that if every tax bill that has passed the Democratic House and been sent to this Senate, had been passed, we would have no relief money today unless we had a transfer, or had a provision for tax anticipation notes?

Mr. HUFFMAN. Mr. President, I think that is begging the question. We have been here for eleven weeks—ten or eleven weeks, and had we passed tax bills at the beginning of the session instead of at this time—or trying to—undoubtedly we would have plenty of money now.

Mr. OWLETT. Mr. President, I insist on the Senator

from Monroe answering my question, which is, is it not a fact that if all tax bills now in this Senate were passed, we would either have to issue tax anticipation notes or make a transfer to take care of relief this week?

Mr. HUFFMAN. Mr. President, if they were all passed at the present time?

Mr. OWLETT. Mr. President, if they were all passed now, at the present time.

Mr. HUFFMAN. Mr. President, if they had been passed in time we would not need any assistance from funds.

Mr. OWLETT. Mr. President, I would like to ask the Senator if it is not a fact that even if they had been passed three weeks ago still there is no legislation for tax anticipation notes offered yet, or passed in neither the House nor the Senate.

Mr. HUFFMAN. Mr. President, what the gentleman is raising is the question of the validity of the Act passed last year for further usage of the funds. That is a matter of dispute among lawyers, and to cover that a new Act has been introduced to permit us to issue the tax anticipation notes.

Mr. OWLETT. Mr. President, is it not a fact that the present administration has learned that they cannot issue tax anticipation notes without a new Act, and that that Act was not introduced until this week, and that no matter what happens in this Senate relief is cut off, unless we make a transfer until that Democratic Act is passed—that has already passed in the House?

Mr. HUFFMAN. Mr. President, relief has already been cut off; I have already answered your question.

Mr. OWLETT. Mr. President, it seems to me the time has come to meet this issue. Night before last the Governor of Pennsylvania released a highly inflammatory statement against the Republican members of this Senate. This statement was utterly and maliciously false, and he should have known that it was false at the time he made it. For the first time in the history of this Commonwealth the Governor has lowered himself to the level of common mendacity for the purpose of deliberately deceiving the people of the State as to a situation.

POINT OF ORDER

Mr. SHAPIRO. Mr. President, I rise to a point of order.

The PRESIDENT. The Senator from Philadelphia, Mr. Shapiro, will state his point of order.

Mr. SHAPIRO. Mr. President, this is a motion to have the vote by which this bill passed second reading reconsidered; it is not debatable.

Mr. OWLETT. Mr. President, I am speaking on this motion. This is a motion to strike out of this bill the only possible provision for giving relief to the unemployed of Pennsylvania—the only possible provision—and that is what I am debating.

The PRESIDENT. The Chair rules that that is not the motion. The motion is to reconsider the vote by which this bill passed second reading, and that is only debatable within a very limited sphere—principally on the mechanics of it.

Mr. OWLETT. Mr. President, do I understand I shall proceed, or sit down?

The PRESIDENT. The Chair rules that the point of order raised by the Senator from Philadelphia, Mr. Shapiro, is well taken.

Mr. BUCKMAN. Mr. President, I would like to interrogate the Senator from Monroe, Mr. Huffman.

The PRESIDENT. Will the Senator from Monroe, Mr. Huffman, permit himself to be interrogated.

Mr. HUFFMAN. Mr. President, yes.

Mr. BUCKMAN. Mr. President, a few minutes ago the Senator from Monroe spoke of the "Republican policy" of transferring money from special funds. I should like to ask the Senator if any one of these transfer resolutions was introduced in the Senate, or if it is a fact that each and every one originated in the House, and was passed by the House before it reached the Senate.

Mr. HUFFMAN. Mr. President, yes, sir.

Mr. SHAPIRO. Mr. President, I desire to interrogate the Chairman of the Committee on Appropriations—the Senator from Susquehanna, Mr. Gelder.

The PRESIDENT. Will the Senator from Susquehanna, Mr. Gelder, permit himself to be interrogated?

Mr. GELDER. Mr. President, I will.

Mr. SHAPIRO. Mr. President, I understand that this bill, Senate Bill No. 104, is to transfer money, apparently, from the General Fund. Am I correct?

Mr. GELDER. Mr. President, it is.

Mr. SHAPIRO. Mr. President, is it correct, also, that unless Senate Bill No. 105 passes,—to provide for the transfer of funds, there will be no money in the General Fund from which to make appropriations for relief?

Mr. GELDER. Mr. President, I think that is correct.

Mr. SHAPIRO. Mr. President, is it not true that our voting for these appropriations from the General Fund, where there is no money, is just a proceeding that is innocuous?

Mr. GELDER. Mr. President, I think it implies that Senate Bill No. 105 should also be passed. Perhaps we have the cart before the horse, and should first called up Senate Bill No. 105.

Mr. SHAPIRO. Mr. President, that is correct, and I suggest to the Senate that the vote on Senate Bill No. 104, for the appropriation of funds that do not exist, should be postponed until we act on Senate Bill No. 105—to see whether or not we here are willing to make the transfer.

And the question recurring,

Will the Senate agree to the motion?

The yeas and nays were required by Mr. GELDER and Mr. HUFFMAN and were as follows, viz:

YEAS—20

Baumer,	Law,	Reed,	Ruth,
Cavalcante,	McCreesh,	(Washington)	Shapiro,
Frey,	McGinnis,	Rice,	Sones,
Huffman,	Miller,	Roberts,	Thompson,
Kahle,	Pytko,	Rodgers,	(Centre)
Lanius,	Rankin,		

NAYS—26

Aron,	Gelder,	McClure,	Scott,
Batchelor,	Graff,	Owlett,	Sordoni,
Bean,	Harris,	Pierson,	Staudenmeier,
Buckman,	Harvey,	Prince,	Thompson,
Chapman,	Homsher,	Reed,	(Westmoreland)
Coyne,	Howell,	(Dauphin)	Woodward,
Ealy,	Mallery,	Salus,	Ziesenheim,

So the question was determined in the negative.

And the question recurring,

Will the Senate agree to the bill?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. OWLETT. Mr. President, I desire to renew what

I was about to state before. I repeat that night before last the Governor of Pennsylvania released a highly inflammatory statement to the press, against the Republican members of this Senate. This statement was utterly and maliciously false, and he should have known it to be false at the time he made it. For the first time in the history of the Commonwealth, the Governor of the State has lowered himself to the level of common mendacity for the purpose of deliberately deceiving the people of the State as to a situation which he has persistently misrepresented during the whole period of this Special Session. The Governor has violated all the rules of fair conduct and decency.

We should no longer tolerate these exhibitions of temper and irresponsible conduct without explaining, on our part, the full factual situation at Harrisburg, as well as making clear to the people of Pennsylvania the kind of propaganda that is going around this State. The time has come for a show down—

QUESTION OF PARLIAMENTARY INQUIRY

Mr. HUFFMAN. Mr. President, I rise to a question of parliamentary inquiry.

The PRESIDENT. The Senator from Monroe, Mr. Huffman, will state his question of parliamentary inquiry.

Mr. HUFFMAN. Mr. President, do I understand that House Bill No. 153 is before the Senate for consideration?

Mr. OWLETT. Mr. President, yes, Senate Bill No. 104 (House Bill No. 153).

The PRESIDENT. That is right.

POINT OF ORDER

Mr. HUFFMAN. Mr. President, I rise to a point of order.

The PRESIDENT. The Senator from Monroe, Mr. HUFFman, will state his point of order.

Mr. HUFFMAN. Mr. President, the Senator from Tioga, Mr. Owlett, is not speaking to the point on the question of the consideration of the bill.

Mr. OWLETT. Mr. President, I wish to state I am speaking on this bill.

The PRESIDENT. The Chair believes that the Senator from Tioga is not very close to the bill. The Senator will kindly confine his remarks to the bill in question.

Mr. OWLETT. Mr. President, I say, we welcome this opportunity to make a full exposure of the facts. This bill before us, Senate Bill No. 104 (House Bill No. 153), is the only measure possible in this Senate to give relief to the unemployed at this time, and any one that opposes this bill is voting against relief in Pennsylvania, and there is not any other issue at stake here.

Now, Mr. President, there has been no bill introduced in this Senate whatever, there was no bill introduced in the House until day before yesterday, providing for any tax anticipation notes. Everybody that studied the question knows that we cannot raise money through these tax bills—even if they were all passed—until we issue tax anticipation certificates to get the money.

Mr. President, three weeks ago we passed a bill, a tax bill, levying a tax on liquor, for $7,500,000. If the Administration had passed a tax anticipation note bill, as they should have done three or four weeks ago, introduced it in the House and sent it over here, we would have available today $7,500,000 from that bill, and the people of this State would not go hungry.

Now, Mr. President, there is no other conclusion to be drawn from the facts than that this plan of having relief stop in Pennsylvania this week is a deliberate, preconceived plan for the purpose of politics and nothing else. I say to you, Mr. President, that if the Governor of this Commonwealth had complete control of this Senate today, there is nothing he could do—there is nothing that anybody could do—to relieve unemployment in Pennsylvania except to pass these two bills; because that is the only fund available, that is the only money we can get for relief until tax anticipation notes are sold,—there is no bill providing for them other than that. And I say again, anyone voting against this bill is voting against the continuance fo relief in Pennsylvania.

Mr. HUFFMAN. Mr. President, I would like to interrogate the Senator from Tioga, Mr. Owlett.

The PRESIDENT. Will the Senator from Tioga, Mr. Owlett, permit himself to be interrogated?

Mr. OWLETT. Mr. President, I will be very glad to.

Mr. HUFFMAN. Mr. President, is it not a fact that the Republican Party has decided in caucus that the tax program should be a maximum of $35,000,000?

Mr. OWLETT. Mr. President, that has nothing to do with this bill. The fact is that the Republican caucus has decided time and time again, and has decided for the last two days, that the going off of relief is nothing more than a scheme to be used for political purposes; and that as far as the Republican membership of the Senate is concerned they are going to use the only methods that they have available, or anybody has available, to get money for the relief of the suffering in this State.

Mr. HUFFMAN. Mr. President, I still would like to have the Senator from Tioga answer my question.

Mr. OWLETT. Mr. President, I would like to have the Senator from Monroe repeat the question.

Mr. HUFFMAN. Mr. President, my question was, whether the Republican Party in Pennsylvania, as represented by the Republican Senators in caucus, have not decided that the maximum of the bills that they would send out for passage is $35,000,000

Mr. OWLETT. Mr. President, the Republican membership of this Senate, in a caucus, decided that in their judgment $35,000,000 was ample to take care of relief if Mr. Jones as he said he would, namely, take off of the direct relief rolls, the married men now on those rolls and transfer them to WPA in exchange for an equal number—I believe 25,000 is the number—of single men on the WPA rolls. It was Mr. Jones's own suggestion that he could save $1,000,000 a month.

The Republican members of the Senate conceived that $41,000,000—backed up by State Treasurer Waters—would continue relief on the present basis until February 1, 1937. From that has been deducted the sum of $7,000,000—or $6,000,000, representing the $1,000,000 a month saving which Mr. Jones himself said could be effected if they made the transfer of cases that I have just mentioned; and we could not conceive that with the chance of saving $1,000,000 a month to the taxpayers of Pennsylvania this Administration would fail to avail itself of that offer.

Mr. HUFFMAN. Mr. President, the answer is the maximum is to be $35,000,000, and the only figures we have that are reliable are the figures we get from the State Emergency Relief Board, which are, that we need $35,000,000. The only tax bills that were sent out over

a period of more than ten weeks by the Committee on Finance of this Senate are the three—the increase in the Liquor Tax and the two bills on the calendar now. The one will net $575,000, and not in excess of $21,000,000. The Revenue Department say $18,000,000, which makes a total of $30,575,000 to cover the tax programme that the Emergency Relief Board says will require $55,000,000.

Therefore, no provision, I say, has been made, and there is no intention of making provision here for more than about one-half of this period; and if the people must go out and go hungry is it not better to have it done in the month of July than to have it next December? I say that we have been going along this long on all this borrowed money, but some time we will have to stop. These funds have become exhausted; there is no money in the Treasury now; but I say it is their talk that we at this time cannot afford to transfer any more funds from other sources.

Mr. THOMPSON (Centre). Mr. President, the simulated humane attitude of my colleagues on the other side of this House reminds me of the old quotation in the Holy Scriptures, where the ancient Jewish patriarch said, "The voice is the voice of Jacob but the hands are the hands of Esau", and I think that is exactly the character of the expressions that we are hearing today from the other side of this Senate.

Now, I say this Mr. President, the facts which are based upon the Journal of this Senate, Let us just back to our Journal of a month ago, to see if the Democratic side of this House is responsible for the political malingering that has been going on in this Senate since the 4th of May.

Mr. President, let me read from the Journal of June 8th. Let me read from the remarks of one of the Democratic Senators: "* * * To provide by proper taxation a reasonable and adequate amount for relief is our immediate problem. Sufficient money for this purpose must and can be raised. But although five weeks have passed, no plan or policy so far has been advanced in this Extraordinary Session by this Senate. It is time that we act Our people are uttering words of discontent over our delay; just criticism is spreading throughout the State; and ere long June shall be called upon for a transfer of more funds."

Quoting again: "I think it would be better for all of us, on both sides of this House, to take the good, up to date, Twentieth Century American text, and let our text be, on all of these problems, to go to work. I was ashamed of myself when I looked at this Senate calendar tonight. We saw bills on our calendar last week—and what happened to them? Just the same thing that happens to any piece of legislation that appears on our calendars. Back in Committee! Back in Committee! That is where all of this legislation goes.

As the Senator from Philadelphia, Mr. Shapiro, has reminded us, we are coming right to the narrow edge of the passage of this social security legislation. The State of Pennsylvania will lose millions of dollars if we do not begin acting this week and do not act next week. And what do we do? Try to delay for political conventions!

We all heard it propounded last week, on the floor of this Senate that we adjourn for the political conventions; and that, Mr. President, did not come from the Democratic side of the House. If we would have adjourned this Senate last week for the political conventions, it would have meant the death of social security legislation in Pennsylvania.

The Senator from Cumberland, Mr. Prince, says that the Republican Party is willing to go the limit on all of these problems for the protection of the unfortunate of this State. I ask you, Mr. President, why doesn't the Republican Party go somewhere on this problem—anywhere, as a matter of fact? But we sit here for a month and a half and the Republican Party has not gone anywhere. Is this lack of courage? Is this a lack of ability to face these problems and to dispose of them frankly and fairly, and in a manner which is answerable to the public of Pennsylvania? I say, let us go somewhere in this Senate, even if we do make a mistake; let us do something, and not sit here interminably with a calendar of two or three bills on it, and probably send those bills back to committee before we adjourn within twenty-four hours after we convene."

Mr. President, those quotations, that word of caution, was thrown out to the Republican side of this Senate a month and a day ago. A month elapsed before any tax bills were seen on the calendar of this Senate, and those tax bills were in the Finance Committee the night that those remarks were made.

Mr. President, how does any Republican Senator in this House have the audacity to stand up and say that the Democrats are in anywise responsible for any emergency that exists? Mr. President, I say to you that the Republican side of this House is 100% responsible for the emergency that exists in the State of Pennsylvania today. They have been warned over and over again. I could go through this Journal, Mr. President, week by week since the middle of May and show you those same words of caution, those same words of pleading, those same words begging the Republican side of this House to do something, to face an emergency which was certainly going to come. Anywhere from two months ago to a month ago the same words of caution have been thrown out, but they closed their eyes to the future, they closed their eyes to the fact, they would do nothing, they would say nothing, they would bring nothing on the floor of this Senate for disposition by the Senate, and then they come in this afternoon by subterfuge and try to throw the burden of this situation on the Democratic side of the House.

Mr. President, I say, in answer to the remarks from the Senator from Tioga, that the Republican side of this House has been guilty of public and political malingering since the 4th day of May, and they would come in here this afternoon and except the Senators on the Democratic side of this House to keep on voting for measures which will not relieve this crisis, but it will aggravate this crisis. They cannot expect us to vote for smokescreen legislation to cover up their own derelictions. If they had been on the level, if they had been interested in the welfare of the starving people of Pennsylvania, they would have heeded the remarks in this Journal of June 8th.

Mr. President, let us have on the record of this Senate a thorough understanding of what the Democratic position is. Mr. President, the Democratic position is not against the transfer of funds, but the Democratic Party says to the Republican side of this Senate, "we will not cripple our counties, we will not further cripple our boroughs

and our townships and our school districts, and our other municipal subdivisions; we will not run a chance of dumping 80,000 employes under the operation of the State Highway Department back on to the relief rolls by transferring additional funds; we will not submit to any more transfer of funds that are being delegated for this special purpose until this Senate has passed an adequate and a comprehensive program of taxation which will be necessary to meet this situation from now until the first of February. When an adequate and comprehensive program of taxation has been passed by the political malingerers in this State Senate, the Democratic Party will then do everything in its power to provide by temporary transfers for which repayment is already provided, the funds from which to take care of the funds for our immediate necessities. Mr. President, when that time comes, I am sure that all of us will join with our new humane bretheren on the other side of this House to help relieve any temporary emergency, but I say again, Mr. President, until that time arrives, until we have something to offer the people of the State of Pennsylvania besides a smokescreen maneuver, until that time, Mr. President, I, for one, and I believe I speak for the majority of my Democratic brethren, will not vote for any more transfers of funds.

Mr. SHAPIRO. Mr. President, I believe that this discussion is out of order but I am unwilling to allow the situation to be beclouded by what I might call "disorderly" discussions—and I use the word advisedly. I think, in discussing the bill, however, or the bill, the question of good faith is always present; and therefore I think I can take refuge in the phrase, whether or not this bill is offered in good faith for the purpose of what I consider an out of order discussion in the light of what has already occurred.

The Senator from Tioga, Mr. Owlett, says anybody who is voting against this bill is voting against relief. This is the only measure by which you can get relief. In response to question I put to the Chairman of the Committee on Appropriations, as to whether or not this bill provides any money, he says, "No, because it is an appropriation of $3,000,000 from the Treasury"—which does not exist, it is not there; and how anybody can be voting against relief when he is voting for an appropriation which does not exist, I do not understand. And I come back to the question of good faith because all these things that are being done are mere subterfuges—this is merely an empty shell.

In discussing this question someone asked the question, and got the answer that all these bills originate in the House. Let us look at that. The first transfer bill was for $11,000,000. It came over from the House. It recited the fact that whereas we have met, and there is not now sufficient time to pass bills creating revenues, we will have to have a temporary transfer. And we requested an $11,000,000 transfer. Did the Republicans say, "Well, one thing is certain: You will need $11,000,000 for relief, and we might as well give that"? Oh no, the Republicans took that resolution and reduced it to $3,330,000. When that expired the Republicans said, "Your figures are all wrong. We will show you they are all wrong. The first thing is to have a W. P. A. investigation, and the next thing is to talk about it." And the day before relief expired the Republicans did nothing. The Democrats foolishly presented another resolution, which, if I had charge of affairs would never have been done—because, the child having been taken over and dumped into the lap of the Republican Party, it was their child. But they did nothing, so in desperation the Democrats sent over another resolution asking for $6,086,211. Did the Republican majority adopt that, Oh, no, they took that into committee and said, "You don't need that much money; we have not had time to go over the figures, but you need less." And what did they do to that resolution? They reduced it to $4,000,000. And when that money was expended, and starvation again threatened, and we were talking about people going hungry, on the floor of this Senate, another resolution was introduced by the Democrats, and that resolution asked for $6,086,000. Was that agreed on? Oh, no; the Republicans said, "You do not need that much money," and they first reduced it to $1,000,000 for the balance of June, and then, after that, when the $1,000,000 was used up, every penny, they added another million dollars for July. The total appropriation to this State is less than the $11,000,000 asked for in the first resolution; and we are having now another resolution asking for the other million dollars.

On the question of good faith, I leave it to fair and honest-thinking people whether or not that is the complete answer as to who is acting in good faith. I say, this resolution, or this appropriation bill, is a mere shell. I contend that the next resolution cannot be legally acted upon, because the next resolution contains an amendment which the Chair has no right to receive. It is an original resolution carrying out a moral obligation to appropriate $2,000,000, and when it is so amended that it calls for another appropriation of $3,000,000 it is in violation of the original purpose of the resolution, and I shall raise the question at the proper time, and those who are familiar with parliamentary procedure must acknowledge that there is no merit in the amendment, and no validity in that amendment. Properly speaking, that amendment cannot be received by the Chair. I do not propose to have anybody try to place me in the position of having merely promised to vote for a $2,000,000 resolution, and then amend it so as to compel me—on the ground that I had promised merely to vote for two—to vote for five, on the statement, "If you don't vote for the five, the bill falls."

I will have the courage of my convictions, and I will vote, as I have always done, against that resolution when it comes up for transfer; but I contend that there is nothing in this appropriation bill, and there is nobody going to be helped, and nobody going to be stopped from starving by that bill, because it is a mere shell.

And I want to say I do not intend at this time to answer the tirade of the Senator from Tioga, Mr. Owlett, against the highest officer of the Commonwealth of Pennsylvania. I have tried thus far to refrain from engaging in personalities and the calling of names. I have found that it never pays to do it. At the proper time there may be a proper answer to that. But I have been listening with great interest and appreciation to the criticisms of the gentleman who has the honor of opening these exercises, in the hope that some light may fall on the Republican members of the Senate. I ask them to refer to the Journal

of Wednesday, July 1, and read the prayer of the Rev. Dr. Howard:

"We thank Thee that the cradle of freedom lies within the confines of our great State. Make us worthy sons of our heroic sires, facing the problems of today with the same courage displayed by them one hundred and sixty years ago. The crisis of that day was indeed serious. Perhaps equally serious is the crisis of today. Oh God, give us men brave enough to face every issue arising from the surging confusion of twentieth century life."

We were praying for Divine guidance. I suggest that that guidance, in this gilded room—existing in a time which contains some 173,000 families who are suffering—has been over us at all times. In the words of the Divine, "I have seen the affliction of my people and have heard their cry, and I will redeem them."

Mr. WOODWARD. Mr. President, the Senator from Centre, Mr. Thompson, referred to the mess of pottage story in the Old Testament, and I have a copy of the Evening Bulletin of May 5th, referring to the mess of pottage. Unfortunately, I have lost the first page but on this next page the heading is "Earle Boosts Tax Program to $80,618,600 Total." This was early in May. The article goes on to say, "The Administration moved swiftly in a legislative way to keep pace with the Governor's suggestions and his expressed hope that the Special Session 'will be very short.' Bills covering his tax recommendations are ready for consideration by the House Ways and Means Committee, following their introduction in the Democratic lower branch last night."

Then, in the next column it says, "Earle's revised figure of $70,991,000 for relief requirements up to the end of next January—a period of nine months—reflects a decrease . . ."

Now, my argument is that by prolonging this Session we are not faced now with Governor Earle's revised figure of $70,991,000, but his re-revised figure now is $55,000,000, and if we just sit here long enough it may be lower.

Mr. ZIESENHEIM. Mr. President, I would like to interrogate the Senator from Centre, Mr. Thompson.

The PRESIDENT. Will the Senator from Centre, Mr. Thompson, permit himself to be interrogated?

Mr. THOMPSON (Centre). Mr. President, I will.

Mr. ZIESENHEIM. Mr. President, I have listened very carefully to the statement of the Senator from Centre, Mr. Thompson, relative to the position of the Democratic side of the Senate, and there is one question I did not hear answered, which is rather strange to me. Will the Senator explain to us just what his plan is now for feeding people tomorrow. I would like to have that answered.

Mr. THOMPSON (Centre). Mr. President, In answer to the remarks of the Senator from Erie, Mr. Ziesenheim, I would say that the Democratic side of this House does not propose to pull the Republican chestnuts out of the fire. The Republican side of this House has brought down the wrath of the people of Pennsylvania on their heads, and I say that we do not propose to cripple the government of this State, of the people of the subdivisions, by pulling the Republican chestnuts out of the fire.

Mr. ZIESENHEIM. Mr. President, do I understand the Senator's position is that in order to have political advantage, he proposes that the people shall starve; is that the idea?

Mr. THOMPSON (Centre). Mr. President, we have not proposed anything for political advantage, we have not tried to take any political advantage; but I have watched the action of the Senator from Erie and have listened to the remarks of the Senator from Philadelphia, Dr. Woodward, trying to capitalize political advantage that may be in this particular emergency, and I say to you, Mr. President, when the Republican side of this House, having delayed for eleven weeks to pass adequate legislation, appropriate legislation, appropriating that taxation, then we will be in a position to talk transfer.

Mr. ZIESENHEIM. Mr. President, the Senator from Centre still has not explained what the people are going to do tomorrow.

Mr. THOMPSON (Centre). Mr. President, that has been up to the Republican side of this House to explain for the past eleven weeks and they have not offered any explanation.

Mr. ZIESENHEIM. Mr. Prsident, I would ask the Senator from Centre if the people have been hungry in the last eleven weeks.

Mr. THOMPSON (Centre). Mr. President, the people have been in the last eleven weeks and will be hungry from now on until the first of February of next year, if the program of the Republican Party as presented to us thus far is allowed to prevail in this Legislature.

Mr. ZIESENHEIM. Mr. President, I take it, then, that the Senator from Centre is going to feed them history instead of food. Is that it?

Mr. THOMPSON (Centre). Mr. President, we will feed the people of Pennsylvania when the Republican majority in this Senate takes some action to demonstrate they have a real interest in the people of Pennsylvania, real interest in the welfare of the people.

Mr. REED (Dauphin). Mr. President, I cannot permit the Senator from Centre, Mr. Thompson, to use the word "malingering" so often as he has this afternoon without placing the responsibility upon Pennsylvania's great malingerer. On the fifth day of this Session, in a question of personal privilege, I put four distinct questions to Governor Earle as questions that must be answered in order that we could decide the amount necessary for relief. It was about a month ago that my distinguished colleague, the Senator from Cumberland, Dr. Prince, addressed a question to Governor Earle with respect to money due under the agreement with Harry L. Hopkins, and to that question we have had no reply. It was approximately three weeks ago that the Republican membership of the Senate of Pennsylvania addressed a letter to Governor Earle, containing six vital questions upon which the Republican side of this Senate could determine what the necessary amount for relief should be, and after three long weeks we have had no reply. I, therefore, ask the question who is the malingerer? Why has not the Governor of this Commonwealth, who on the opening day of this legislative session stated that he would gladly submit all facts and figures with regard to the relief question? I am beginning to wonder does he dare to make a reply.

Now, after all this malingering on the part of the Governor of this Commonwealth in failing or refusing to answer the questions to which this Senate is entitled, as I understand he has made the statement that he will sign no more transfer bills. This is a spectacle that Pennsylvanie may well ponder upon, people on relief, people forced to go hungry, and yet this Administration saying that, until you adopt our program of $55,000,000, they shall continue to go hungry even though the Governor

of this Commonwealth has refused, and persistently refused, to give facts to which the Senate of Pennsylvania and the people of Pennsylvania are entitled.

Ever since the first Talbot Bill of 1931, I have taken the position that in this Commonwealth no one should be permitted to go hungry. That has been the position of the Republican Party, and, thank God, it is the position of the Republican Party today, and so, Mr. President, I ask that, as speedily as possible, in relief of those in distress we pass these bills and send them to the House, to see if the House of Representatives has a spark of humanity in its membership, and that they may go to the Governor of this Commonwealth and let him determine whether he is going to sign them, and also to let the Senate of Pennsylvania know when he is going to answer those questions, so that the people of the Commonwealth, as well as the Senate of Pennsylvania, shall have the facts to which we are entitled.

Mr. CAVALCANTE. Mr. President, I always like to feel that when the Senator from Dauphin speaks, he speaks with full sincerity. Sometimes, however, I doubt very seriously whether he clearly expresses himself. Sometime ago I referred to this "master of confusion", sometimes I was not far from telling the truth. If the Senator from Dauphin, who has pleaded so eloquently with the Governor, has refused to answer certain questions or to go on his knees to plead and beg the Republican Senators on this relief program, I say, if the Senator from Dauphin were a little careful and a little cautious, he would only recollect things that have already been done by the Governor and would probably take a different attitude. I would like to refer the Senator from Dauphin, who says that the Governor refused to meet them, or refused to answer the questions, I would like to refer him to the opening address of the Governor on May 4th, found in the Journal of this Senate on page 53, in which the gentleman told the Senator from Dauphin and all other Senators this: "I shall be happy to meet with any committee of your honorable body, at any time, to discuss the entire subject. I am perfectly willing to accept any tax substitutes you may propose, on two conditions. One is that such substitutes do not fall upon necessities, the other is that they be based upon ability to pay." And no longer than a month ago, the Governor extended that same invitation to the Senator from Dauphin and his colleagues, and did they accept the invitation? Not by any means, and I am mighty glad that the Senator from Dauphin had learned the full meaning of the word "malingering", as used by my colleague from Centre, because that expresses fully what the Senator from Dauphin and his colleagues have been doing for the last ten weeks.

Mr. President, I wish to interrogate the Senator from Tioga, Mr. Owlett, on remarks made by him.

The PRESIDENT. Will the Senator from Tioga, Mr. Owlett, permit himself to be interrogated?

Mr. OWLETT. Mr. President I will.

Mr. CAVALCANTE. Mr. President, will the Senator from Tioga, Mr. Owlett, state whether the amendments in his bill in committee from $2,000,000 to $5,000,000 is part of the program approved and adopted by the Republican caucus.

Mr. OWLETT. Mr. President, the amendment in this bill is part of the program of the Republican members of this Senate, to see to it that the people of Pennsylvania do not starve this week. Does that answer the question?

Mr. CAVALCANTE. Mr. President, my friend here on my left had attracted my attention and I did not hear the answer.

Mr. OWLETT. Mr. President, for the benefit of the Senator from Fayette, I will repeat that the bill now before this Senate, Senate Bill No. 104, together with Senate Bill No. 105, which follows, is the program of the Republican members of this Senate for preventing the people in Pennsylvania from starving this week.

Mr. CAVALCANTE. Mr. President, the question I asked the Senator from Tioga, Mr. Owlett, is whether it is part of the $35,000,000 program adopted and approved by the Republican caucus.

Mr. OWLETT. Mr. President, in answer to the Senator from Fayette, Mr. Cavalcante, I would say that these bills provide and make available immediately the sum of $3,000,000 for relief to apply on July. Then when the program is adopted, this $35,000,000 or $41,000,000 program, this $3,000,000 will apply on that amount the same as the previous transfers have applied?

Mr. President the Republican members of this Senate offer this Senate and offer the Governor this opportunity of making available and the only way enough would be available if all tax bills are passed, of taking care of this immediate situation.

Mr. President, the Governor, two days ago said again, on Thursday night, in the Moose Hall in Philadelphia, "I am going to carry my fight for the starving men, women and children of Pennsylvania on Friday. I am going to speak at Memorial Hall, Shenandoah, and then I am going to every district represented by the Republican Senators." I invite him to my Senatorial District any time he wants to come, and I will tell the people up there why there is not any money for unemployment. I will explain that it because the Democratic members of this Senate and the Democrats in the House refused to make the funds available that we have available for relief.

I want to call the Senator's attention to one more fact. This bill provides for the transfer—this companion bill, which is part of our program—provides for the transfer of $3,000,000, $1,500,000 from the Liquid Fuels Tax Fund. Mr. President, today, in the treasury of this State, remains $2,663,797.30 in the Liquid Fuels Tax Fund. Bills are in the process of passing which will enable this fund to be raised as soon as the Democrats put through Tax Anticipation Notes which they will have to do pretty soon. Then the State Stores, today that fund contains $3,336,890.31. 81.

Now, I would like to ask the Senator from Fayette whether there is any reason for the people of Pennsylvania to go hungry with all that money lying in the treasury of Pennsylvania, when it is the only money available, no matter what you do.

I would like to interrogate the Senator from Fayette, Mr. Cavalcante.

The PRESIDENT. Will the Senator from Fayette, Mr. Cavalcante, permit himself to be interrogated?

Mr. CAVALCANTE. Mr. President, I will. I did not know that my question was of such delicate construction that it would break loose such a flood of explanation.

Mr. OWLETT. Mr. President, I want the Senator from Fayette to understand the Republican members' program as I understood it, so I wanted to give him a full explanation.

Mr. CAVALCANTE. Mr. President, but still the Senator's flood of explanation has not informed me definitely whether or not this bill in its amended form is part of the $35,000,000 program adopted and approved by the Republican caucus.

Mr. OWLETT. Mr. President, the moneys which would be transferred by these bills will be repaid by the $35,000,000 tax program as soon as it is enacted, of course.

Mr. CAVALCANTE. Mr. President, I see no difficulty for the Senator from Tioga to answer that question, the question whether or not it is part of their program.

Mr. OWLETT. Mr. President, it is not part of the bill which will be passed making a general appropriation. It is a special appropriation to care of immediate needs, and it is part of the $35,000,000 program in that it will be repaid with the funds derived from new tax bills which will be passed.

Mr. CAVALCANTE. Mr. President, may I ask the Senator from Tioga if the amendment to this bill was one of the consideration of the Republican caucus.

Mr. OWLETT. Mr. President, yes, it was one of the considerations at several meetings of the Republican Senators when they were trying to see what could be done with the immediate relief situation in Pennsylvania, after it was discarded by the Democrats.

Mr. CAVALCANTE. Mr. President, I think it is as hard for me to get an answer to my question as it is to chase a "will-o-the-wisp," and I can readily see that the Senator from Tioga does not wish to tell us whether this amendment is part of the Republican program or not, and whether or not is was considered as such in the Republican caucus.

Mr. OWLETT. Mr. President, I think I have answered that question.

Mr. SHAPIRO. Mr. President, I would like to interrogate the Senator from Tioga, Mr. Owlett.

The PRESIDENT. Will the Senator from Tioga, Mr. Owlett, permit himself to be interrogated?

Mr. OWLETT. Mr. President, I will.

Mr. SHAPIRO. Mr. President, I understand that the Senator from Tioga invited the Governor to come up to his district and I am curious to know why. I would like to have the Senator tell me whether he thinks it pays the Governor to go into Tioga County, where there are 396 cases, while in Allegheny County there are 59,000, and in Philadelphia County 69,000 cases.

Mr. OWLETT. Mr. President, I desire to say this: Happily in the district I come from we have a small relief roll; however, unlike the Senator from Philadelphia, Mr. Shapiro, we try in that section of the State to look at all the members of the State as our brothers, and try to be concerned in all other members of the State, and, Mr. President, while it is true that we have small relief rolls in my area, I am concerned about unemployment in the large sections in Pennsylvania, and, Mr. President, I am told today that they are going hungry and this bill will provide for them, and that is why I am for it.

Mr. THOMPSON (Centre). Mr. President, I would like to interrogate the Senator from Tioga, Mr. Owlett.

The PRESIDENT. Will the Senator from Tioga, Mr. Owlett, permit himself to be interrogated?

Mr. OWLETT. Mr. President, I will.

Mr. THOMPSON (Centre). Mr. President, after the humane expressions from the Senator from Tioga, I would like to ask him whether or not he is for the $55,000,000 relief program?

Mr. OWLETT. Mr. President, I am not for the $55,000,000 program because I know, and everybody knows who studies the problem, that this amount is not needed to take care of relief in Pennsylvania. I know that WPA, if it were run as it should be run, and the employables taken off the relief rolls, and no people brought down from New York State and $6,000 or $5,000 jobs meted out to these people who are friendly with this Administration, we would not need that amount of money. And, Mr. President, further than that this relief administration now has 12%, or $800,000 a month expense in administering relief and if this were cut down as it should be cut down, and if the cases were taken off relief rolls that should be taken off, much less than $55,000,000 would be ample to take care of relief, although, Mr. President, that has nothing whatever to do with these bills before us. These bills provide today immediate money for the unemployed who need food.

Mr. THOMPSON (Centre). Mr. President, I would like to ask the Senator whether or not he is in favor of the $49,000,000 program.

Mr. OWLETT. Mr. President, I am not.

Mr. THOMPSON (Centre). Mr. President, I would like to ask the Senator from Tioga whether he is in favor of the $45,000,000 program.

Mr. OWLETT. Mr. President, I am in favor of a $41,000,000 relief program, if we find Mr. Eddie Jones is not going to carry out his promise to transfer the single men from WPA to direct relief, and to take over the married men, 25,000 of them, and give them decent wages and decent jobs in the WPA. If he is not going to do what he said he would, and if Governor Earle is not going to see that cooperation is given to do that, and they are going to use WPA money for political purposes instead of taking care of these people, then I am for giving $41,000,000 for relief of the people of Pennsylvania.

Mr. THOMPSON (Centre). Mr. President, I would like to ask the Senator from Tioga whether he will this week vote for revenue measures to enact this $41,000,000 relief program.

Mr. OWLETT. Mr. President, I voted to report out the revenue measures that were in the Finance Committee, which are now out on the floor of this Senate. Some of these measures I expect to vote for, some I expect not to vote for. We have no alternative but to bring out of the Finance Committee such measures as the Democratic membership of the House sees fit to send over to us, because as we know, and as everybody else knows, they must originate in the House. I am hopeful that these bills which we brought out will be passed. I think they will be, and in answer to the question as to how I will vote, I will decide that as the bills come up.

Mr. LAW. Mr. President, I think it has been sufficiently shown here that the attitude of the Republican membership of this House is, as Senator Owlett has intimated, to treat this as a piece-meal proposition to meet the situation each week, or each two week period, as it comes up. We are determined on this side of the House that the

whole problem of relief for the ensuing period up to January 31st shall be met at once. That is what we wish to see and that is what I am satisfied that the people of Pennsylvania wish to see.

I had intended, when I was on my feet, to move the previous question, but I understand that the Senator from Delaware wishes to speak.

Mr. McCLURE. Mr. President, this debate is contagious. I hesitate to take more of the time of the Senate, nevertheless the remarks of the Senator from Centre County cast a reflection on the Committee on Finance. He intimated that the Committee on Finance was responsible for most of the malingering. I might reply to that by using the words of the Senator from Fayette when he used the words "masters of confusion." If there are any "masters of confusion" they are in the Democratic Administration and not on the Republican side. I, for a few minutes, want to call several facts to your attention. On May 4, 1936, in the Governor's address to the General Assembly he stated, "Unemployment Relief Needs to January 31, 1937 are $70,991,000." We, the members of the Committee on Finance, thought that was too great an amount to adequately supply relief for those in Pennsylvania.

On June 13, 1936, the Governor addressed the following letter to Dr. de Schweinitz:

"Dr. Karl de Schweinitz,
Director,
State Emergency Relief Board,
Harrisburg, Pa.
Dear Dr. de Schweinitz:

The Federal Works Progress Administration has made possible the employment on W. P. A. projects of 30,000 additional persons now on the Commonwealth's direct relief rolls.

It has done so by extending the period of eligibility of direct relief employables for W. P. A. employment from January 15 to June 15.

This action of the Federal Government followed a conference in Washington last Friday with Acting Federal Works Progress administrator Aubrey Williams and State Works Progress Administrator Edward N. Jones, at which U. S. Senator Joseph F. Guffey and I presented Pennsylvania's unemployment relief situation.

In March, before the present Special Session of the Legislature convened, you estimated that $70,991,000 would be required to meet unemployment relief needs until January 31, 1937."

Before I read the next paragraph I want to call your attention to what has gone on behind the scenes in the Democratic Party.

"Subsequently," I quote the letter, "On May 29th, because of the progress of business and industrial recovery, you advised me that the $70,991,000 would probably be sufficient to meet relief requirements until the middle or even the end of March, 1937.

In view of the action of the Federal Works Progress Administration which will take 30,000 cases from the direct rolls, involving more than 100,000 persons, I would appreciate a revised estimate of direct relief requirements until January 31, 1937.

Sincerely yours,

(Signed) GEORGE H. EARLE"

I call to your attention, then, that on May 29th Dr. de Schweinitz notified the Governor that the amount of $70,991,000 would possibly provide relief for an additional two months. Let us see what happened after that. We have all read the statement of the W. P. A. Administrator, Edward N. Jones, issued on June 21st, in which he said that if he should receive the proper cooperation from the S. E. R A. he could substantially reduce the relief rolls and cleanse them of all employables. At the same time, or a few days later, in conference with two members of this body, he indicated that if cooperation was extended, and married men taken instead of single men, that the rolls would be further reduced. Later, on July 1st, Edward N. Jones addressed the Committee on Finance, at which time he informed us that the Governor's last estimate was $55,000,000 for relief.

The Senator from Fayette, Mr. Cavalcante, has taken a great interest in the figures which I submitted to the Senate last week. He has stated here that he approves of the formula proper—not as a whole but in a great part; and this afternoon he, himself, has stated that $48,000,000 is his opinion of the amount required for relief.

Mr. President, I submit to you, in view of these facts, how could the members of the Committee on Finance arrive at an amount of money necessary for relief? Have we heard the end of it? We do not know whether we are justified in passing this bill this afternoon, so that the men, women and children of this State who are waiting to be fed can receive food.

Mr. McGINNIS. Mr. President, I have heard a lot this afternoon about what the proper amount for relief is. I think if the Republican members of this Senate had devoted themselves to the question, in an effort to ascertain what is the proper amount for relief, and had passed the necessary legislation, we would not be here in this dilemma today.

The Republican Party has been in control of this State and nation for the last fifty years. It is reliably stated that during all that time, even during the most prosperous days, there were 4,000,000 men walking the streets, or without jobs. They fooled the American people for a good many years on the tariff; they said that the tariff was a bill put through for the working man. One time I was making a speech in Pittsburgh on the tariff, and a working man jumped up and said, "My God! If the tariff raised wages one penny a day—not high wages, but if it raised the wages of the working men one penny a day, Trick and Gary and Mellon would be down in Washington to wipe it off the statute books in twenty-four hours." He said, "They go to Washington and beg for a tariff, and then come back and drive out union labor in every mill they own." And that has been so for fifty years, and everybody in this room knows that, and we know today that this partnership between the Republican Party and big business would get so greedy that they would wreck a nation; and along in August 1929 the powers-that-be were not satisfied to make money in the ordinary fast way that a lot of them were making it, they decided that they would put fake stocks and bonds on the American people, and shove them out into the little banks—the big fellows—and get them to sell those fake stocks and bonds to the poor working people of the United States, and they flayed $17,000,000 out of the American people on that proposition alone, and then comes the crash. Now, they certainly could not blame that on the Democratic side of any legislative body; they were in complete control of

this State and Nation for fifty years, and along comes this terrific crash, and we are down, down in the depths.

And I do say to you, the Republican Party has never met this question of the Machine Age. Do you know that in Pittsburgh today the Westinghouse Company is producing more than it ever produced in all its history—with nine thousand less men. I can take you to mills in Homestead that employed thousands of men, and take you in when they are running full blast, today, and you will hardly see a soul except one man up where those lamps are, touching a button and the mill is running from one end to the other, handling and manufacturing material—not a man to be seen. I can take you down here where they are digging ditches with a ditch digger, and that takes the places of a thousand men.

POINT OF ORDER

Mr. BUCKMAN. Mr. President, I rise to a point of order.

The PRESIDENT. The Senator from Bucks, Mr. Buckman, will state his point of order.

Mr. BUCKMAN. The Senator from Allegheny, Mr. McGinnis, is not discussing the bill under consideration.

The PRESIDENT. Wide latitude has been permitted in this discussion and the Chair is of the opinion that the Senator from Allegheny is laying the foundation for approach to the subject.

The PRESIDENT. The Senator from Allegheny, Mr. McGinnis, may proceed.

Mr. McGINNIS. Well, Mr. President, I think this applies directly to this question—why this discussion of the relief question is necessary. I can take you out to a farm where the machine is doing the work of twenty men of twenty years ago. We have the chain stores today. In Pittsburgh I know a good many wholesale houses that had as high as forty salesmen—heads of forty families—traveling all over the country showing their goods; and today all those men have lost their jobs. Today we have the chain stores, chain restaurants, chain gasoline stations, chain hotels. In the steel industry we have the chain handling all these men and labor-saving devices. Now, if we had in the old days the 4,000,000 walking the streets, today we have even more, although today times are about normal in the United States.

But it is perfectly natural that my friends on the other side would take the attitude they have taken for fifty years. You know, in the mines around Pittsburgh, the owners, when they shut down, have kept the mules; they do not turn the mules out on the street, or out in the field—except for pasture. They take care of the mules but they turn their human beings out to shift for themselves. And it is this Administration, National and State, the first time in this country that they have ever turned their minds to the question of how to take care of the unemployed, in this machine age.

I have heard on this floor that there is a lot of chiseling on relief. It is a new thing, it is a perplexing thing, it is hard to handle; but I just have some official figures here on L. W. D. in Pittsburgh. From July 6 to July 15, just one week, under L. W. D. they called 16,000 men off relief to go to work on relief projects. Of those 16,000 only 142 refused to go to work. I say to you that on W. P. A. projects men have worked for weeks without stockings in their shoes, and worked and toiled; and when you say they are chiselers, and that men don't want to work nowadays, I say there are a few, but on the whole the men on Emergency Relief, and those out of work, are begging for work.

This is not a laughing subject; this is a serious subject; and I say to you that the Republican side has not met this question for the last ten weeks, they have not grappled with it as if it were a serious question, as if human beings were suffering throughout this State. I am glad that I have had the opportunity to live under an Administration that, when we were down in the depths, when a million men were walking the streets, when our factories were closed, when our mills were closed, took hold of this country and took hold of the men starving and saw to it that they were fed, and there was not a soup house in the United States.

Mr. REED (Washington). Mr. President, I am no politician, never have been, and never expect to be, but I am greatly interested in the welfare of the people of Pennsylvania. I have always believed that relief and politics should not be joined together. When this Session opened I felt that that was the line of activity and was going to be followed by this Senate. Shortly after the Session had gotten under way politics at once began to enter into the discussion on both sides of this Senate Chamber and since that time down to the present time this question of relief has not become a question of humanitarian purpose but it has become a political question and from one side of this chamber goes forth volumes of political oratory, only to be answered by volumes from the other side, and that has been going on continuously for almost the beginning of this Session, and I believe the people of this great Commonwealth are becoming tired of this kind of procedure. If we, the members of this Senate, the agents of the people of this great State, can not sit down together and work out a program that will take care of the needy of this State, I say that every one of us should resign his seat from this Senate and go back to private life.

This is a very important question. It is important not only to the members of this Senate but it is important to the people of this Commonwealth and I see no reason why we should not lay aside political controversy and sit down as friends and work out a program that will be satisfactory to all the people of Pennsylvania. I introduced a resolution in the middle of May with this purpose in view. The resolution is still in committee, but even at that we can still sit down as members of this Senate and as people who should be interested in the people of Pennsylvania, and work out a program and do it quickly and do it efficiently, because we have plenty of information on this big subject that should be gathered together. We should decide upon a program, work it out carefully, prudently and efficiently, and go to our homes feeling that we have done our duty to the people of this great Commonwealth.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—26

Aron,	Gelder,	McClure,	Scott,
Batchelor,	Graff,	Owlett,	Sordoni,
Bean,	Harris,	Pierson,	Staudenmeier,

Buckman,	Harvey,	Prince,	Thompson,
Chapman,	Homsher,	Reed,	(Westmoreland)
Coyne,	Howell,	(Dauphin)	Woodward,
Ealy,	Mallery,	Salus,	Ziesenheim,

NAYS—20

Baumer,	Law,	Reed,	Ruth,
Cavalcante,	McCreesh,	(Washington)	Shapiro,
Frey,	McGinnis,	Rice,	Sones,
Huffman,	Miller,	Roberts,	Thompson,
Kable,	Pytko,	Rodgers,	(Centre)
Lanius,	Rankin,		

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

BILL ON THIRD READING AND FINAL PASSAGE

Mr. GELDER. Mr. President, I move that the Senate do now proceed to the consideration of Senate Bill No. 105 (House Bill No. 154), on third reading, entitled:

An Act ratifying confirming and validating the transfer of money from the Liquid Fuels Tax Fund and the Liquor License Fund to the General Fund and providing for the subsequent return from the General Fund of the transferred money.

Mr. HARRIS. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

POINT OF ORDER

Mr. SHAPIRO. Mr. President, I rise to a point of order.

The PRESIDENT. The Senator from Philadelphia, Mr. Shapiro, will state his point of order.

Mr. SHAPIRO. Mr. President, This bill originally provided that if this bill be ratified and validated in regard to the transfers of funds covering two million dollars. It has been amended carrying with it a provision for further transfer of three million dollars. This is new matter and the original purpose of the bill has been changed. I raise the question that the amendment cannot be received by the Chair.

The PRESIDENT. The Chair sustains the point of order.

Mr. BUCKMAN. Mr. President, I appeal from the decision of the Chair:

In the Senate July 9, 1936.

To the President of the Senate: We the undersigned respectfully appeal from the decision of the Chair relative to sustaining the point of order raised by the Senator from Philadelphia, Mr. Shapiro, on the question of the constitutionality of amendment inserted by the Committee on Appropriations in Senate Bill 105 (House Bill 154), Printer's No. 177.

Respectfully submitted,

C. J. BUCKMAN,
F. D. GELDER,
GEORGE L. REED,
GEORGE E. WOODWARD.

Mr. SHAPIRO. Mr. President, I ask that Senate Rule 37 be read.

Senate Rule 37 was read as follows:

37. No law shall be passed except by bill, and no bill shall be so altered or amended on its passage through the Senate as to change its original purpose. No bill shall be considered unless referred to a committee, returned therefrom, and printed for the use of the members. No local or special bill shall be reported unless the same be accompanied by proof of the publication of the notice thereof, in accordance with law, and of section eight of article three of the Constitution; and proof of such publication shall be certified to by the President or Secretary of the committee reporting the bill.

The PRESIDENT PRO-TEMPORE (Mr. John G. Homsher) in the Chair.

The PRESIDENT. The question is shall the decision of the Chair stand as the judgment of the Senate?

A vote "aye" is a vote to sustain the decision of the Chair, a vote "no" is a vote not to sustain the decision of the Chair. The roll will be called.

The ayes and nays were required by Mr. BUCKMAN and Mr. GELDER, and were as follows:

Mr. CAVALCANTE. Mr. President, I rise to a question of parliamentary inquiry before the vote is announced.

The PRESIDENT. The Chair rules that nothing is in order except the announcement of the vote.

YEAS—20

Baumer,	Law,	Reed,	Ruth,
Cavalcante,	McCreesh,	(Washington)	Shapiro,
Frey,	McGinnis,	Rice,	Sones,
Huffman,	Miller,	Roberts,	Thompson,
Kable,	Pytko,	Rodgers,	(Centre)
Lanius,	Rankin,		

NAYS—26

Aron,	Graff,	Pierson,	Staudenmeier,
Batchelor,	Harris,	Prince,	Thompson,
Bean,	Harvey,	Reed,	(Westmoreland)
Buckman,	Howell,	(Dauphin)	Woodward,
Chapman,	Mallery,	Salus,	Ziesenheim,
Coyne,	McClure,	Scott,	Homsher,
Ealy,	Owlett,	Sordoni,	Pres. Pro Tem.
Gelder,			

So the question was determined in the negative.

Mr. CAVALCANTE. Mr. President, I now rise to a point of parliamentary inquiry, the question raised before the announcement of the vote.

The PRESIDENT. The Senator from Fayette, Mr. Cavalcante, will state his point of parliamentary inquiry.

Mr. CAVALCANTE. Mr. President, where an appeal involves the suspension of Rule 37 of this Senate, and that being true, does not the vote necessary to override the decision of the President require a two-thirds vote of the Senate?

The PRESIDENT. The Chair rules the point of order is not well taken.

The PRESIDENT, (Lieutenant-Governor Thomas Kennedy), in the Chair.

And the question recurring,

Will the Senate agree to the motion?

The PRESIDENT. The question is on the motion to proceed to the consideration of Senate Bill No. 105 (House Bill No. 154).

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the third reading and consid-

eration of Senate Bill No. 105 (House Bill No. 154), as follows:

An Act ratifying confirming and validating the transfer of money from the Liquid Fuels Tax Fund and the Liquor License Fund providing for additional transfers from the Liquid Fuels Tax Fund and the State Stores Fund to the General Fund and providing for the subsequent return from the General Fund of the transferred money

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the action of the Governor the Auditor General and the State Treasurer in transferring to the General Fund the sum of one million dollars ($1,000,000) from the Liquid Fuels Tax Fund and the sum of one million dollars ($1,000,000) from the Liquor License Fund in accordance with Concurrent Resolution Serial number forty-two approved by the Governor the twenty-fourth day of June one thousand nine hundred and thirty-six in order to make the same available for expenditure for unemployment relief by the State Emergency Relief Board is hereby ratified confirmed and validated To the extent to which such transfers make it necessary for the use of the moneys transferred from the Liquid Fuels Tax Fund and the Liquor License Fund for their ordinary purposes shall be postponed but not otherwise modified

Section 2 In addition to the transfers ratified confirmed and validated in section one of this act the Governor the Auditor General and the State Treasurer are hereby authorized to transfer to the General Fund the additional sum of one million five hundred thousand dollars ($1,500,000) from the Liquid Fuels Tax Fund and the sum of one million five hundred thousand dollars ($1,500,000) from the State Stores Fund in order to make the same available for appropriation to the State Emergency Relief Board for unemployment relief purposes.

Section 3 The amounts transferred under this act from the Liquid Fuels Tax Fund State Stores Fund and the Liquor License Fund to the General Fund shall be repaid to the Liquid Fuels Tax Fund State Stores Fund and the Liquor License Fund out of the General Fund not later than May thirty-first one thousand nine hundred thirty-seven

Section 3 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time,

And the amendments made thereto having been printed as requird by the Constitution,

On the question,

Will the Senate agree to the bill?

Mr. HUFFMAN. Mr. President, I move to reconsider the vote by which the bill passed third reading. I desire to state that I wish to offer amendments to cut out the amendments put in the bill in committee.

Mr. RANKIN. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were required by Mr. HUFFMAN and Mr. MILLER.

Mr. BUCKMAN. Mr. President, I ask for a verification of the roll.

The roll was verified and was as follows:

YEAS—20

Baumer,	Law,	Reed,	Ruth,
Cavalcante,	McCreesh,	(Washington)	Shapiro,
Frey,	McGinnis,	Rice,	Sones,
Huffman,	Miller,	Roberts,	Thompson,
Kahle,	Pytko,	Rodgers,	(Centre)
Lanius,	Rankin,		

NAYS—26

Aron,	Gelder,	McClure,	Scott,
Batchelor,	Graff,	Owlett,	Sordoni,
Bean,	Harris,	Pierson,	Staudenmeier,
Buckman,	Harvey,	Prince,	Thompson,
Chapman,	Homsher,	Reed,	(Westmoreland)
Coyne,	Howell,	(Dauphin)	Woodward,
Ealy,	Mallery,	Salus,	Ziesenheim,

So the question was determined in the negative.

And the question recurring,

Will the Senate agree to the bill on third reading?

Mr. SHAPIRO. Mr. President, my reason for voting "no" is this: there has been a great deal said about what the members are going to do about relief. This bill does not help the situation and that is why I am voting "no." If the Republican members of the Senate had passed—which they will pass—the $35,000,000 or $40,000,000 relief legislation which would bring in that much money, there would be some sense in voting for this bill, in spite of the fact that we think, those of us who know anything about the figures, that it is totally inadequate. I say that I am perfectly willing, and I make it a matter of public record, that this situation shall continue. I hope it will not continue long, but I have come to the conclusion that the only way the Republican caucus can be brought to the point where they will present a program, claim it as their own and stand up for it, whatever it may be, is to bring the facts to their attention; and the only way, it seems, they can be made to understand it, is by letting those who suffer expose their suffering. I am one of those who believe that sometimes injury, some injury, may be necessary, some suffering must be endured for the good of the cause; this piecemeal proposition is continued the longer the this piecemeal proposition is continued the longer the suffering continues.

I agree that the time to meet the issue is now, because we are here now; and if this relief proposition is not met, or if it is inadequately met, we will have to be called back in the winter time, when the suffering will be greater. I think the people who are unfortunately obliged to expose themselves to public gaze by begging charity will appreciate the attitude of the Democratic Senators; I think they will understand we are not trying to prolong their suffering, but that we are trying to stop it and bring the whole issue to the forefront. We are trying to see if it is not possible to, in some way, finally get the Republican members of the Senate to say how much they will give and from where this money that they propose to give will come and when they will give it.

The Senator from Tioga, Mr. Owlett, has raised the question about the tax anticipation bill and he contends that it is some fault of the Democrats that they did not pass such tax anticipation bill. No tax anticipation bill not already passed should be passed, or can be legally passed, at least, to support it. In other words, the tax anticipation bill provides that it is issued and passed for the purpose of taking advantage of the revenue which will come. That is the purpose of the bill. There are a lot of decisions establishing that; and since there is no revenue which can come through it, there is no sense in passing a tax anticipation bill. And again, that is only an argument, or an explanation, but no excuse for the failure of the Republican Senators to meet the issue.

I have said frequently, any program that has a basis of reason will meet with approval under protest; but there is no program which has been suggested here that has any basis of approval, because there is no controversion of

the facts which have been presented to us, and the figures.

I have communicated with the Liquor Board this morning when I saw this transfer bill. The Liquor Control Board has $2,700,000 in its treasury. The Federal Government may make demand upon it at any moment for the payment of some $640,000 in taxes. The Liquor Control Board is now asked to transfer a million and a half dollars, and leave its treasury with $500,000; and it is a business which has no credit. By that I mean it cannot go out and borrow money, either from the State Treasurer or from anyone else. The Chairman of that Board told me an effort was made last year, in view of the fact that in the winter months, in the fall and winter months, capital must be accumulated to provide for its stock; and unless it can accumulate that money in the next few months there will be no money accumulated to run their business properly, and a loss will be incurred. Now if these transfers continue, if we transfer $1,500,000, they can neither buy and stock their warehouse with the necessary merchandise nor discount their bills, the total of which discounts amounted one year to approximately $750,000. Then it seems to me that we are wasting close to three-quarters of a million dollars for the purpose of enabling the Republican Party to delay their answer to an important question for another week or so, and it furnishes me with sufficient reason to vote against these bills. I have the firm conviction that if the members of the Republican Party are kept here in session until they make up their minds, they will make up their minds quickly; because I have come to the conclusion, notwithstanding what may have been said in the disparaging remarks about the highest officer of the State, that they will not be satisfied or be informed of the situation until they see blood run; and I am one of those who believe, and I say it sincerely, and I am convinced of it, and I shall have the courage of my convictions to back it up with my vote, that these people must unfortunately suffer, because there is no other way in which we can get to the minds of these individual Senators when they group themselves, as well as we can, in our everyday individual association. I am not saying anything in a disparaging way of these men as men, individuals. If I have acquired nothing else in this Senate except the friendships I have made I shall feel that I have been, in a great measure, compensated. They are fine men as individuals, but I repeat, what I have already said, that as a group they lose their individual identity and individual thinking; and now I am saying to the people of Pennsylvania by my vote, that it is unfortunate that you are suffering, but you are suffering because it will relieve you in the future.

We have listened to prayers for guidance, as I have said before, day by day, and to words of wisdom. We have been told what our duty is, we have been asked to call upon Divine Providence for guidance, and it has not made an impression on us, except as individuals. As a group it has fallen on dead ground and it is up now to the Democratic members of this Senate to have the courage to stand up and take the consequences of their acts, because I believe that it will bring results when this group of Senators known as the Republican caucus will hear the resounding echo from all over the State of what those people who are suffering think, of what the people who know what is going on, people who are not in politics, think. Then they will come to a conclusion very quickly. And we will be here until tomorrow night, and by tomorrow night, I am certain that if the Democratic members of this Senate have the courage of their convictions they will find that all the slings and arrows that have been sent from the other side by the Republican members will have no effect upon them as individuals, they will be given the credit for having saved the Commonwealth of Pennsylvania the cost of an extra session, they will be given the credit for having forced these men—this group of men, I should say, to do their duty and have equal courage of their conviction to come out and vote for a program. I call attention to the fact that the Senator from Tioga, who has been the most outspoken antagonist of the Governor's office, and who has been the one who most criticised the figures, though he states $41,000,000 may be necessary, will not state that he will vote for legislation necessary to raise $41,000,000. I understood his answer—he reserves the right to himself to withhold his vote, and will take the position that I suggest and prophesy that a number of the members in this Senate on the Republican side are going to take; they are going to say, "We will give you the bills; we will report them out of committee; but you vote for them. We will give you the program of $35,000,000, which is ours; we will give you the plan which is ours; but we do not have the courage of our convictions to vote for them."

I suggest to the Democratic members that if they wait a very, very short time they will find in that attitude the answer as to who is acting in good faith. I repeat, I say, it is with no personal reference to any individual Senator and with no intention to criticize them as indivduals, but I have no hesitancy in criticising them as a group; and I say that I have a right, by their actions up until now, to justly criticise the Republican caucus for its failure to come out whoteheartedly, boldly, for the program which it suggests, and let us vote on that. I will vote to transfer the moment there is appropriate legislation to repay. You can talk all you want about the suffering, it is not caused by the failure to transfer; but I call your attention to the fact that by this transfer, and others, you will place more men upon the relief roll, because you take away from the government the money which it uses to carry on its normal functioning. The Highway Department has been depleted, the Liquid Fuels Tax Fund has been depleted. Philadelphia has not enough to pay $6,000 a month to take unemployables off the list and carry on its government services, and is waiting for the State of Pennsylvania to turn over some of this Liquid Fuels Tax. The Firemen's Fund is next. There are several millions of dollars owing to them from transfers, and that has not been paid.

I was the first one to suggest the transfer of $25,000,000 in 1935 from the Road Fund for the purpose of helping relief, and I created a stir in this Senate, and resentment such as never was heard before—the sacred money of the Road Fund was being invaded for relief; and now apparently the Republican Caucus believes there is no sacred fund, none at all. And I say, therefore, that the members of the Democratic Party need have no fear of

criticism; they will gain the commendation of the people of the State for having the courage, in face of the fact that they know that what they are doing is bringing some suffering, to stand up and maintain their position, and, believing in the righteousness of their position, say they have heard their voice and not the voice of the Republican members of the Senate.

Mr. REED (Dauphin). Mr. President, I desire to interrogate the Senator from Philadelphia, Mr. Shapiro.

The PRESIDENT. Will the Senator from Philadelphia, Mr. Shapiro, permit himself to be interrogated?

Mr. SHAPIRO. Mr. President, I will.

Mr. REED (Dauphin). Mr. President, I desire to ask the Senator from Philadelphia whether he is certain that he is following Divine Guidance or guidance of the Democrats of Pennsylvania.

Mr. SHAPIRO. Mr. President, anyone who has had any experience in Divine Providence would not forsake it definitely for Democratic or Republican bosses.

Mr. REED (Dauphin). Mr. President, I desire to ask the Senator from Philadelphia, Mr. Shapiro, one question. I desire to ask the Senator from Philadelphia whether he regards that it is better for men, women and children in the Seventh Senatorial District of Pennsylvania to go hungry, whether it will interfere with the funds of the Liquor Board?

Mr. SHAPIRO. Mr. President, The people in the Seventh Senatorial District have said to me, in no uncertain terms, that they believe their refusing to follow the Republican bosses last June—who call themselves bosses—and in refusing to follow the suggestion of the Republicans, who call themselves citizens, and taking stand to which I do. I have on my file letters from my district backing me up and telling me to urge the rest of the Democratic Senators to do the same. I have no fear of what the people in my district think of me, you will find the answer in November.

Mr. HARRIS. Mr. President, I desire to interrogate the Chairman of the Appropriations Committee, Mr. Gelder.

The PRESIDENT. Will the Senator from Susquehanna, Mr. Gelder, permit himself to be interrogated?

Mr. GELDER. Mr. President, I will.

Mr. HARRIS. Mr. President, I desire to ask the Chairman of the Appropriations Committee if the passage of this bill, if signed by the Governor, will relieve the misery that now exists in the State of Pennsylvania?

Mr. GELDER. Mr. President, my opinion is that it will relieve the people who are on relief in Pennsylvania.

Mr. HARRIS. Mr. President, and if it fails of passage the misery will continue?

Mr. GELDER. Mr. President, if it fails of passage I know of no money that the Relief Board has to continue that business.

Mr. SHAPIRO. Mr. President, I desire to interrogate the Chairman of the Appropriations Committee.

The PRESIDENT. Will the Senator from Susquehanna, Mr. Gelder, permit himself to be interrogated?

Mr. GELDER. Mr. President, I will.

Mr. SHAPIRO. Mr. President, the amount appropriated for July, up to now, is $1,000,000, transfer $3,000,000, that is a total of $4,000,000; will the Senator from Susquehanna, Mr. Gelder, state how he figures, with the figures of the Relief Board before the Committee would show that there will be needed for July a total $6,346,000, that relief will not suffer and will be stopped in Pennsylvania in the month of July?

Mr. GELDER. Mr. President; it will be stopped in Pennsylvania, at least until the $3,000,000 is used up.

Mr. SHAPIRO. Mr. President, then in other words, what is intended by this resolution is to stop suffering for another two weeks?

Mr. GELDER. Mr. President, the intention is to provide relief for the citizens of Pennsylvania. Our Democratic friends, for some reason, have been very little concerned with relief stopping at this particular time.

Mr. SHAPIRO. Mr. President, I desire to ask the Senator from Susquehanna a further question, and I want to preface the question by saying that I am not now concerned with what the Democratic friends are thinking, I am taking their figures of $6,346,000 necessary for July, and is it not true that unless further funds are provided by legislation before the end of this month the suffering will begin anew?

Mr. GELDER. Mr. President, I imagine that when the three million is exhausted, if further funds are not produced, those on relief will begin to suffer.

Mr. RODGERS. Mr. President, as the first Relief Director of Pennsylvania, I believe I can speak with some little knowledge on the situation. I think you are doing the Relief Director a great injustice when you enact piecemeal legislation in that form to relieve the distressed of this State. There is not a man in business today who could anticipate more than a week or two weeks ahead his revenue. I question whether there is a man who could run his business economically. What do you suppose will be the effect of this piecemeal legislation upon hundreds of employes of the State Emergency Relief Board at this moment? Can you imagine an investigator not knowing whether the check is coming in next week, can you imagine the distress of those? Can you imagine the confusion that is in the minds of those in consequence of an endeavor to administer this relief economically, and everyone is expected to do that. There is no distress—speaking for those recipients of relief—there is no distress like mental distress, and I would sooner be hungry any day than have the mind disturbed. Can you imagine how these people throughout the State feel when they do not know whether they are going to get a check the next week or not?

I ask that you put sufficient funds into the hands of your Relief Administrator to carry him on at least until the next regular session of this legislature I feel that in passing this piecemeal legislation you are causing distress not only to the hundred of employes of the present administration of relief, but you are causing your Relief Administrator to be in such a positon that he cannot do a good job. There is not a man in this entire Senate Chamber today who could conduct his business in the same manner in which you are expecting your Relief Administrator to conduct the relief of this State, and I beg of you, gentlemen, to give Mr. de Schweinitz a chance to do a real job. Since he has been in office he has been continually harassed by the fear that we may shut off next week, or he may not have a sufficient amount for the full amount. Give him a chance. I know he can do a good job and I beg of

you, gentlemen, to put your tax program before this body in a sufficient amount that he can carry on as you would expect him to do for the balance of this year.

Mr. GELDER. Mr. President, perhaps it is hardly necessary for me to say anything on this bill after the Senator from Allegheny, Mr. Rodgers, has spoken. He has made almost a perfect argument in support of this bill. The thoughts of the Republican members in this chamber were just exactly as expressed by the Senator from Allegheny County, that you are going to break down the morale, not only of those who are administering relief, but those who are expecting their checks to come. Frankly, I want to say, as Chairman of the Appropriations Committee, that I was amazed that apparently there is no concern on the part of our Democratic friends to have this stop-gap, if you please to call it that, legislation passed. In the previous periods, when we had no relief and it has been announced relief is going to stop at the end of a certain period, I have been besieged by the Director of Relief and by many of the members on the Democratic side of this chamber.

We have heard today, or we have found, our Democratic friends trying to seek information as to what has happened in the Republican caucus in the last few days, and I want to say to you that while we are not curious about what happened in the caucus down on the banks of the Susquehanna, I feel that there has been a decided change in the attitude of many of our friends on the left since that session, in which the Director of Relief and the Administrator of W. P. A., and the Governor of the Commonwealth, and I understand the Chairman of the Democratic Party, and at least most of the Democratic Senators in this body, participated. It would almost seem as though the strategy was that the people of Pennsylvania who are on relief were to go hungry for a period, with the idea that perhaps they could make the Republican members of this Senate responsible. Their arguments today have my sympathy. They certainly have been talking uphill in trying to befog the issue. I realize the full handicap after the impetuous words of the gentleman who is over in the other end of the Capitol, who has said that he would stand for no more transfer of funds, the practice which has originated always in the House and is sent out by the Democratic members. This bill that we have before us today also came from the House. We have amended it to meet a condition that, as was pointed out to you when we were discussing Senate Bill 104, can be met in no other way. Our friends would be in a much more logical position in their arguments today too in the tax measures that are now on the calendar, were still in the Senate Finance Committee. They are out here awaiting a vote, which shows the good faith of the Republicans in going at least part way towards meeting.

Now if this is an effort on the part of the Democratic members to serve notice that it is $55,000,000 or nothing, that it is $55,000,000, whether or not that amount of money is needed in Pennsylvania, I want to say to you that, in my judgment, they will be able to hold another caucus down on the banks of the Susquehanna River when the river is frozen over, before they will get money that is not needed for relief. The Republicans are perfectly willing to tax the people of Pennsylvania to feed the hungry or distressed, but they are not willing to tax money out of the people of Pennsylvania to have just an orgy of spending by any party, or any people in this Commonwealth.

I have heard the Senator from Philadelphia, Mr. Shapiro, talk about the Republicans as individuals, and his opinion of them as individuals and collectively. I want to say to the Senator from Philadelphia, Mr. Shapiro, that we on the Republican side have just as much respect and admiration for our Democratic colleagues as individuals, and we are sometimes surprised that even on the most finer propositions their attitude has come to change when they have been seen. Now I would like to say, for the benefit of those who intend to vote for this transfer, that the State Treasurer has informed me that there is in the State Fund, or was at the close of business last evening, $3,690,000.81 which was a considerably larger amount then was given to us by the Senator from Philadelphia. He also informed me that within a month after the passage of the financial program here and the adjournment of this body he would would be able to repay the money in both of these funds but, Mr. President, the real issue today is an issue as to whether or not the people of Pennsylvania on relief shall be fed this week and next week and not whether or not they shall starve in January.

Mr. REED (Washington). Mr. President, I desire to interrogate the Chairman of the Appropriations Committee.

The PRESIDENT. Will the Senator from Susquehanna, Mr. Gelder, permit himself to be interrogated?

Mr. GELDER. Mr. President, I will.

Mr. REED (Washington). Mr. President, I want to ask the Senator from Susquehanna, Mr. Gelder, whether he is nearer a definite financial program now than we were when the first funds were transferred during this Extraordinary Session.

Mr. GELDER. Mr. President, I would say that we are $30,000,000 nearer if the bills that are now on the calendar today are passed now.

Mr. SHAPIRO. Mr. President, the Senator from Susquehanna, Mr. Gelder, has said that they have made up their minds that people should not starve for political purposes. I want to ask the Senator a question. I want to say that we can have a meeting at one minute after twelve tonight so that the tax bills which are on the calendar can be given their second reading today and pass finally at one minute after twelve tonight. I think the rest of the Democratic Senators will agree that that is the fair thing to do if we have no desire to make people suffer and we are fighting for what we think is proper. I ask the Senator from Susquehanna whether he is willing to defer action on the transfer bills until the two are on the calendar and are passed finally?

Mr. GELDER. Mr. President, the answer of the Chairman of the Appropriations Committee is that the bills are not his, they are the bills as amended by the Appropriations Committee. I for one will not consent to further delay, the others can speak for themselves.

MOTION TO POSTPONE BILL

Mr. SHAPIRO. Mr. President, I move that further action on Bill 105, on the second reading calendar of today, be postponed until tomorrow.

Mr. CAVALCANTE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. ARON. I hope the Senate will not approve this motion. We are interested in one thing—

POINT OF ORDER

Mr. SHAPIRO. Mr. President, I rise to point of order.

The PRESIDENT. The Senator from Philadelphia, Mr. Shapiro, will state his point of order.

Mr. SHAPIRO. Mr. President, the motion to postpone is not debatable.

The PRESIDENT. The Chair rules that the point of order is well taken.

On the question recurring.

Will the Senate agree to the motion?

The yeas and nays were required by Mr. SHAPIRO and Mr. ARON and were as follows, viz:

YEAS—19.

Baumer,	McCreesh,	Reed,	Ruth,
Cavalcante,	McGinnis,	(Washington)	Shapiro,
Frey,	Miller,	Rice,	Sones,
Kahle,	Pytko,	Roberts,	Thompson,
Lanius,	Rankin,	Rodgers,	(Centre)
Law,			

NAYS—27.

Aron,	Graff,	McClure,	Scott,
Batchelor,	Harris,	Owlett,	Sordoni,
Bean,	Harvey,	Pierson,	Staudenmeier,
Buckman,	Homsher,	Prince,	Thompson,
Chapman,	Howell,	Reed,	(Westmoreland)
Coyne,	Huffman,	(Dauphin)	Woodward,
Ealy,	Mallery,	Salus,	Ziesenheim,
Gelder,			

So the question was determined in the negative.

Mr. THOMPSON. (Centre). Mr. President, I marvel how chameleon like my friends on the Republican side of this house can change color. Now they would persuade themselves that the Democrats have something to do with the stopping of relief. Mr. President, the Republican side of this house stopped relief last week. We all heard the Chairman of the Finance Committee stand on the floor of this Senate last week and admit to this Senate that $41,000,000, or forty-one and one-half million dollars, at least, was necessary for relief in Pennsylvania. We all knew that relief funds expired last week. We adjourned last week on motion of the Senator from Bucks County, Mr. Buckman, without any tax bills on the calendar. We adjourned without any gesture on the Republican side of this house providing a solution for the relief which they stopped. We heard arguments this week, the Chairman of the Finance Committee promised this house that there would be within the 24-hour period revenue bills in the sum of $50,650,000 on the calendar of this Senate for action, and what do we have on the calendar today? Revenue bills which will yield $23,000,000. The Republican caucus has again gone on record as favoring an appropriation for relief of $35,000,000. The Senator from Delaware told us last week we needed at least forty-one and one-half million dollars. This week he promises tax bills of $50,650,000 will be reported out and what do we have on the calendar? Tax bills which can yield, at most, $23,000,000.

Mr. President, how could the Republican majority of this Senate say, in the face of these facts, that they are trying to solve this relief problem? How could they say that they are not responsible for having stopped relief in the State of Pennsylvania?

Mr. President, I say that when the Senator from Susquehanna, Mr. Gelder, would try to relieve himself and his colleagues of some responsibility for stopping relief in Pennsylvania he is only trying to use the Governor for a moral umbrella, and I say to you, Mr. President, that this situation in relief can never be answered until the Republican side of this Senate comes out of its shell and puts on the calendar of the Senate and passes, tax bills and appropriation bills for some comprehensive program. We have not as yet anything like an approximation of what the Republican caucus says is necessary or what the Senator from Delaware says is necessary. Why can we not do something along this line? Why must this be a continual process of malingering on the part of the Republicans on these relief problems.

Mr. McCLURE. Mr. President, probably I have a poor memory, but I do not remember the $50,650,000 of tax bills, neither do I remember promising that any definite bills would be reported to the floor. Will the Senator from Centre kindly read the record and refresh my memory?

Mr. THOMPSON (Centre). Mr. President, before this debate began I went to the desk and asked if the Journal for Tuesday was as yet printed, because I recall definitely the interrogation of the Senator from Delaware, and his answer, and the Senator from Delaware answered on Tuesday of this week, "Within the twenty-four hour period that House Bill No. 19, Senate Bill 28, would be on the floor of this Senate and would yield $10,100,000," and in answer to my interrogation the Senator from Delaware also said House Bills 26, 27, 28, Senate Bills 43, 30 and 44 would be on the floor of this Senate within the twenty-four hour period calculated to yield $40,000,000. He also further stated that House Bill 100 calculated to yield $1,000,000 for biennium period, or a half million dollars for a year, or until May 31st the next year, would likewise be on the floor of this Senate. Mr. President, I say to you that that is in the journal of this Senate.

Mr. McCLURE. Mr. President, the Senator has not correctly quoted me. I told him I thought it was the intent of the Finance Committee to report the bills to the floor of the Senate which he mentioned.

Mr. President, I desire to call your attention to corrected figures on the different tax bills, which have either passed or been reported to the floor of the Senate. It is estimated by the Finance Committee that Senate Bill No. 30, House Bill No. 27, will net 24 million dollars, that House Bill No. 17, Senate Bill 28, that provides revenue of six million dollars in liquor taxes, has already been passed. It is estimated that they will net $7,500,000. There is another tax bill passed which will net $500,000,000, which will make $38,000,000.

Mr. THOMPSON (Centre). Mr. President, I would like to interrogate the Senator from Delaware, Mr. McClure.

The PRESIDENT. Will the Senator from Delaware, Mr. McClure, permit himself to be interrogated?

Mr. McCLURE. Mr. President, I will.

Mr. THOMPSON (Centre). Mr. President, was the Senator from Delaware not advised by the Department of Revenue, on the basis of experience in the collections of last year, with the personal property tax last year, that the most that the bill on calendar can yield under the most favorable circumstances, as they exist at the present time, the sum of approximately $6,000,000 a year?

Mr. McCLURE. Mr. President, yesterday a representative of the Revenue Department was called before the Committee and advised the Committee that this same bill, House Bill 27, would net between $6,500,000 and

$8,000,000. Today I received a letter informing me that it would net a much smaller amount.

Mr. President the members of the Finance Committee will remember the estimates made by the Department of Revenue during the regular 1935 Session. You recall the Cigarette Tax Bill is netting almost twice the estimate. Mr. President, it seems to me, that it is going to be very difficult to have the Department of Revenue make proper estimates of the revenues expected from this bill, for the simple reason that they want additional money to continue the spendthrift tactics which are noted in this administration.

Mr. THOMPSON (Centre). Mr. President, the Senator from Delaware is holding up the judgment and estimates of the Finance Committee as the basis as to what this tax will yield. I would like to ask the Senator from Delaware what the judgment of the Finance Committee was as to what the Document Stamp Tax last year would yield.

Mr. McCLURE. Mr. President, the estimate was given to us by the Department of Revenue.

Mr. THOMPSON (Centre). Mr. President, I ask the Senator from Delaware whether that was concurred in by the Finance Committee.

Mr. McCLURE. Mr. President, that was accepted by the Finance Committee.

Mr. THOMPSON (Centre). Mr. President, will the Senator from Delaware inform us what that estimate was?

Mr. McCLURE. Mr. President, I do not remember.

Mr. THOMPSON (Centre). Mr. President, the Senator from Delaware recalls, does he not, that the estimated yield of the Document Stamp Tax was not borne out by experience and collection, is that not correct?

Mr. McCLURE. Mr. President, the Senator from Centre is correct, but all estimates during the regular session of 1935 were supplied by the Department of Revenue.

Mr. THOMPSON (Centre). Mr. President, I would like to inquire of the Senator from Delaware whether or not the revised figures as to the estimated current yield of House Bill 27, as presented to him by the Revenue Department, whether or not that is based upon the experience of the Revenue Department in its collection.

Mr. McCLURE. Mr. President, it was so stated in the letter that the Department of Revenue has not completed the collection of all the taxes, and therefore the estimate could not be relied on.

Mr. PRINCE. Mr. President, I merely wanted to say that I can understand the aversion of the Democratic Senators to the transfer of special funds as a policy, for I share that myself, as I am sure that most of our Republican Senators do. I can also understand their solicitude that the hungry shall not go hungry in the future, and we all share that solicitude, but I would like to interrogate any Democratic Senator, including the Senator from Philadelphia, Mr. Shapiro, and have him tell me how we can feed the hungry tomorrow if we do not pass this bill tonight.

The PRESIDENT. Will the Senator from Philadelphia, Mr. Shapiro, permit himself to be interrogated?

Mr. SHAPIRO. Mr. President, I will be very glad to answer the question first by saying I accept the gentleman's first statement that transfers, as a policy are bad, and by saying that the attitude of this Senate has made the transfers a policy. We have already made four of them.

Secondly, I state that we will feed the hungry tomorrow if we do not make this transfer tonight because I do not believe that this group of Senators will dare to defy the demands of the public when they find that this is another piecemeal proposition and they will be hungry. The voice will be heard and the Senate will answer.

Mr. PRINCE. Mr. President, I ask the Senator from Philadelphia, Mr. Shapiro, where he will get the money to feed the hungry tomorrow.

Mr. SHAPIRO. Mr. President, if the Republicans will adopt whatever policy they propose and will pass tax legislation which will show that this transfer is not a habit or a custom, we will then have evidence of the fact that the money will be available in the very near future, and I am quite sure that every Senator here, including the Democrats, will vote for the transfer when the legislation is passed. That was the reason for making my motion to postpone action upon this bill, so that we could at least find out that we could rely upon the group of Senators to carry out their program to pass this act.

Mr. PRINCE. Mr. President, I would still remind the Senator from Philadelphia, Mr. Shapiro, that that will not provide funds for tomorrow.

Mr. SHAPIRO. Mr. President, I would suggest to the Senator from Cumberland that one minute after twelve tonight, if these bills are passed, that two minutes after twelve this same transfer bill can also be passed, and they will be fed tomorrow.

Mr. CAVALCANTE. Mr. President, the Democratic side of this House feels that it is not only opposed to these transfers because of a general principle, but because of another matter which I hope the Republican members of this Senate will pay attention to while I explain. On July 1st the Senator from Dauphin spoke in these words: "Mr. President and members of the Senate, I desire to call the attention of the Senate that thirteen days ago a committee of five Senators, representing the Republican membership of the Senate of Pennsylvania, sent a letter to Governor Earle containing six very pertinent questions. As far as I am concerned, until we have an answer from Governor Earle, I do not propose to vote for one tax bill in this Senate." And, Mr. President, if the Senator from Dauphin has the courage of his own convictions and stands upon that statement, then I say, in all fairness and in all decency to the distinguished Senator from Dauphin, he should not vote for transfers from these special funds when he will not vote for tax bills, and I say that the conduct of the Republican members of this Senate is indicative of the fact that they intend to do the very same thing. They will stand on the floor of this Senate pleading for humanity, and the transfer of money from these special funds, but they will not have the courage of their own convictions and vote for tax bills to repay those funds.

I say the conduct of these Republican Senators is indicative of that proposition to this time, and they expect to keep under that shell, chameleon like, and after all these funds are transferred from the special funds then they will put on the floor of this Senate tax bills to cover those transfers and then expect the Democratic side of this house to furnish the votes to pass those tax bills. That is the policy of this Republican majority and I would like to ask the Senator from Dauphin, Mr. Reed, if he intends to vote for the transfer of this fund, or this fund included in this bill, and then not vote for a tax bill raising sufficient funds to repay that transfer.

Mr. REED (Dauphin). Mr. President, I think the Senator from Fayette put an inquiry to me.

The PRESIDENT. The Chair so understood.

Mr. REED (Dauphin). Mr. President, I made that statement last week and I did it in all good faith, but when I made that statement I did not believe that it was humanly possible that the Democratic membership of this Senate would be so inhuman as to hold up that program. Furthermore, I believe the Governor will not answer those questions. I desire to call attention to the fact that I have read in a Harrisburg paper on the day that the Governor received that letter he said, "I have not had a chance to study it, I will have comment to make after I have had time to go over it and give it careful consideration. Any communication from the Senator or Senators warrants a reply."

According to the papers of Pennsylvania the Governor twenty days ago promised a reply to that letter and I had sufficient confidence when I spoke a week ago to believe that the Governor would keep his promise, made to the paper, to answer that.

I will further state to the Senator from Fayette that although I did make that statement, I may violate a statement sometimes in the intense humanity we have to do something and I do not propose to be bound by any statement, if of necessity the rights of humanity are involved.

Now I desire to interrogate the Senator from Fayette.

The PRESIDENT. Will the Senator from Fayette, Mr. Cavalcante, permit himself to be interrogated?

Mr. CAVALCANTE. Mr. President, I will.

Mr. REED (Dauphin). Mr. President, I desire to ask the Senator from Fayette whether it is not true that a week ago he stated that he would vote for this transfer?

Mr. CAVALCANTE. Mr. President, I probably could answer the Senator from Dauphin if he would indicate to me where I promised or stated that I would vote for a transfer.

Mr. REED (Dauphin). Mr. President, I will withdraw that question. Did you not actually vote for a transfer a week ago?

Mr. CAVALCANTE. Mr. President, what transfer does the Senator from Dauphin mean? Probably the Senator from Dauphin had in mind my statement that that was the last resolution for transfer that I would vote for.

Mr. REED (Dauphin). Mr. President, I wish to ask the Senator from Fayette why he made that reservation.

Mr. CAVALCANTE. Mr. President, because I was sick and tired of that piecemeal legislation for the starving people of this Commonwealth.

Mr. REED (Dauphin). Mr. President, then I understand the Senator from Fayette is not interested that tomorrow and next week men women and children in Fayette County will go hungry.

Mr. CAVALCANTE. Mr. President, I am very much interested and if the Senator from Dauphin will heed the good sound judgment wait until 12:01 tonight, will pass the kind of bills that I can vote for, for which the Senator from Dauphin is on record that he will not vote for.

Mr. HARRIS. Mr. President, I just desire to say this, that this prolonged discussion might have splendid results, I believe, that in applying for relief for the starving men, women and children of the state that we should have a little charity towards the Senators who are now hungry and need relief. I desire to call the attention of the members of the Senate that we have only the faithful few here listening to this debate, so I now speak on behalf of the hungry Senators and the hungry faithful few who have remained here and I rise now to ask that we proceed with the vote on this bill.

And the question recurring,

Will the Senate agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—26

Aron,	Gelder,	McClure,	Scott,
Batchelor,	Graff,	Owlett,	Sordoni,
Bean,	Harris,	Pierson,	Staudenmeier,
Buckman,	Harvey,	Prince,	Thompson,
Chapman,	Homsher,	Reed,	(Westmoreland)
Coyne,	Howell,	(Dauphin)	Woodward,
Ealy,	Mallery,	Salus,	Ziesenheim,

NAYS—20

Baumer,	Law,	Reed	Ruth,
Cavalcante,	McCreesh,	(Washington)	Shapiro,
Frey,	McGinnis,	Rice,	Sones,
Huffman,	Miller,	Roberts,	Thompson
Kahle,	Pytko,	Rodgers,	(Centre)
Lanius,	Rankin,		

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

BILL ON SECOND READING

Mr. McCLURE. Mr. President, I move that the Senate now proceed to the consideration of Senate Bill No. 28 (House Bill 19), entitled:

An Act to amend section three of the act, approved the sixteenth day of May one thousand nine hundred thirty-five (Pamphlet Laws two hundred eight) entitled "An act to provide revenue for State purposes by imposing an excise tax for a limited period of time on the net incomes of certain corporations, joint-stock associations and limited partnerships providing for the assessment and collection of the tax and appeals to courts conferring powers and imposing duties on certain persons corporations joint-stock associations limited partnerships State and county officers boards and departments making an appropriation and providing penalties" by increasing the rate of tax for a limited period of time.

Mr. HARVEY. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 28 (House Bill No. 19), entitled:

An Act to amend section three of the act approved the sixteenth day of May one thousand nine hundred thirty-five (Pamphlet Laws two hundred eight) entitled "An act to provide revenue for State purposes by imposing an excise tax for a limited period of time on the net incomes of certain corporations joint-stock associations and limited partnerships providing for the assessment and collection of the tax and appeals to courts conferring powers and imposing duties on certain persons corporations joint-stock associations limited partnerships State and county officers boards and departments making an appropriation and providing penalties" by increasing the rate of tax for a limited period of time

The first section of the bill was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That sections two and three of the act approved the sixteenth day of May one thousand nine hundred thirty-five (Pamphlet Laws two hundred eight) entitled "An act to provide revenue for State purposes by imposing an excise tax for a limited period of time on the net incomes of certain corporations joint-stock associations and limited partnerships providing for the assessment and collection of the tax and appeals to courts conferring powers and imposing duties on certain persons corporations joint-stock associations limited partnerships State and county officers boards and departments making an appropriation and providing penalties" be and the same are hereby amended to read as follows

Section 2 Definitions The following words terms and phrases when used in this act shall have the meaning ascribed to them in this section except where the context clearly indicates a different meaning

"Corporation" A corporation having capital stock joint-stock association or limited partnership either organized under the laws of this Commonwealth the United States or any other state territory or foreign country or dependency and doing business in this Commonwealth or having capital or property employed or used in this Commonwealth by or in the name of itself or any person partnership association limited partnership joint-stock association or corporation The word "corporation" shall not include building and loan associations banks bank and trust companies national banks savings institutions beneficial life and limited life insurance companies mutual fire mutual casualty and mutual life insurance companies and foreign stock companies registered in this Commonwealth and therein engaged in doing business as life fire and casualty insurance companies and surety companies and trust companies

"Department" The Department of Revenue of this Commonwealth

"Net Income" 1 In case the entire business of the corporation is transacted within this Commonwealth net income for the calendar year or fiscal year [as returned to and] shall be ascertained on the basis used by the Federal Government to determine net income for the year one thousand nine hundred and thirty-five subject however to any corrections thereof for fraud evasion or error as finally ascertained by the Federal Government Provided That deductions shall be allowed from net income on account of any taxes paid to the Government of the United States And provided further That in the case of stock life fire casualty and indemnity insurance companies doing business on the mutual or participating plan the term "net income" shall not include the dividends paid to policy holders out of net income

2 In case the entire business of any corporation transacted within this Commonwealth the tax imposed by this act shall be based upon such portion of the net income of such corporation for the fiscal or calendar year as defined in clause one hereof as may be determined by allocations an apportionments made as follows

(a) Gains realized from the sale of capital assets if such assets consist of real estate or tangible personal property situated in the Commonwealth shall be allocated to this Commonwealth

(b) Gains realized from the sale of capital assets if such assets consist of real estate or tangible personal property situated outside of the Commonwealth shall not be allocated in any part to this Commonwealth

(c) The remainder of such net income shall be divided into three equal parts

(1) Of one-third such portion shall be attributed to business carried on within the Commonwealth as shall be found by multiplying said one-third by a fraction whose numerator is the value of the corporation's tangible property situated within this Commonwealth and whose denominator is the value of all the corporation's tangible property wherever situated

(2) Of one-third such portion shall be attributed to business carried on within the Commonwealth as shall be found by multiplying said one-third by a fraction whose numerator is the expenditure of the corporation for wages salaries commissions and other compensation to its employes and assignable to this Commonwealth as hereinafter provided and whose denominator is the total expenditures of the corporation for wages salaries commissions and other compensation to all its employes

(3) Of the remaining third such portion shall be attributed to business carried on within the Commonwealth as shall be found by multiplying said third by a fraction whose enumerator is the amount of the taxpayer's gross receipts from business assignable to this Commonwealth as hereinafter provided and whose denominator is the amount of the taxpayer's gross receipts from all its business

In cases where only two of the foregoing three rules are applicable the remainder of the net income of the corporation shall be divided into two equal parts only each of which shall be apportioned in accordance with one of the remaining two rules if only one of the three rules is applicable the part of the net income received from business carried on within the Commonwealth shall be determined solely by that rule

The amount assignable to this Commonwealth of expenditures of the corporation for wages salaries commissions or other compensation to its employes shall be such expenditures for the taxable year as represent the wages salaries commissions or other compensation of employes not chiefly situated at connected with or sent out from premises for the transaction of business owned or rented by the corporation outside the Commonwealth

The amount of the corporation's gross receipts from business assignable to this Commonwealth shall be the amount of its gross receipts for the taxable year from (1) sales except those negotiated or effected in behalf of the corpoation by agents or agencies chiefly situated at connected with or sent out from premises for the transaction of business owned or rented by the taxpayer outside the Commonwealth and sales otherwise determined to be attributable to the business conducted on such premises and (2) rentals or royalties from property situated or from the use of patents within this Commonwealth If a corporation maintains an office warehouse or other place of business in a state other than this Commonwealth for the purpose of reducing its tax under this subsection the department shall in determining the amount of its gross receipts from business assignable to this Commonwealth include therein the gross receipts from sales attributed by the corporation to the business conducted at such place of business in another state

A rule shall not be deemed to be inapplicable merely because all the tangible property or the expenditures of a corporation for wages salaries commissions or other compensation or the gross receipts of the corporation are found to be situated incurred or received without the Commonwealth

"Person" Every natural person association or corporation Whenever used in any caluse prescribing and imposing a fine or imprisonment or both the term "person" as applied to associations shall mean the partners or members thereof and as applied to corporations the officers thereof

The singular shall include the plural and the masculine shall include the feminine and neuter

Section 3 Imposition of Tax Every corporation shall be subject to and shall pay for the privilege of doing business in this Commonwealth a State excise tax at the rate of six per centum per annum upon each dollar of net income of such corporation [Such tax shall first be levied collected and paid upon all net income] received by and accruing to such corporation during the calendar year one thousand nine hundred and thirty-five except where a corporation reports to the Federal Government on the basis of a fiscal year and has certified such facts to the department as required by section four of this act in which case such tax at the rate of six per centum shall [first] be levied collected and paid upon all net income received by and accruing to such corporation during the fiscal year commencing in the calendar year one thousand nine hundred and thirty-five and ending in the calendar year one thousand nine hundred and thirty-six and a

similar tax at the rate of eight per centum per annum upon each dollar of the net income of such corporation received by and accruing to such corporation during the calendar year one thousand nine hundred and thirty-six except where a corporation reports to the Federal Government on the basis of a fiscal year and has certified such fact to the department as required by section four of this act in which case such tax at the rate of eight per centum shall be levied collected and paid upon all net income received by and accruing to such corporation during the fiscal year commencing in the calendar year one thousand nine hundred and thirty-six and ending in the calendar year one thousand nine hundred and thirty-seven.

The tax hereby imposed shall be in addition to all taxes now imposed on any corporation under the provisions of existing laws

On the question,

Will the Senate agree to the section?

Mr. HUFFMAN. Mr. President, I move to amend section 2, page 3, line 12 by striking out the light-faced bracket before the word "as"; amend section 2, page 3, line 13 by striking out the light-faced bracket after the word "and"; amend section 2, page 3, line 13 by striking out after the word "and]" and before the word "ascertained" the words [shall be]; amend section 2, page 3, line 13 by striking out after the word "ascertained" and before the word "by" the following [on the basis used]; amend section 2, page 3, line 14 by striking out at the end of the line after the word "Government" the following [to determine net income for the year]; amend section 2, page 3, line 15 by striking out at the beginning of the line before the word "subject" the following: [one thousand nine hundred and thirty-five]; amend section 2, page 3, line 20 by inserting after the word "States" and before the word "And" the following: "and on account of any dividends received from any other corporation"; amend section 2, page 4, line 2 by striking out after the word "allocations" and before the word "apportionments" the word: [an] and inserting in lieu thereof the word: "and"; amend section 2, page 5, line 11 by striking out after the word "rules" and before the word "only" the word: [if] and inserting in lieu thereof the word: "If"; amend section 2, page 6, line 20 by striking out after the word "any" and before the word "prescribing" the following: "[caluse]" and inserting in lieu thereof the word: "clause"; amend section 3, page 7, line 14 by striking out the bold-faced brackets before and after the word "ten"; amend section 3, page 7, line 14 by striking out after the word "[ten]" and before the word "per" the word: [eight]; amend section 3, page 7, line 22 by striking out the bold-faced brackets before and after the word "ten"; amend section 3, page 7, line 22 by striking out after the word "[ten]" and before the word "per" the word: [eight].

Mr. MILLER. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

Mr. HUFFMAN. Mr. President, this is the corporation income tax bill which passed the House and will carry with it about $10,000,000. In the Finance Committee it was cut down just one half and it would yield, therefore, at the present time, as the Secretary of Revenue says, $5,075,000. The amendment is designed to put the bill back where it was and I call the attention of the Senate to the fact that this is a tax net income of corporations. It certainly can do no harm to take part of the net income, and in most the bill is restored to the place where it was when it passed the House. It would take but 10 per cent. of the net income of corporations in Pennsylvania. However, it is a fraction more than 7 per cent., because the bill provides that the taxes paid, both in State and nation, may be deducted.

I have offered this because the bill as it stands here on the floor. Including $7,500,000 passed and expected from the liquor tax we will have $30,575,000, and that is the estimate of the Revenue Department. This would increase the amount by about $5,000,000, which would be in total slightly above $35,000,000.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

Mr. SHAPIRO. Mr. President, the amendment was agreed to.

The PRESIDENT. The amendment was agreed to.

Mr. BUCKMAN. Mr. President, I was waiting to hear the explanation of the Senator from Monroe and therefore no question was raised. We shall have to take the time to unravel it.

Mr. SHAPIRO. Mr. President, I rise to a point of order.

The PRESIDENT. The Senator from Philadelphia, Mr. Shapiro, will state his point of order.

Mr. SHAPIRO. Mr. President, the Senator from Bucks did not vote on the bill and he cannot move to reconsider it.

Mr. BUCKMAN. Mr. President, no one voted on the bill, as I recall it.

The PRESIDENT. The Chair went through the regular form and there was no objection to the statement that the amendment was agreed to.

Mr. HUFFMAN. Mr. President, it seems to me that it is a fact that the amendment was agreed to, nevertheless, I think that it was a misapprehension on the part of the Republican members; so far as I am concerned, I think it would be perfectly right to withdraw the agreement, if the Chair is willing that that should be done.

The PRESIDENT. There is only one way to unravel this parliamentary tangle, and that is to move to reconsider the vote by which the amendment was agreed to.

Mr. BUCKMAN. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

Mr. McCLURE. Mr. President, I second the motion.

The motion was agreed to.

On the question recurring,

Will the Senate agree to the amendment?

Mr. McCLURE. Mr. President, this bill was given very careful consideration in the Committee on Finance and in view of the greatly increased revenue I felt that this 10 per cent. should be reduced to 8 per cent. I also want to call the attention of the Senate to the fact that if 10 per cent. in corporate tax was passed in Pennsylvania it would probably be the highest net corporate tax of any state in the Union and would have a bad effect on new industries which intended locating in Pennsylvania.

Mr. President, I ask the members to defeat these amendments.

On the question recurring,

Will the Senate agree to the amendment?

The yeas and nays were required by Mr. THOMPSON (Centre) and Mr. FREY and were as follows, viz:

YEAS—22

Aron,	Kahle,	Pytko,	Rodgers,
Baumer,	Lanius,	Rankin,	Ruth,
Cavalcante,	Law,	Reed,	Shapiro,
Frey,	McCreesh,	(Washington)	Sones,
Harris,	McGinnis,	Rice,	Thompson,
Huffman,	Miller,	Roberts,	(Centre)

NAYS—24

Batchelor,	Graff,	Pierson,	Sordoni,
Bean,	Harvey,	Prince,	Staudenmeier,
Buckman,	Homsher,	Reed,	Thompson,
Chapman,	Howell,	(Dauphin)	(Westmoreland)
Coyne,	Mallery,	Salus,	Woodward,
Ealy,	McClure,	Scott,	Ziesenheim,
Gelder,	Owlett,		

So the question was determined in the negative.

On the question,

Will the Senate agree to the section?

It was agreed to.

The second section of the bill was read as follows and agreed to.

Section 2 This act shall become effective immediately upon its final enactment

The title of the bill was read as follows:

An Act to amend section three of the act, approved the sixteenth day of May, one thousand nine hundred thirty-five (P. L. 208), entitled "Corporate Net Income Tax Act," by increasing the rate of tax for a limited period of time.

On the question,

Will the Senate agree to the title?

Mr. HUFFMAN. Mr. President, I move to amend page 1, line 14 of the title, by inserting after the word "for" and before the word "limited" the word: "a".

Mr. MILLER. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was not agreed to.

On the question,

Will the Senate agree to the title?

It was agreed to.

On the question,

Will the Senate agree to the bill on second reading?

Mr. THOMPSON (Centre). Mr. President, on the passage of this bill on second reading I asked that it be treated without the usual informality which is customary on second reading, and in that connection I wish to call attention of the Senate in connection with the passage of this bill as to what this general relief problem is. We have gone pretty far afield here this afternoon in many places in the discussion. Let us just review, briefly, the figures that comprise our relief problem. This Commonwealth started the first of May with a balance available for relief purposes of $3,687,000, our first transfer amounted to $3,630,000, the second transfer to $4,086,211, our transfer for the balance in June was $1,000,000, or we spent from the first of May until the first of July the sum of $12,403,211 for relief purposes up to and including July 4th, an additional sum of $1,000,000 was spent, or we spent up to and including the end of last week $13,403,211. If we deduct from that sum the sum of $9,716,211, or $3,687,000, which was the balance on hand on May 1st. We have found that we have provided revenue in the sum of $916,211 since May 1st for relief purposes. This nine million seven hundred odd thousand dollars, with interest, must be repaid. Let us deduct that figure from the sum of $35,000,000 agreed upon by the Republican caucus, which gives us the sum of $25,284,000, which will be available under the terms of the Republican caucus for relief from the 5th day of July until the first day of February, 1937, or a period of seven months. This would make a monthly expenditure for relief of $3,612,000.

Mr. President, we all know the inadequacy of this figure, we know what must occur if this figure is adopted by this legislature as the figure for relief that must be provided. We all know that the first thing that must occur is that 13,000 unemployed in the City of Philadelphia, which we fought so hard to maintain on the relief rolls yesterday, must come off immediately. We know that all other unemployed in every other part of the state must come off of the relief rolls, and we know that a great many more people must suffer if the figures adopted by the Republican caucus must prevail. We likewise know that unless more money is raised on these bills than is provided by this bill as it comes out of the Finance Committee, which are not sufficient tax bills from which to provide adequate revenue.

Mr. President, I say to you that in this bill with the refusal of the Republican side of this Senate to amend this bill to provide adequate revenue for relief purposes, that I cannot conscientiously vote for the bill in its present form. I want also further to say that these bills which we are acting on today do not begin to provide funds, even with the figures set by the Republican caucus. We have seven and one-half million dollars appropiated from the Liquid Fuel Tax at this time. That in itself does not nearly cover the figure of $9,700,000 which we have already transferred and have not repaid. We say that under the most favorable estimate this bill and the bill following cannot yield over $21,000,000, and I say to you, Mr. President, that this legislation, as proposed tonight cannot even yield the figure which the Republican caucus states, of $3,600,000, for the next seven months for relief in Pennsylvania, and I say to you, Mr. President, that if we let this bill go out of the hands of this Senate without raising this bill to a figure which adequately provides for relief funds we are taking the first major step to cripple the relief situation in this state for the next seven months.

And the question recurring,

Will the Senate agree to the bill on second reading?

The yeas and nays were required by Mr. Thompson (Centre) and Mr. Frey.

Mr. SHAPIRO. Mr. President, I ask for a verification of the roll.

The roll was verified and was as follows:

YEAS—25

Aron,	Graff,	Pierson,	Sordoni,
Batchelor,	Harvey,	Prince,	Staudenmeier,
Bean,	Homsher,	Reed,	Thompson,
Buckman,	Howell,	(Dauphin)	(Westmoreland)
Chapman,	Mallery,	Salus,	Woodward,
Coyne,	McClure,	Scott,	Ziesenheim,
Gelder,	Owlett,	Sones,	

NAYS—21

Baumer,	Kahle,	Pytko,	Rodgers,
Cavalcante,	Lanius,	Rankin,	Ruth,
Ealy,	Law,	Reed,	Shapiro,
Frey,	McCreesh,	(Washington)	Thompson,
Harris,	McGinnis,	Rice,	(Centre)
Huffman,	Miller,	Roberts,	

So the question was determined in the affirmative.

POINT OF ORDER

Mr. SHAPIRO. Mr. President, I rise to a point of order.

The PRESIDENT. The Senator from Philadelphia, Mr. Shapiro, will state his point of order.

Mr. SHAPIRO. Mr. President, a constitutional majority is required for the passage of this bill and I think the same rule applies to second reading.

The PRESIDENT. The Chair does not so understand. That applies to bills on final passage.

Ordered, That the bill be transcribed for a third reading.

CONSIDERATION OF SENATE BILL NO. 30

Mr. McCLURE. Mr. President, I move that the Senate do now proceed to the consideration of Senate Bill No. 30 (House Bill No. 27), entitled:

An Act to amend the act, approved the twenty-second day of June one thousand nine hundred thirty-five (Pamphlet Laws four hundred fourteen) entitled "An act to provide revenue for State purposes imposing taxes upon certain classes of personal property providing for the assessment collection and lien of the same and the distribution of the proceeds thereof imposing duties on executors administrators registers of wills recorders of deeds prothonotaries and court clerks and on persons copartnerships associations banks national banks trust companies and other corporations receiving deposits of money and on certain corporations and limited partnerships conferring powers and imposing duties on certain State officers and departments imposing penalties and making an appropriation" by increasing the rate of tax removing certain exemptions changing the listing date the date of filing reports and the date and manner of payment of the tax and making further provision with regard to penalties

Mr. HARVEY. Mr. President, I second the motion.

The motion was agreed to.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 30 (House Bill No .27), entitled:

An Act to amend the act approved the twenty-second day of June one thousand nine hundred thirty-five (Pamphlet Laws four hundred fourteen) entitled "An act to provide revenue for State purposes imposing taxes upon certain classes of personal property providing for the assessment collection and lien of the same and the distribution of the proceeds thereof imposing duties on executors administrators registers of wills recorders of deeds prothonotaries and court clerks and on persons copartnerships associations banks national banks trust companies and other corporations receiving deposits of money and on certain corporations and limited partnerships conferring powers and imposing duties on certain State officers and departments imposing penalties and making an appropriation" by increasing the rate of tax changing the listing date the date of filing reports and the date and manner of payment of the tax and making further provisions with regard to penalties

The first section of the bill was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of th same That Sections three four five six seven eight nine ten eleven twelve thirteen fourteen fifteen sixteen seventeen eighteen nineteen twenty twenty-one twenty-two twenty-three and twenty-four of the act approved the twenty-second day of June one thousand nine hundred thirty-five (Pamphlet Laws four hundred fourteen) entitled "An act to provide revenue for State purposes imposing taxes upon certain classes of personal property providing for the assessment collection and lien of the same and the distribution of the proceeds thereof imposing duties on executors administrators registers of wills recorders of deeds prothonotaries and court clerks and on persons copartnerships associations banks national banks trust companies and other corporations receiving deposits of money and on certain corporations and limited partnerships conferring powers and imposing duties on certain State officers and departments imposing penalties and making an appropriation" be and the same are hereby amended to read as follows

Section 3 Tax on Mortgages Judgments Et Cetera Imposition and Rate of Tax Exceptions All personal property of the classes hereinafter enumerated owned held or possessed by any resident whether such personal property be owned held or possessed by such resident in his own right or as active trustee agent attorney-in-fact or in any other capacity for the use benefit or advantage of any other person copartnership unincorporated association company joint-stock company or association limited partnership bank or corporation is hereby made taxable annually for State purposes at the rate of [one mill] four mills on each dollar of the value thereof as of a date to be fixed annually in the manner provided in section five of this act and no failure to assess or return the same shall discharge such owner or holder thereof from liability therefor that is to say

All mortgages all moneys owing by solvent debtors whether by promissory note or penal or single bill bond or judgment all articles of agreement and accounts bearing interest all public loans whatsoever except those issued by this Commonwealth or the United States and those made taxable for State purposes all loans issued by any corporations association company or limited partnership created or formed under the laws of this Commonwealth or of the United States or of any other state or government including car-trust securities and loans secured by bonds or any other form of certificate or evidence of indebtedness whether the interest be included in the principal of the obligation or payable by the terms thereof except such loans as are made taxable for State purposes by section [nineteen] eighteen hereof all shares of stock in any bank corporation association company or limited partnership created or formed under the laws of this Commonwealth or of the United States or of any other state or government except shares of stock in any bank and bank and trust company national banking association savings institution building and loan association corporation or limited partnership that may be liable to a tax on its shares or its capital stock for State purposes under the laws of this Commonwealth or relieved from the payment of tax on its shares or capital stock for State purposes by the laws of the Commonwealth all moneys loaned or invested in other states territories the District of Columbia or foreign countries all other moneyed capital in the hands of individual citizens of the State all stages omnibuses hacks cabs and other vehicles used in transporting passengers for hire except steam and street passenger railway cars owned or used or possessed within this Commonwealth by any person or persons or by any corporate body or bodies all annuities yielding annually over two hundred dollars ($200) Provided That this section shall not apply to bank notes or notes discounted or negotiated by any bank or banking institution savings institution or trust company nor to loans shares of stock or other securities held by bankers or brokers solely for trading purposes nor to accounts or debit balances owing by customers of bankers or brokers in the usual courses of business nor to interest-bearing accounts in any bank or banking institution savings institution or trust company and provided That the provisions of this act shall not apply to building and loan associations or to savings institutions having no capital stock and if at any time either now or hereafter any persons individuals or bodies corporate have agreed or shall hereafter agree to issue his their or its securities bonds or other evidences of indebtedness clear of and free from

the said [one mill] four mills tax herein provided for or have agreed or shall hereafter agree to pay the same nothing herein contained shall be so construed as to relieve or exempt him it or them from paying the said [one mill] four mills tax on any of the said securities bonds or other evidences of indebtedness as may be held owned or owing to the said savings institution having no capital stock And provided further That the provisions of this act shall not apply to fire companies firemen's relief owned by or owing to the said savings institution having no capital stock secret and beneficial societies labor unions and labor union relief associations and all beneficial organizations paying sick or death benefits or either or both from funds received from voluntary contributions or assessments upon members of such associations societies or unions And provided further That corporations limited partnerships and joint-stock associations liable to tax on capital stock for State purposes shall not be required to make any report or pay any further tax under this section on the mortgages bonds and other securities owned by them in their own right but corporations limited partnerships and joint-stock associations holding such securities as trustees executors administrators guardians or in any other manner shall return and pay the tax imposed by this section upon all securities so held by them as in the case of individuals And provided further That none of the classes of property made taxable by this section for State purposes shall be taxed or taxable for any local purpose under the laws of this Commonwealth except for county purposes and in cities coextensive with counties for city and county purposes as now provided by law And provided further That the provisions of this section shall not apply to personal property of the class hereinabove enumerated hereafter received from any person or persons copartnership or unincorporated association or company non-resident in or not located within this Commonwealth or from any joint-stock company or association limited partnership bank or corporation formed erected or incorporated by under or in pursuance of any law of the United States or of any state or government other than this Commonwealth and not doing business within this Commonwealth by any person or persons copartnership unincorporated association company joint-stock company or association limited partnership bank or corporation as active trustee agent attorney-in-fact or in any other capacity for the use benefit or advantage of any person or persons copartnership or unincorporated association or company nonresident in or not located within this Commonwealth or for the use benefit or advantage of any joint-stock company or association limited partnership bank or corporation formed erected or incorporated by under or in pursuance of any law of the United States or of any state or government other than this Commonwealth and not doing business within this Commonwealth

Section 4 Returns and Payment of Tax (a) For the purpose of ascertaining the amount of tax payable under the third section of this act it shall be the duty of every resident liable to pay such tax on or before the fifteenth day of [March] February of each year to transmit to the department upon a form prescribed prepared and furnished by the department a return in duplicate the original under oath or affirmation of

(1) The aggregate actual value of each of the different classes of property made taxable by the third section of this act held owned or possessed by such resident as of the date fixed annually in the manner provided in section five of this act either in his own right or as trustee agent attorney-in-fact or in any other capacity for the use benefit or advantage of any other person copartnership unincorporated association company limited partnership joint-stock association or corporation

(2) The amount of interest dividends or other income derived from each class of such property at any time during the preceding calendar year and

(3) Such other information as may be required by the department concerning such property The duplicate unsworn return shall be forwarded by the Department of Revenue to the county commissioners Board of Revision of Taxes or board for the assessment and revision of taxes as the case may be of the county from whih the return was made for its use and information

The failure of any taxable resident to receive or procure a return form shall not excuse him from making a return

(b) The return so made shall be sworn or affirmed to by the person making the same if an individual and in the case of copartnerships unincorporated associations and joint-stock associations and companies by some member thereof and in the case of limited partnerships and corporations by the president chairman or treasurer thereof

(c) Any agent duly authorized by the department is hereby authorized to administer the oath or affirmation to any person or officer making the return prescribed by this section for the taking of which oath or affirmation no charge shall be made Any such agent who shall make any charge for administering such oath or affirmation shall be deemed guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding five hundred dollars ($500.00) or to undergo imprisonment not exceeding one (1) year either or both in the discretion of the court

(d) The tax imposed by section three hereof shall be due and payable when such return is required to be filed and every resident at the time of making every return shall compute and pay to the department the tax due the Commonwealth by such resident

Section 5 Listing Date The department shall on or before the [first] fifteenth day of [February] January one thousand nine hundred [thirty-six] thirty-seven and annually thereafter fix a day as of which the property made taxable by the third section of this act shall be listed and assessed The day so fixed shall be between the first and the fifteenth days of the [immediately preceding] month of January both inclusive and the day so fixed shall be printed or stamped on the forms for making returns of all such property [if] If through inadvertence mistake or otherwise the department fails to designate or fix such date or if such date does not appear on the form for making return of such property the date as of which such property shall be listed and assessed shall be the immediately preceding first day of January

[Section 6 Original Assessment Notice The Department shall originally assess the tax imposed by the third section of this act on the basis of the return duly made Promptly after the date of such original assessment the department shall give or send by mail or otherwise a notice thereof to the taxpayer If the taxpayer is dissatisfied with the original assessment so made he may petition for a reassessment in the manner hereinafter provided]

Section [7] 6 Estimated Assessment Notice If any resident liable for or believed by the department to be liable for the tax imposed by the third section of this act shall fail to refuse to file a return in the manner and within the time prescribed by this act the department shall make an estimated assessment against him The department shall promptly thereafter give or send by mail or otherwise notice of such estimated assessment to such resident At any time within thirty (30) days after notice of such estimated assessment is so given or sent such resident may file a return under oath or affirmation with the department [and if the department is satisfied that such return is correct and includes all property made taxable by the third section of this act or that such resident owned held or possessed no such taxable property it shall assess the tax if any on the basis of the return so made together with a penalty of ten per centum of the gross amount of taxable property returned] and at that time shall compute and pay to the department the tax due by him to the Commonwealth with interest thereon at the rate of six per centum per annum from the time such property should have been returned [to the date of assessment and shall cancel the estimated assessment] together with a penalty of ten per centum of the amount of the tax due Any resident against whom an estimated assessment is made who shall fail or refuse to file a return and compute and pay the tax interest and penalty in the manner and within the time provided in this section shall have no right to appeal therefrom or to petition for a reassessment and in any suit for the collection of a tax so assessed shall not be permitted to set up as a defense that he owned held or possessed no property made taxable by the third section of this act or any other matter of defense whatso-

ever If any resident shall file a return [is filed] before an estimated assessment is made but not within the time required by this act [a penalty of ten per centum shall be added to the amount of property so returned and the tax assessed on the basis thereof with interest at the rate of six per centum per annum from the time such property should have been returned to the date of assessment] such resident at that time shall compute and pay to the department the tax due by him to the Commonwealth with interest thereon at the rate of six per centum per annum from the time such property should have been returned together with a penalty of ten per centum of the tax due

Section [8] 7 Additional Assessment Notice If any taxable resident shall fail to include in any return all of his property made taxable by the third section of this act or shall fail to compute and pay tax thereon as required in this act the department shall make an additionl assessment of tax against such resident [of] on the amount of such omitted property together with a penalty of ten per centum of such [amount and interest thereon at the rate of six per centum per annum from the time such property should have been returned to the date of assessment] additional assessment Promptly thereafter the department shall give or send by mail or otherwise notice thereof to such resident If such resident is dissatisfied with the additional assessment so made he may petition for a reassessment in the manner hereinafter provided

Section [9] 8 Assessments Made at any Time within Five Years An additional assessment or estimated assessment as heretobefore provided may be made by the department at any time within five (5) years after any property owned held or possessed or alleged to have been so owned held or possessed by an resident should have been returned by him for taxation notwithstanding he shall have paid a tax assessed on the basis of returns previously made or filed and nothwithstanding the department shall have made previous additional or estimated assessments against such resident In any such case no credit shall be given for any penalty formerly assessed and paid

Section [10] 9 Petition for Reassessment Appeal (a) Any resident against whom [any original assessment or] an additional assessment is made may petition the department for a reassessment Notice of an intention to file such a petition or to appear and be heard shall be given to the department [prior to the time the amount becomes due and payable to wit Within] within [thirty (30)] ninety (90) days after notice of such [original assessment or] additional assessment is given or sent by the department to the taxpayer as provided in this act The department shall hold such hearings in each county as may be necessary to hear and determine petitions for reassessment at such places and at such times as may be determined by rules and regulations of the department and each petitioner who has duly notified the department of an intention to file a petition to file a petition for reassessment or to appear and be heard shall be notified by the department of the time when and the place where such hearings shall be held All such petitions shall set forth specifically and in detail the grounds upon which it is claimed the [original or] additional assessment is erroneous or unlawful and shall be accompanied by an affidavit under oath or affirmation certifying to the correctness of the facts stated therein If no petition for reassessment is filed with the department the petitioner may in lieu thereof appear at the hearing and present his petition orally in which event all testimony or statements of facts shall be made under oath or affirmation

(b) If such petitioner is dissatisfied with the action of the department on his petition for reassessment [or if any resident against whom an estimated assessment is made and who has duly thereafter made a return as heretofore provided is dissatisfied with the refusal of the department to assess the tax on the basis of the return so made and to cancel the estimated assessment] he shall have the right to appeal to the court of common pleas of the proper county at any time within [thirty (30)] sixty (60) days after notice of such action [or refusal] is given to him by the department If any resident shall fail to give due notice of an intention to petition for a reassessment and to file a petition for reassessment or to appear and be heard after due notice of his intention to do so or to appeal to the court of common pleas within the time and in the manner herein set forth the right to do so shall be forever barred and any such resident so failing shall not thereafter be permitted in a suit for the recovery of such tax to set up any ground of defense which might have been determined either by the department or the court of common pleas as aforesaid In all cases of petitions for reassessment and appeals the burden of proof shall be on the petitioner or appellant as the case may be and every appeal to the court of common pleas under this section shall specify all the objections to the assessment and any objection not specified in the appeal shall not be considered by the court

Section [11] 10 Information at Source Reports (a) The executor of every will and the administrator of every estate at the time of filing with the register of wills or clerk of the orphans' court the inventory and appraisal of such estate or of any affidavit setting forth the real and personal estate of such decedent for the purpose of determining the transfer inheritance tax imposed theron by existing law shall in addition thereto file with such register of wills or clerk of the orphans' court a statement in duplicate under oath or affirmation setting forth the items included in such inventory or affidavit which may be liable to the tax imposed by the third section of this act The register or clerk with whom the same is filed shall forthwith send one copy thereof to the department It shall be the duty of the department to proceed at once to assess the tax due from such decedent with interest and penalties as heretofore provided in this act and to present a claim therefor through the Department of Justice to the orphans' court of the proper county or to proceed by action or suit at law through the Department of Justice in any court of competent jurisdiction for the recovery thereof or to take any or all appropriate steps or procedure necessary for the collection of such tax

(b) It shall be the duty of the recorder of deeds in each and every county in this Commonwealth to keep a daily record separate and apart from all other records of every mortgage or article of agreement given to secure the payment of money entered in his office for recording which record shall set forth the following information to wit The date of the mortgage or agreement the names of the parties thereto the just sum of money secured the precise residence of the mortgagee or person to whom interest is payable a brief description of the real estate upon which such mortgage is secured and the date or several dates when the said sum or portion of the said sum shall become due and payable and a like daily record of every assignment of a mortgage or an article of agreement given to secure the payment of money and also the number of mortgages and agreements together with the amount of same and the names of the parties thereto which shall have been that day satisfied of record For the purpose of obtaining with accuracy th precise residence of all mortgagees assignees and persons to whom interest is payable on articles of agreements it shall be the duty of the recorder of deeds in each county whenever a mortgage assignment or agreement given to secure the payment of money shall be presented to him for record to refuse the same unless the mortgage assignment or agreement has attached thereto and made part thereof a certificate signed by the mortgagee assignee or person entitled to interest or his duly authorized attorney or agent setting forth the precise residence of such mortgagee assignee or person entitled to interest and such certificate shall be recorded with the mortgage assignment or agreement Every recorder of deeds on the first Monday of each month shall file the aforesaid daily record or a copy thereof with the department

(c) It shall be the duty of the prothonotary or clerk of the court of common pleas in each and every county in this Commonwealth forthwith upon the passage of this act to keep a daily record separate and apart from all other records of every single bill bond judgment or other instrument securing a debt entered of record in his office Such daily record shall set forth the following information to wit The date of the instrument the names

of the plaintiff and defendant together with the precise residence of the plaintiff or person to whose use such bill bond judgment or other obligation to pay money is marked whenever such residence can be ascertained the just sum secured and the date or several dates when the said sum or portion of the same shall become due and payable with the further information whether any of said bonds or judgments are accompanied with mortgages and also the number of every single bill bond judgment or other instrument securing a debt together with the amount of same and the names of the plaintiff and defendant thereto which shall have been that day satisfied The prothonotary or clerk of the court of common pleas shall file the aforesaid daily record or a copy thereof with the department on the first Monday of each month

Section [12] 11 Compensation of Recorders and Prothonotaries The several recorders of deeds prothonotaries and court clerks as aforesaid shall be entitled to receive ten cents for each and every mortgage judgment or lien assignment or satisfaction thereof reported to the department as heretofore required in this act Such fees shall be paid by the respective county treasurers on the presentation of proper vouchers certified by the department and shall be applied in like manner as other fees received by such recorders prothonotaries or clerks Provided That no fee shall be allowed in any case where the residence of any plaintiff mortgagee or assignee is omitted in such reports And provided further That the amount allowed any prothonotary or clerk or recorder of deeds under this act shall not exceed the sum of six hundred dollars ($600.00) per annum

Section [13 Payment and] 12 Due Date All taxes [penalties and interest resulting from any original] whether a report is filed as herein required or whether an estimated or additional assessment is made by the department shall be due and payable [within thirty (30) days after notice of such original or additional assessment is given or sent by the department as heretofore provided if no petition for reassessment is taken or within thirty (30) days after notice of the determination of such petition if no appeal is taken All taxes penalties and interest resulting from any estimated assessment made by the department shall be due any payable within thirty (30) days after the expiration of the time within which a return may be made in such cases if no return is made and thirty (30) days after notice of the assessment made on the basis of such return is given or sent as heretofore provided if such return is made and the tax assessed on the basis thereof] on the fifteenth day of February of each year

Section [14] 13 Interest The tax imposed by the third section of this act shall bear interest at the rate of twelve per centum per annum from the date such tax is due and payable until paid except that any tax found due as the result of an appeal to the court of common pleas or any appellate court shall bear interest at the rate of six per centum per annum from the date the tax was originally due and payable until paid [Any balance finally found due by the department as a result of a reassessment shall bear interest at the rate of twelve per centum per annum from the time such amount was originally due and payable until paid]

Section [15] 14 Lien of Taxes (a) All taxes imposed under the third section of this act together with all penalties and interest shall be considered a public account after [being assessed] becoming due and payable in the manner prescribed in this act and as such shall be a lien upon the franchises and real property of the resident against whom the same are assessed after the same has been entered and docketed of record by the prothonotary of the county where the resident's franchises or property are situated.

(b) The department may at any time transmit to the prothonotaries of the respective counties of the Commonwealth to be by them entered of record certified copies of all liens for taxes imposed by the third section of this act and penalties and interest upon which record it shall be lawful for writs of scire facias to issue and be prosecuted to judgment and execution in the same manner as such writs are ordinarily employed

Section [16] 15 Credits for Overpayment The Board of Finance and Revenue may allow a credit for any taxes imposed by the third section of this act and penalties and interest thereon [alleged to have been] paid [as the result of an error of law or of fact or of both law and fact] to the Commonwealth and which the Commonwealth is not rightfully or equitably entitled Claims for such credits shall be made in accordance with the provisions of "The Fiscal Code" relative to petitions for refunds of taxes No petition for such credit shall be considered by the board unless filed with the board within two (2) years of the payment alleged to have been erroneously made

Upon the allowance of any such petition the credit so determined may be applied against any amount due or subsequently becoming due by such petitioner on account of taxes imposed by the third section of this act and penalties and interest thereon or may be assigned in whole or in part to any other taxable resident to be applied against any amount due or subsequently becoming due by such resident on account of taxes imposed by the third section of this act and penalties and interest thereon Upon the allowance of a petition for credit the board shall issue its certificate under its hand and seal and no credit claimed whether assigned or not shall be allowed unless evidenced by such certificate

Section [17] 16 Penalties Costs (a) Every person or officer who shall wilfully and corruptly make a false and fraudulent return of property made taxable by the third section of this act shall be guilty of wilful and corrupt perjury and upon conviction thereof shall be subject to punishment as provided by law

(b) Any wilful failure on the part of recorders of deeds or prothonotaries or clerks to carry out the duties imposed upon them by section [eleven] ten of this act shall be deemed a misdemeanor and upon conviction thereof the person or persons so failing to comply shall be sentenced to pay a fine not exceeding five hundred dollars ($500.00) or to undergo imprisonment not exceeding one (1) year or both in the descretion of the court

(c) Every register of wills who shall fail to send copies of affidavits filed with him by executors or administrators to the department as required by section [eleven] ten of this act shall be guilty of a misdemeanor and upon conviction thereof the register so failing shall be sentenced to pay a fine not exceeding five hundred dollars ($500.00) or to undergo imprisonment not exceeding one (1) year or both in the descretion of the court

(d) Every executor or administrator who fails to file the affidavit with the register of wills as required by section [eleven] ten of this act shall be subject to a penalty of twenty-five dollars ($25.00) for the first day and ten dollars ($10.00) for each succeeding day during which such affidavit is not filed to be collected by the department through the Department of Justice in the same manner as debts are by law collected

(e) Whenever any person acting for or on behalf of the department shall in good faith institute legal proceedings for any violations of the provisions of this act and for any reason shall fail to recover costs of record such costs shall be a charge upon the proper county as shall such costs in the event defendant is imprisoned for failure to pay fine or costs or both and shall be audited and paid as are costs of like character in said county

Section [18] 17 Enforcement Rules and Regulations Inquisitorial Powers of the Department (a) The department is hereby charged with the enforcement of the provisions of this act and is hereby authorized and empowered to prescribe adopt promulgate and enforce rules and regulations relating to any matter or thing pertaining to the administration and enforcement of the provisions of this act and the collection of taxes penalties and interest imposed by this act

(b) The department or any agent authorized in writing by it is hereby authorized to examine the books papers and records of any resident in order to verify the accuracy of any return made or if no return was made to ascertain and assess the tax imposed by the third section of this act Every such resident is hereby directed and required to give the department or its duly authorized agent the means facilities and opportunity for such examinations and investigations as are hereby provided and authorized The department is hereby au-

thorized to examine any person under oath concerning any property which was or should have been returned for taxation and to this end may compel the production of books papers and records and the attendance of all persons whether as parties or witnesses whom it believes have knowledge of such property The procedure for such hearing or examination shall be the same as that provided by "The Fiscal Code" relating to inquisitorial powers of fiscal officers

Any information gained by the department as a result of any returns investigations hearings or verifications required or authorized by this act and any information gained by the county commissioners Board of Revision of Taxes or board for the assessment and revision of taxes as the result of duplicate returns received from the department shall be confidential except for official purposes and any person or agent divulging such information shall be deemed guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not in excess of five hundred dollars ($500.00) or to undergo imprisonment for not more than three (3) years or both in the discretion of the court

(c) The powers conferred by this act upon the department relating to the administration or enforcement of this act shall be in addition to but not exclusive of any other powers heretofore or hereafter conferred upon the department by law

Section [19] 18 Tax on Script Bonds Et Cetera Imposition and Rate of Tax All script bonds certificates and evidences of indebtedness issued and all script bonds certificates and evidences of indebtedness assumed or on which interest shall be paid by any and every private corporation incorporated or created under the laws of this Commonwealth or the laws of any other state or of the United States and doing business in this Commonwealth and all script bonds certificates and evidences of indebtedness issued are hereby made taxable [for the year one thousand nine hundred and thirty-six and annually thereafter] for State purposes during the calendar year one thousand nine hundred thirty-six on reports filed for the calendar year one thousand nine hundred thirty-five or for the fiscal year beginning in the calendar year one thousand nine hundred thirty-five at the rate of one mill on each dollar of the nominal value thereof and during the calendar year one thousand nine hundred thirty-seven on reports filed for the calendar year one thousand nine hundred thirty-six or the fiscal year beginning in the calendar year one thousand nine hundred thirty-six at the rate of four mills on each dollar of the nominal value thereof which tax shall be in addition to the tax imposed for State purposes by section seventeen of the act approved the seventeenth day of June one thousand nine hundred and thirteen (Pamphlet Laws five hundred seven) and its amendments or supplements Provided That Whenever under the provisions of this section any private corporation shall become liable for such taxes upon evidences of indebtedness by it assumed or on which it shall pay interest it shall be the duty of such corporation not later than ten (10) days thereafter to give notice in writing to any person who may at such time be liable for the payment of any taxes upon such evidence of indebtedness under the provisions of the third section of this act that the corporation has assumed such indebtedness or the payment of the interest thereon and will deduct and pay the taxes imposed thereon by this section Such notice shall also be given before the first day of October of each and every subsequent year during which such corporation is liable for the payment of such interest Where any private corporation shall assume such evidences of indebtedness or the payment of interest thereon prior to the first day of October in any year and shall give notice as hereinbefore provided such corporation shall be relieved from the duty of deducting and paying the taxes imposed by this section for the balance of such year but shall deduct and pay said taxes for the ensuing year and the person to whom such notice shall be given shall for such ensuing year be relieved from the payment of tax under the provisions of the third section of this act upon such evidences of indebtedness so assumed or on which the corporation shall pay interest Where any private corporation shall assume such evidences of indebtedness or the payment of interest thereon on or subsequent to the first day of October in any year and shall give the notice as hereinbefore provided such corporation shall be relieved from the duty of deducting and paying the tax upon such evidences of indebtedness by it assumed or on which it shall pay interest for the balance of such year for the ensuing year and the person to whom notice is so given shall pay the tax for the period for which the corporation is relieved upon such evidences of indebtedness so assumed or on which the corporation shall pay interest as provided for in the third section of this act Neglect or failure on the part of any corporation upon assuming any evidences of indebtedness or becoming liable for the payment of interest thereon to give the notice as herein provided and within the time prescribed shall make such corporation liable for the payment of taxes from the time when such evidences of indebtedness are assumed or for the entire period for which interest shall be paid Neglect or failure to give such notice before the first day of October of each and every subsequent year during which such corporation is liable for the payment of such interest shall make the corporation liable for such taxes for the year following without any deductions from interest due as hereinbefore provided Provided That this section shall not apply to bank notes or notes discounted or negotiated by any bank or banking institution savings institution or trust company nor to interest-bearing accounts in any bank banking institution savings institution or trust company And provided further That the provisions of this act shall not apply to building and loan associations or to savings institutions having no capital stock and if at any time either now or hereafter any persons individuals or bodies corporate have agreed or shall hereafter agree to issue his their or its securities bonds or other evidences of indebtedness clear of and free from the said (one mill) four mills tax herein provided for or have agreed or shall hereafter agree to pay the same nothing herein contained shall be so construed as to relieve or exempt him it or them from paying the said [one mill] four mills tax on any of the said such securities bonds or other evidences of indebtedness as may be held owned by or owing to the said savings institution having no capital stock And provided further That the provisions of this act shall not apply to fire companies firemen's relief associations life or fire insurance corporations having no capital stock secret and beneficial societies labor unions and labor union relief associations and all beneficial organizations paying sick or death benefits or either or both from funds received from voluntary contributions or assessments upon members of such associations societies or unions And provided further That corporations limited partnerships and joint-stock associations liable to tax on capital stock for State purposes shall not be required to pay any further tax under this section on the mortgages bonds and other securities owned by them in their own right but corporations limited partnerships and joint-stock associations holding such securities as trustees executors administrators guardians or in any other manner shall be liable for the tax imposed by this section upon all securities so held by them as in the case of individuals And provided further That none of the classes of property made taxable by this section for State purposes shall be taxed or taxable for county school or other local purposes

It is the intent of this act that all scrip bonds certificates and evidences of indebtedness made taxable under this section are not taxable under the third section of this act and that only such scrip bonds certificates and evidences of indebtedness which cannot be made taxable under this section are to be taxed under the third section of this act.

Section [20] 19 Collection of Tax The tax for State purposes imposed upon obligations of private and public corporations by section [nineteen] eighteen of this act shall be collected in the same manner as the tax imposed for State purposes upon such obligations by section seventeen of the act approved the seventeenth day of June one thousand nine hundred thirteen (Pamphlet Laws five hundred seven) and its amendments or supplements it being the true intent and meaning of this act that the pro-

visions of the law in force at the time of the passage of this act relating to the manner of the collection of the State tax upon such obligations shall remain unaffected by this act.

Section [21] 20 Disposition of Tax Interest Fees Fines Forfeitures and Penalties All taxes and interest that shall be received recovered paid or collected under the provisions of this act shall be paid into the State Treasury through the department

All moneys paid into the State Treasury from taxes for the first year for which a tax is imposed by the provisions of this act shall be used only for unemployment relief purposes and for such purposes are hereby appropriated and all moneys paid into the State Treasury during the second year this act is in effect shall be credited to the General Fund

Section [22] 21 Constitutional Construction If any section sentence clause or part of this act is for any reason held to be unconstitutional the decision of the court shall not affect or impair any of the remaining provisions of this act It is hereby declared as the legislative intent that this act would have been adopted had such unconstitutional sentence section clause or part thereof not been included herein

Section [23] 22 Effect on Other Acts of Assembly Nothing contained in this act shall be deemed to repeal or modify the act approved the seventeenth day of June one thousand nine hundred thirteen (Pamphlet Laws five hundred seven) entitled "An act to provide revenue for State and county purposes and in cities coextensive with counties for city and county purposes imposing taxes upon certain classes of personal property providing for the assessment and collection of the same providing for the duties and compensation of prothonotaries and recorders in connection therewith and modifying existing legislation which provided for raising revenue for State purposes" and its amendments or supplements The taxes imposed by this act shall be in addition to all other taxes which are now or hereafter imposed by law

Section [24] 23 Effective Date This act shall become effective immediately upon its final enactment and shall remain in force for the assessment and collection of taxes under section three of this act for the calendar years one thousand nine hundred and thirty-six and one thousand nine hundred and thirty-seven and for the collection of taxes under section [nineteen] eighteen of this act during the calendar years one thousand nine hundred and thirty-six and one thousand nine hundred and thirty-seven on reports filed for the calendar years one thousand nine hundred and thirty-five and one thousand nine hundred and thirty-six or for the fiscal years beginning in the calendar years one thousand nine hundred and thirty-five and one thousand nine hundred and thirty-six

On the question,

Will the Senate agree to the section?

Mr. THOMPSON (Centre). Mr. President, I move to amend section 3, page 3, line 4 by inserting after the word "association" and before the word "company" the word: or; amend section 3, page 3, line 19 by striking out at the beginning of the line before the word "association" the word: (corporations) and inserting in lieu thereof the word: corporation; amend section 3, page 3, line 28 by striking out after the word "any" and before the word "corporation" the word: (bank); amend section 3, page 4, line 2 by striking out after the word "government" and before the word "shares" the following: ((()except()) (including)) and inserting in lieu thereof the word: including; amend section 3, page 4, line 3 by striking out at the end of the line after the word "any" the following: ((()bank()) bank and trust company national bank-); amend section 3, page 4 by striking out line 4; amend section 3, page 4, line 5 by striking out at the beginning of the line before the word "corporation" the following: (ciation); amend section 3, page 4, line 6 by striking out after the word "on" and before the word "its" the following: ((()its shares of())); amend se tion 3, page 4, line 8 by striking out at the end of t line after the word "on" the following: (()its shares amend section 3, page 4, line 9 by striking out at t beginning of the line before the word "capital" t following: (or ())); amend section 3, page 4, line by striking out the bold-faced bracket before the wo "Provided"; amend section 3, page 4, line 14 by striki out the bold-faced bracket after the word "Commo wealth"; amend section 4, page 7, line 13 by striking o after the word "aggregate" and before the word "valu the word: (actual); amend section 4, page 8, line 6 inserting after the word "sworn" and before the wo "or" the word: to; amend section 4, page 8, line 7 striking out at the beginning of the line before the wo "by" the word: (to); amend section 6, page 10, line by striking out after the word "of" and before the wo "per" the following: ((()six()) (twelve)) and inse ing in lieu thereof the word: twelve; amend section page 11, line 7 by striking out the bold-faced bracke before the after the word "twelve"; amend section page 11, line 7, by striking out after the word "(twelve and before the word "per" the word: (six); amend se tion 9, page 12, line 16 by striking out the light-fac bracket before the word "thirty"; amend section 9, pa 12, line 17 by striking out the light-faced bracket af "(30)"; amend section 9, page 12, line 17 by striking o after "(30)" and before the word "days" the followin (ninety (90)); amend section 9, page 13, line 17 striking out the light-faced brackets before and af "thirty (30)"; amend section 9, page 13, line 18 by stri ing out at the beginning of the line before the wo "days" the following: (sixty (60)); amend section page 15, line 23 by striking out after the word "of" a before the word "it" the word: (agreements) and i serting in lieu thereof the word: agreement; amend se tion 15, page 19, line 16 by inserting after the word "an and before the word "which" the word: to; amend se tion 15, page 19, line 20 by striking out after the wo "such" and before the word "shall" the word: (cred and inserting in lieu thereof the word: credits; ame section 16, page 21, line 19 by striking out the bold-fac bracket before "(f)"; amend section 16, page 21, line by striking out the bold-faced bracket after the wo "court"; amend section 17, page 22, line 12 by inserti after the word "give" and before the word "the" t word: to; amend section 18, page 23, line 12 by striki out after the word "on" and before the word "Bond the word: (Script) and inserting in lieu thereof the wor Scrip; amend section 18, page 23, line 14 by striking o after the word "all" and before the word "bonds" t word: (script) and inserting in lieu thereof the wor scrip; amend section 18, page 23, line 20 by striking o after the word "all" and before the word "bonds" t word: (script) and inserting in lieu thereof the wor Scrip; amend section 18, page 24, line 16 by striking o after the word "such" and before the word "of" the wor (evidence) and inserting in lieu thereof the wor Evidences; amend section 18, page 25, line 13 by inserti after the word "year" and before the word "for" t word: and; amend section 18, page 26, line 14 by striki out the parentheses before the word "one" and after t word "mill" and inserting in lieu thereof light-fac brackets.

Mr. FREY. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendments?

Mr. THOMPSON (Centre). Mr. President, I would like o at this time, with the permission of the Senate, rather han read these amendments at length I would like to state o the Senate that these amendments are calculated to put he bill in the same shape as the bill was with regard to he substance of the bill, when it came from the House o the Senate. Amendments were placed in the bill in he Finance Committee. I think the Senators understand. his is brief, if there is anything else I will be glad to ex-lain.

Mr. McCLURE. Mr. President, I too will be as brief as ossible. The Senate Committee has considered this bill nd reported it to the floor and I ask the members to de-eat these amendments.

And the question recurring,

Will the Senate agree to the amendments?

The yeas and nays were required by Mr. THOMPSON Centre) and Mr. FREY and were as follows, viz:

YEAS—20.

Baumer,	Lanius,	Rankin,	Rodgers,
Cavalcante,	Law,	Reed,	Ruth,
Frey,	McCreesh,	(Washington)	Shapiro,
Harris,	McGinnis,	Rice,	Thompson,
Huffman,	Miller,	Roberts,	(Centre)
Kahle,	Pytko,		

NAYS—26.

Aron,	Gelder,	Owlett,	Sones,
Batchelor,	Graff,	Pierson,	Sordoni,
Bean,	Harvey,	Prince,	Staudenmeier,
Buckman,	Homsher,	Reed,	Thompson,
Chapman,	Howell,	(Dauphin)	(Westmoreland)
Coyne,	Mallery,	Salus,	Woodward,
Ealy,	McClure,	Scott,	Ziesenheim,

So the question was determined in the negative.

The second section of the bill was read as follows and greed to:

Section 2. This act shall become effective immediately pon its final enactment.

The title of the bill was read as follows:

An Act to amend the act, approved the twenty-second lay of June, one thousand nine hundred thirty-five (Pam-hlet Laws, four hundred fourteen), entitled "An act to rovide revenue for State purposes; imposing taxes upon ertain classes of personal property; providing for the ssessment, collection, and lien of the same, and the dis-ribution of the proceeds thereof; imposing duties on xecutors, administrators, registers of wills, recorders of eeds, prothonotaries, and court clerks, and on persons, opartnerships, associations, banks, national banks, trust ompanies, and other corporations receiving deposits of oney, and on certain corporations and limited partner-hips; conferring powers and imposing duties on certain tate officers and departments; imposing penalties; and aking an appropriation," by increasing the rate of tax; emoving certain exemptions; changing the listing date, he date of filing reports, and the date and manner of ayment of the tax; and making further provision with egard to penalties.

On the question,

Will the Senate agree to the title?

Mr. THOMPSON (Centre). Mr. President, I move to

Amend page 2, line 1 of the title, by striking out the old-faced brackets before the word "removing" and after he word "exemptions."

Amend page 2, line 3 of the title, by inserting at the end f the line after the word "tax" the following "providing or duplicate returns by taxpayers and for the use thereof"

Mr. FREY. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendments?

It was not agreed to.

On the question,

Will the Senate agree to the title?

It was agreed to.

On the question,

Will the Senate agree to the bill on second reading?

The yeas and nays were required by Mr. THOMPSON (Centre) and Mr. CAVALCANTE and were as follows, viz:

YEAS—27

Aron,	Graff,	Owlett,	Sones,
Batchelor,	Harris,	Pierson,	Sordoni,
Bean,	Howell,	Prince,	Staudenmeier,
Buckman,	Homsher,	Reed,	Thompson,
Chapman,	Howell,	(Dauphin)	(Westmoreland)
Coyne,	Mallery,	Salus,	Woodward,
Ealy,	McClure,	Scott,	Ziesenheim,
Gelder,			

NAYS—19

Baumer,	Law,	Rankin,	Rodgers,
Cavalcante,	McCreesh,	Reed,	Ruth,
Frey,	McGinnis,	(Washington)	Shapiro,
Huffman,	Miller,	Rice,	Thompson,
Kahle,	Pytko,	Roberts,	(Centre)
Lanius,			

So the question was determined in the affirmative.

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED

Mr. McCLURE. Mr. President, I move that Senate Bill No. 30 (House Bill No. 27), entitled:

An Act to amend the act approved the twenty-second day of June one thousand nine hundred thirty-five (Pamphlet Laws four hundred fourteen) entitled "An act to provide revenue for State purposes imposing taxes upon certain classes of personal property providing for the assessment collection and lien of the same and the distribution of the proceeds thereof imposing duties on executors administrators registers of wills recorders of deeds prothonotaries and court clerks and on persons co-partnerships associations banks national banks trust companies and other corporations receiving deposits of money and on certain corporations and limited partnerships conferring powers and imposing duties on certain State officers and departments imposing penalties and making an appropriation" by increasing the rate of tax imposing said tax on additional shares of stock and on the value of certain equitable interests changing the listing date the date of filing reports and the date and manner of payment of the tax providing for certain exemptions from said tax and making further provision with regard to penalties.

be recommitted to the Committee on Finance, for the purpose of amendment.

Mr. BUCKMAN. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. HUFFMAN. Mr. President, will the Senator state his purpose in recommitting this bill?

Mr. McCLURE. Mr. President, if this bill is recommitted I will immediately call a meeting of the Finance Committee and the bill will be reported to the floor of the Senate at once.

And the question recurring,

Will the Senate agree to the motion?

The motion was agreed to.

RECESS

Mr. McCLURE. Mr. President, I move that the Senate do now take a recess for five minutes.

Mr. WOODWARD. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS

The PRESIDENT. The time of recess having elapsed, the Senate will be in order.

REPORT FROM COMMITTEE

Mr. McCLURE. Mr. President, I ask unanimous consent to make a report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. McCLURE, from the Committee on Finance reported as amended, Senate Bill No. 30 (House Bill No. 27), entitled:

An Act to amend the act approved the twenty-second day of June one thousand nine hundred thirty-five (Pamphlet Laws four hundred fourteen) entitled "An act to provide revenue for State purposes imposing taxes upon certain classes of personal property providing for the assessment collection and lien of the same and the distribution of the proceeds thereof imposing duties on executors administrators registers of wills recorders of deeds prothonotaries and court clerks and on persons copartnerships associations banks national banks trust companies and other corporations receiving deposits of money and on certain corporations and limited partnerships conferring powers and imposing duties on certain State officers and departments imposing penalties and making an appropriation" by increasing the rate of tax imposing said tax on additional shares of stock and on the value of certain equitable interests changing the listing date the date of filing reports and the date and manner of payment of the tax providing for certain exemptions from said tax and making further provision with regard to penalties.

MOTION TO READ BILL THE FIRST TIME

Mr. BUCKMAN. Mr. President, I move that all bills reported from committees at today's session be read the first time.

Mr. MILLER. Mr. President, I second the motion.

The motion was agreed to.

BILL ON FIRST READING

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 85 (House Bill No. 81), entitled:

An Act to amend section one of the act approved the twenty-fifth day of April one thousand nine hundred and thirty-five (Pamphlet Laws eighty-two) entitled "An act requiring certain cities to allow members of the fire departments twenty-four consecutive hours of rest each week and fourteen days vacation each year except in emergency cases" by providing that the provisions of said act shall be mandatory and prohibiting any diminution of salary or compensation

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

RECESS

Mr. BUCKMAN. Mr. President, I move that the Senate do now take a recess until eleven o'clock this evening.

Mr. CAVALCANTE. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS

The PRESIDENT. The time of recess having elapsed, the Senate will be in order.

COMMUNICATION RELATIVE TO RELIEF LEGISLATION

The Chair cleared his table and laid before the Senate the following communication:

Reading, Pa., July 9, 1936.

Senate of Pennsylvania,
Harrisburg, Pa.

At an important meeting held today at which there were represented county city poor officials community chest and other relief agencies it was unanimously decided that you should be notified of the city and county relief situation as it is very serious and demands immediate action by the legislature in order to avert starvation of thousands in this community.

J. Henry Stump Mayor, James E. Lesher President County Commissioners, John H. Rorke Chairman Welfare Federation, J. Geo. Zerr Director of Poor.

RESOLUTION RELATIVE TO ATTENDING PENNSYLVANIA FOLK FESTIVAL AT BUCKNELL UNIVERSITY

Mr. SORDONI offered the following resolution, which was twice read:

In the Senate, July 9, 1936.

Whereas, Bucknell University at Lewisburg is planning a Pennsylvania Folk Festival, depicting the costumes, habits and folklore of the early settlers in this Commonwealth and of their descendents, to be held at the University Stadium on the afternoon and evening of Thursday, July 30th, 1936; and

Whereas, An invitation has been issued to the Senators and Members of the General Assembly to attend this festival; therefore be it

Resolved (if the House of Representatives concur), That the Senate and House of Representatives hereby accept with thanks, the invitation to attend this Pennsylvania Folk Festival; and that as many Senators, and as many Members of the House, as can conveniently do so, assemble at the stadium of Bucknell University on said date, at eight o'clock in the evening, to witness the pagentry and to participate in the festival to the fullest extent.

Mr. SORDONI. Mr. President, I ask unanimous consent that Rule 39 which requires that concurrent resolutions be referred to an appropriate committee, be suspended and that the Senate do now proceed to the immediate consideration of the Resolution just read.

The PRESIDENT. Is there objection? The Chair hears none.

On the question,

Will the Senate agree to the Resolution?

It was agreed to.

RECESS

Mr. BUCKMAN. Mr. President, I move that the Senate now take a recess for thirty minutes.

Mr. HOWELL. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS

The PRESIDENT. The time of recess having elapsed, he Senate will be in order.

ADJOURNMENT

Mr. GELDER. Mr. President, I move that the Senate now adjourn until tomorrow Friday morning at 12.01 clock.

Mr. HOWELL. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 11.46 P. M. until tomorrow orning, July 10, 1936, at 12.01 o'clock.

HOUSE OF REPRESENTATIVES

THURSDAY, JULY 9, 1936.

The House met at 2:00 P. M.

The SPEAKER (Roy E. Furman) in the Chair.

PRAYER

The Rev. MARSHALL SHEPARD, a member of the ouse, offered the following prayer:

God of Peace, of Everlasting Life, we humbly approach ny throne to ask Thy blessings upon us as we shall begin e work of this session. In the midst of the stress and rain of these days we pray Thee that we may know Thy lm and Thy peace that passeth all understanding. These titions we present in the Master's name and for His ke. Amen.

JOURNAL APPROVED

The SPEAKER. The Clerk will read the Journal of sterday.

The Clerk proceeded to read the Journal of yesterday, hen, on motion of Mr. BOOSE the further reading was spensed with and the Journal approved.

LEAVES OF ABSENCE

Mr. Eroe asked and obtained leave of absence for Mr. ELSO for the balance of the week on account of illness the family.

Mr. Holland asked and obtained leave of absence for r. MURRIN for the balance of the week.

Mr. MUIR asked and obtained leave of absence for nself for the balance of the week.

Mr. VanAllsburg asked and obtained leave of absence r Mr. KELDER.

Mr. McKinney asked and obtained leave of absence for r. FRANK E. SNYDER for the balance of the week.

Mr. TROUT asked and obtained leave of absence for nself for the balance of the week after today's session.

Mr. Jones asked and obtained leave of absence for Mr. JRFACE for the balance of the week.

Mr. FRANCIS T. BAKER asked an obtained leave of absence for himself for the balance of the week after today's session.

Mr. SERRILL asked and obtained leave of absence for himself for the balance of the week.

STATEMENT BY MR. JONES

Mr. JONES asked and obtained unanimous consent to make the following statement:

Mr. Speaker and members of the House, after we adjourned last night, when we were all crowded back here in the back of the hall, one of the leading Democratic ladies from our county in a very loud voice, up here in the back of the hall, trying to make a show out of me evidently, said, "You voted 'no' on that resolution." I said, "Evidently you are mistaken, I voted 'aye' on that resolution." She said, "Alright, I just moved into your district, and what the Democrats are going to do to you!" I said that all I had done was to vote for something so as to try and feed the hungry in this Commonwealth. She said, "Yes, you voted against the Democratic party." I said, "Sure, I voted against the Democratic party, when they are not trying to serve my people back home."

I want to tell you, my friends, now, that last night I had to send five dollars back home. You know and I know that this session has got the House broke down here, we have been here over two months. I had to send five dollars to my brother, who has a large family and nothing to eat. He told me before I left that if he didn't have his check he wouldn't eat. Now, this lady is Miss Mary Trainer, and she is a leader in my county.

Members of this House, I have been here for ten years. Did I sell the old and aged out? I voted for the old and aged. Did I sell the blind out? No; I voted for the blind. Did I sell out the mothers' aid and the children depending on pensions? No. I tried a couple of weeks ago to get you to help them out, when they were hungry. You know it is in the record. I want to tell you another thing. I didn't sell the Lord's day out when that matter was up, and you know that my district is in favor of those things. I didn't sell that out. If I wanted to be a good fellow and get more votes, I would have voted for some of those things.

I am serious today and this is no laughing matter. I tell you, the only thing in this world that I know of that can laugh like that, when people are hungry, when I am trying to tell them about it, is the laughing hyena, and he doesn't know any better, he is always laughing. How do you like that? I mean that, too, men.

I told my people down there that you fellows on that side were a great bunch of fellows, and I told them that you were absolutely for relief. I went to see a fellow in prison one time, and I asked him what he was in there for, and I told him, "They can't put you in here for that." "No," he said, "but I am in here." That is the way it is in this State today. We have a situation confronting us in this State today, where over five hundred thousand women and children are waiting for their relief. I am not counting the men,—just the women and the children.

Men of the House, there was many a little child saying its prayers last night, who said, "Mama, when is the legislature going to give us more milk?" Now, listen, that may seem funny to you, but those are the facts. I am not trying to be funny here today. I will make a funny speech later on so that you can laugh at it.

I want to make this assertion here today: I am not for

transferring funds if we can do it another way. Now, listen, I went down to the State Treasurer's office and they told me they have more than twelve million dollars that are lying over there, and you over on that side want appropriated one million dollars for the people in my district to help them. I am terribly serious. If you over there or anybody sitting on the other side can show me any other way I am willing to vote for it. I can't help what they did on this side of the House, I can't help what they did on the other side of the Houe. I am a member of this House and, by God, I am going to vote for these people that are hungry. In all my life I have never turned a man down when he asked of me to give him twenty-five cents or fifty cents,—never. I don't care what side of the House you are on, I don't care where you are from, I don't care whether you are Margiotti, I don't care whether you are Dave Lawrence, I don't care whether you are Joe Guffey, if somebody will show me some method to get these people something to eat, if they will simply show me some way so that we can start immediately so that these people can get their stuff, I will go along with it, but, by God, I am not going to stay here and let two political parties fight among themselves and the people go hungry. They don't care what we are fighting about down here, but they want milk and they want something to eat. Are we going to play politics and let them go hungry? They said we can't let them go hungry, but we are.

Now, men, listen, there is no other solution that I know of for the next two or three weeks except to transfer funds. Let's reconsider what we did last night and do something about it. Give us some way so that we can start the stuff going, and I will go along with it,—anything, but, for the Lord's sake, don't let them suffer when they have twelve million dollars lying over in the State Treasury. Men, please reconsider what you did last night, and I will forgive you everything you did. I want us all to be friends. Let us do something.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this casse dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 159, as follows:

An Act authorizing the Commonwealth to negotiate temporary emergency loans to defray the current and/or other expenses of the State government during the fiscal year ending the thirty-first day of May one thousand nine hundred thirty-seven evidenced by tax anticipation notes secured by and payable from current revenues levied assessed collectible and/or accruing during such fiscal year defining the powers and duties of the Governor the Auditor General and the State Treasurer in relation thereto providing for the payment of interest on and the repayment of such loans and making an appropriation

Whereas, The present Special Session of the General Assembly has provided new revenues of the Commonwealth amounting to sixty-five million dollars ($65,000,000) in addition to other revenue for general purposes and

Whereas, Such revenues in the amount of fifty-five million dollars ($55,000,000) are specifically appropriated and set aside during the fiscal year ending the thirty-first day of May one thousand nine hundred thirty-seven for unemployment relief and the remainder of such new revenues amounting to ten million dollars ($10,000,000) have been appropriated during such year to defray the current expenses of the State government and

Whereas, The revenues though levied and assessed will not be presently available for the current and other expenses of the State government but the total revenues (including the aforesaid new revenues amounting to $65,000,000) which will be available for current and other expenses of the State government and which will accrue and will be paid into the General Fund of the State Treasury before the end of the fiscal year ending the thirty-first day of May one thousand nine hundred thirty-seven will be sufficient to meet such current and other expenses during such year and

Whereas, In order that the obligations of the Commonwealth for current and other expenses may be met promptly and in order that the State government might not fail through lack of funds it is necessary temporarily to obtain funds to defray the current and other expenses of the State government during the fiscal year aforesaid until the revenues that will subsequently accrue to the State Treasury during the aforesaid fiscal year are available for this purpose.

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the Governor the Auditor General and the State Treasurer on behalf of the Commonwealth of Pennsylvania are hereby authorized and directed during the fiscal year ending the thirty-first day of May one thousand nine hundred thirty-seven from time to time to borrow on the credit of the current revenues of the Commonwealth of Pennsylvania such sum or sums of money not exceeding in the aggregate the sum of sixty-five million dollars ($65,000,000) as may be necessary to defray the current and other expenses of the State government during such fiscal year

Section 2 (a) Such loans shall be evidenced by notes of the Commonwealth of Pennsylvania matured not later than the thirty-first day of May one thousand nine hundred thirty-seven Such notes are hereby declared to be tax anticipation notes Such notes or renewals thereof shall be issued from time to time for such total amounts in such sums and subject to such terms and conditions rates of interest not in excess of four and one-half per centum (4½%) per annum and time of payment of interest as the Governor Auditor General and State Treasurer shall determine and direct

(b) All notes issued under the authority of this act shall bear the signatures of the Governor the Auditor General and the State Treasurer and a facsimile of the great seal of the Commonwealth

(c) The current revenues of the biennial fiscal period ending the thirty-first day of May one thousand nine hundred thirty-seven are pledged for the payment of principal and interest of such notes which shall be payable in lawful money of the United States All notes issued under the provisions of this act shall be exempt from taxation for State and local purposes

Section 3 The proceeds derived from the negotiation of loans under the provisions of this act shall be paid into the General Fund of the State Treasury and shall be used for the payment of appropriations made from such fund to defray the current and other expenses of the State government for the year nding May thirty-first one thousand nine hundred thirty-seven

Section 4 Any loans negotiated under the provisions of this act shall be secured by the current revenues levied and assessed for revenue purposes of every kind or character accruing to the General Fund of the State Treasury during the two fiscal years beginning June first one thousand nine hundred thirty-five and shall be paid out of such revenues and so much of such revenues as may be necessary for the payment of the principal and interest of such loans are hereby specifically appropriated The Department of Revenue shall allocate such revenues to said payments The sum of twenty thousand dollars ($20,000) or so much thereof as may be necessary is hereby specifically appropriated for the purpose of providing tax anticipation notes and incidental expenses in connection with the issuing of the same

Section 5 The provisions of this act are severable and

if any of its provisions are held unconstitutional the decision so holding shall not be construed to impair any other provision of this act It is hereby declared as the legislative intent that this act would have been adopted had such unconstitutional provision not been included therein

Section 6 This act shall become effective immediately upon its final enactment.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL ON FINAL PASSAGE RECALLED FROM GOVERNOR

Mr. SHORTZ. Mr. Speaker, I ask that House Bill No. 109, Printer's No. 175, be passed over in its order.

The SPEAKER. The bill will be passed over in its order.

BILL ON THIRD READING

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 92, as follows:

An Act to provide revenue for State and county purposes and in cities coextensive with counties for city and county purposes imposing taxes upon certain classes of personal property providing for the assessment and collection of the same providing for the duties and compensation of prothonotaries and recorders in connection therewith conferring powers and imposing duties on certain county and city officers and on the State Department of Revenue and fixing penalties

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That MEANING OF TERMS As used in this act and unless a different meaning appears from the context

(a) The term "intangible' or "intangibles" shall apply to mean and include all mortgages all moneys owing by solvent debtors whether by promissory note or penal or single bill bond or judgment all articles of agreement and accounts bearing interest all public loans whatsoever except those issued by this Commonwealth or the United States and those made taxable for State purposes by section forty hereof all loans issued by any corporation association company or limited partnership created or formed under the laws of this Commonwealth or of the United States or of any other State or government including car-trust securities and loans secured by bonds or any other form of certificate or evidence of indebtedness whether the interest be included in the principal of the obligation or payable by the terms thereof except such loans as are made taxable for State purposes by section forty hereof all shares of stock in any bank corporation association company or limited partnership created or formed under the laws of this Commonwealth or of the United States or of any other state or government including shares of stock in any corporation or limited partnership that may be liable to a tax on its capital stock for State purposes under the laws of this Commonwealth or relieved from the payment of tax on capital stock for State purposes by the laws of the Commonwealth but not including shares of stock in any bank bank and trust company national bank or savings institution that may be liable to a tax on its shares for State purposes under the laws of this Commonwealth all moneys loaned or invested in other states territories the District of Columbia or foreign countries all other moneyed capital in the hands of individual citizens of the State all annuities yielding annually over two hundred dollars

(b) The term "intangible" or "intangibles" shall not apply to mean nor include (1) bank notes or notes discounted or negotiated by any bank or banking institution saving institution or trust company (2) nor loans shares of stock or other securities held by bankers or brokers solely for trading purposes (3) nor accounts or debit balances owing by customers of bankers or brokers in the usual courses of business (4) nor interest bearing accounts in any bank or banking institution savings institution or trust company (5) nor any intangibles owned held or issued by building and loan associations or savings institutions having no capital stock Provided That if at any time either now or hereafter any persons individuals or bodies corporate have agreed or shall hereafter agree to issue his their or its securities bonds or other evidences of indebtedness clear of and free from the tax herein provided for or have agreed or shall hereafter agree to pay the same nothing herein contained shall be so construed as to relieve or exempt him it or them from paying said tax on any such intangibles as may be held owned by or owing to the said savings institution having no capital stock (6) nor any intangibles owned or held by fire companies firemen's relief associations life or fire insurance corporations having no capital stock secret and beneficial societies labor unions and labor union relief associations and beneficial organizations paying sick or death benefits or either or both from funds received from voluntary contributions or assessments upon members of such associations societies or unions (7) nor any intangibles owned in their own right by corporations limited partnerships and joint-stock associations liable to tax on capital stock for State purposes but corporations limited partnerships and joint-stock associations holding intangibles as trustees executors administrators guardians or in any other manner shall return and pay the tax imposed upon all intangibles so held by them as in the case of individuals (8) nor any intangibles hereafter received from any person or persons copartnership or unincorporated association or company non-resident in or not located within this Commonwealth or from any joint-stock company or association limited partnership bank or corporation formed erected or incorporated by under or in pursuance of any law of the United States or of any State or Government other than this Commonwealth and not doing business with this Commonwealth by any person or persons copartnership unincorporated association company joint-stock company or association limited partnership bank or corporation as active trustee agent attorney-in-fact or in any other capacity for the use benefit or advantage of any person or persons copartnership or unincorporated association or company non-resident in or not located within this Commonwealth or for the use benefit or advantage of any joint-stock company or association limited partnership bank or corporation formed erected or incorporated by under or in pursuance of any law of the United States or of any state or government other than this Commonwealth and not doing business within this Commonwealth

(c) Intangibles are hereby classified as "current intangibles" and "annual intangibles"

(1) Current intangibles shall include all intangibles that are made issued or executed to mature or be paid discharged or retired within one year from the date the same are made issued or executed or within one year from the date this act takes effect

(2) Annual intangibles shall include all other intangibles

(d) The term "person' shall include a natural person fiduciary partnership association corporation and any and every multiple group that may have the capacity to own or hold property or the custody thereof

(e) The term "fiduciary" shall mean and include an executor administrator guardian receiver trustee agent attorney-in-fact and any person group or association of persons acting in any trust capacity in the control management or operation of any property

(f) The term "stamp" or "stamps" shall have reference to and mean the adhesive stamp provided by the terms of this act to be attached to intangibles

(g) The term "board" shall mean the board of revision of taxes in cities and counties of the first class or the board for the assessment and revision of taxes in counties where such board exists or the board of county commissioners in all other counties

(h) In respect to cities coextensive with counties the

term "county" shall include also any such city the term "county treasurer" or "treasurer" shall include also the city treasurer of such city the term "county controller" or "controller" shall include the city controller of such city the term "county solicitor" shall include also the city solicitor of such city the term "collector of county taxes" "tax collector" or "collector" shall include also the department of receiver of taxes of such city and the term "county commissioners" shall include also the city council of such city and shall not include the county commissioners of any such county

(i) The term "tax" shall include any stamp required to be affixed to any intagible

(j) The term "taxpayer" shall mean any person required to pay any tax or affix any stamp required by the provisions of this act on intagibles

(k) The term "accrue" or "accrual" means the date on which any tax imposed by this act on intangibles becomes due

(1) The term "bank" or "trust company" shall mean any bank of discount and deposit loan and trust and safe deposit company private bank savings bank or trust company organized under any law of this State or any bank organized under any law of the United States

Section 2 PRIVILEGE TAX TRANSACTIONS On and after the first dav of January one thousand nine hundred and thirty-seven every person residing in or domiciled in any county of this State shall pay a tax to such county and in cities coextensive with counties to such city and county for county or city and county purposes as the case may be and during the year one thousand nine hundred and thirty-seven for State purposes at the rate and in the manner provided in this act for the right to exercise any one or more of the following privileges

(a) Signing executing and issuing intangibles

(b) Selling assigning transferring renewing removing consigning mailing shipping trading in and enforcing intangibles

(c) Receiving the income increase issues and profits of intangibles

(d) Having and possessing the right to transmit the same by will and of making gifts thereof and therefrom and of having the right to allow such property to pass to other persons by descent under the intestate laws of this State

(e) For the right to have such intangibles separately classified for taxes levied assessed and collected on account thereof or measured thereby

Such tax at the rate provided in this act shall be measured by intangibles wherever located

(a) Owned by any taxpayer except his intangibles having an actual business situs outside this State

(b) Controlled by any person or fiduciary and having a business situs in this State and in the possession of or under the control or management of any such person or fiduciary

Section 3 RATE OF TAX A tax for county or city and county purposes at the rate of four mills on each dollar of the value thereof is hereby imposed on all intangibles

"In addition to such tax, an additional emergency State tax at the rate of four mills on each dollar of the value thereof is hereby imposed on all intangibles for the period beginning on the first day of January and ending on the last day of December, one thousand nine hundred and thirty-seven.

During the year one thousand nine hundred and thirty-seven, such taxes shall be payable as follows: (a) Eight cents on each ten dollars or fractional part thereof of the actual value of every current intangible and (b) eight cents per annum or fractional part thereof over one year on each ten dollars or fractional part thereof of the actual value of each annual intangible.

Subsequent to the year one thousand nine hundred and thirty-seven the tax shall be payable as follows (a) Four cents on each ten dollars or fractional part thereof of the actual value of every current intangible and (b) four cents per annum or fractional part thereof over one year on each ten dollars or fractional part thereof of the actual value of each annual intangible

Section 4 COMPUTATION OF TAX Except as otherwise provided for the purpose of measuring and computing the tax imposed by this act in respect of any intangible and unless and until such intangible has been otherwise assessed and value as authorized by this act (a) any intangible having a face value shall prima facie continuously have an actual value equal to not less than the full value thereof and (b) any intangible not having a face value shall have an actual value in the amount determined by the board and the owner thereof shall cause said amount to be determined

Any intangible listed and traded in on any market recognized by the board shall have an actual value for the purpose of this act equal to the value thereof on such market as of the day such tax accrued

Section 5 ASSESSMENT APPLICATION HEARING Befor the time the tax for any period is due under the terms of this act and before the payment of such tax the owner of any intangible who shall desire or who shall be required by the terms of this act to have the actual value thereof determined or redetermined for the purposes of computing or measuring the tax imposed in respect thereof may apply to the board for such valuation The board shall fix a time and place when and where the applicant may be heard concerning the actual value of such intangible and shall cause or allow evidence concerning the value of such intangible to be introduced and after such hearing the board shall fix the then actual value of such intangible Any taxpayer of such county may appear at such hearing and offer evidence concerning the actual value of any such intangible The board shall prescribe and promulgate rules for the conduct of such hearings and for determining the value of any such intangible

Section 6 ASSESSMENT APPEAL REFUND Any person aggrieved by any order judgment or determination of the board after paying the tax may within thirty days from the entry of such order judgment or determination appeal therefrom to the court of common pleas of the county in which such person resides Such cause shall be tried de novo by the court without a jury on petition filed in such court by the taxpayer so appealing and summons shall issue on such petition to and be served on the board as in other civil actions Either party to such suit may appeal to the Supreme or Superior Court in the same manner as appeals are taken in civil actions Upon the final determination of such suit the court may enter judgment for the refund of any tax paid in excess of that properly required by law or may render judgment against the petitioner for any deficiencies in tax found due

Section 7 METHOD OF PAYMENT Except as otherwise provided in this act such tax shall be paid on account of each intangible by attaching thereto a stamp or stamps for the proper amount of such tax on each intangible at the time and in the manner and amount provided or required by the terms of this act

Section 8 CURRENT INTANGIBLES STAMPING DATE On all current intangibles executed after the taking effect of this act the required stamps as provided by the terms of this act shall be attached within ten days from the time of the execution of such intangible If any current intangible shall not be paid or otherwise discharged at the maturity date thereof as shown by such instrument or within one year from the date of its execution then for the purpose of this act it shall become an annual intangible and be stamped each year in the same manner and amount as other annual intangibles are stamped under the terms of this act

Section 9 ANNUAL INTANGIBLES STAMPING DATE On all annual intangibles executed after the taking effect of this act the stamps representing the tax required in respect thereof for one year from the date of the execution of such intangibles shall be attached within ten days from the time of such execution and hereafter stamps in the proper amount shall be attached thereto on or before ten days after each annual anniversary of such annual intangible until the same is paid retired or discharged according to the terms and provisions of such annual intangible or in some manner provided in this act

Section 10 MATURITY OF INTANGIBLES BEFORE AND AFTER EFFECTIVE DATE OF ACT On all intangibles executed after the taking effect of this act maturing on or before ten days from the date of the execution of such intangible the stamps required by this act shall be attached at the time and as a part of such execution On all intangibles executed before the taking effect of this act and maturing within ten days after the taking effect of this act the stamps required by this act shall be attached within such ten day period and on or before the payment or discharge thereof according to the terms of the instrument or in some manner provided in this act

Section 11 INTANGIBLES EXECUTED BUT UNPAID PRIOR TO EFECTIVE DATE OF ACT For the purpose of computing the tax in respect of any intangible executed before and not paid and discharged on or before the taking effect of this act such intangible shall be deemed to have been executed on the day this act becomes effective for the then unpaid balance thereof either as a current or annual intangible as determined by the time of its maturity On or before ninety days from the taking effect of this act and on or before the intangible is paid or discharged the tax shall be paid in respect of such intangible and stamps shall be attached thereto in the same manner as provided for intangibles executed after the taking effect of this act The anniversary date of any such prior existing intangible shall be determined by the date this act becomes effective

Section 12 INTANGIBLES INCAPABLE OF BEING STAMPED COMPUTATION OF TAX The tax on account of and measured by intangibles not susceptible of being stamped or not evidenced by any instrument in writing shall be determined and paid as hereinafter prescribed Within sixty days after this act becomes effective the owner or custodian of any such intangible shall file with the board a sworn report of the amount description and location of such intangible on forms to be prepared by the board and the board shall determine whether such intangible is current or annual and determine the amount of tax due on account thereof and when the same is payable and thereafter within ten days after the thirty-first day of December of each year such person shall file a sworn report with the board on forms prepared by it showing as of December thirty-first the number kind and amount of such intangibles owned or controlled by him since the taking effect of this act or the end of the period covered by his report and the length of time he owned each such intangible At the time of making such report the taxpayer shall pay to the county treasurer or the department of receiver of taxes as the case may be the tax due on account thereof in the amount determined by the board

Section 13 REGISTRATION OF INTANGIBLES PAYMENT OF TAX RECEIPT In lieu of affixing stamps to any annual intangible as provided by this act any person owning or having custody or control of any such annual intangible may cause the same to be registered in the office of the board and then pay to the county treasurer or department of receiver of taxes as the case may be the amount of the tax determined by the board to be due and the county treasurer or department of receiver of taxes as the case may be shall issue to such taxpayer a properly executed receipt showing the amount of tax paid and the property on account of which such tax is paid and the period of time for which such payment was made Such receipt may be attached to such intangible and on request of the taxpayer and on presentation of such intangible the county treasurer or department of receiver of taxes as the case may be shall in a manner to be determined by the board indorse on such intangible the period to the end of which the tax on account of such intangible has been paid

Section 14 COLLECTION OF TAX LIEN PENALTY Any tax imposed by this act if not paid when due shall be entered on the tax duplicate of the city borough town or township where such taxpayer resides Any such tax together with all penalties thereon from the accrual of the tax shall thereupon become a lien as of the date of such entry on the property of such taxpayer located in such county Such lien shall continue until discharged by payment of such tax and all penalty thereon and shall be enforced and collected by the collectors of county taxes in the same manner as other delinquent taxes are collected under the provisions of existing law

Section 15 DEFAULT PENALTY Any person failing to pay the tax imposed by this act on or before the accrual thereof shall be liable to pay a penalty for each year or fractional part thereof that such payment is delayed Such penalty shall be four times the amount of the current tax on account of the intangible in respect of which the tax was imposed All unpaid tax and all penalty thereon shall draw interest at the rate of ten per centum per annum from the time such tax accrues

Section 16 RECORD OF INTANGIBLES FROM RECORDERS AND PROTHONOTARIES FEES The recorder of deeds and prothonotary of each county shall keep a daily record separate and apart from all other records of every intangible entered or assigned of record in his office which daily record shall set forth the following information (1) The date of the intangible (2) the names of the parties thereto (3) the precise residence of the obligee or person to whose use such intangible is marked or to whom interest is payable (4) if a mortgage a brief description of the real estate upon which such mortgage is secured (5) the just sum secured by such intangible (6) the date or several dates when said sum or portion thereof shall become due and payable (7) in the case of bonds or judgments entered in the prothonotary's office whether the same are accompanied with mortgages A like daily record shall be kept of the number of intangibles together with the amounts thereof and the names of the parties thereto which shall have been that day satisfied of record It shall be the further duty of the recorder and prothonotary on the first Monday of each month to file such daily record with the board One certificate appended thereto shall be all that is required

The recorder of deeds shall refuse any intangible or any assignment of any intangible presented to him for record unless the instrument evidencing the same has attached thereto and made a part thereof a certificate signed by the obligee assignee or person entitled to interest or his duly authorized attorney or agent setting forth the precise residence of such obligee assignee or person Such certificate shall be recorded with such intangible or such assignment

The prothonotary before entering any money judgment for plaintiffs other than upon a verdict or order of court shall require delivery to him of a certificate signed by the plaintiff or his attorney or agent setting forth the precise residence address of the plaintiff and upon entering such judgment shall file such certificate at the same number and term as the judgment and shall include in its entry on the judgment docket the address set forth in the certificate

Failure on the part of any prothonotary to perform any of the duties hereby imposed upon prothonotaries shall in no way impair the validity of any judgment or the lien thereof

The recorders of deeds and prothonotaries shall be entitled to receive ten cents for each intangible and for each assignment or satisfaction of an intangible reported to the board Such fees shall be paid by the county treasurer on the presentation of proper vouchers and shall be applied in like manner as other fees received by such recorders and prothonotaries Provided That no fee shall be allowed in any case where the residence of any obligee or assignee is omitted in such report Provided further That the amount allowed any prothonotary or recorder shall not exceed the sum of six hundred dollars per annum

Section 17 TRANSMISSION OF INFORMATION TO OTHER COUNTIES Upon obtaining record of the existence within its county of any intangibles that are owned by a person copartnership association or corporation resident or doing business within this State and not a resi-

dent of such county or in the case of a copartnership association or corporation not having its principal office within such county the board shall transmit a certified statement of such record to the board of the proper county wherein said person is domiciled or wherein such copartnership association or corporation does business or maintains its principal office and also to further transmit to such board a certified statement whenever it shall appear from the record that such intangibles are satisfied Such certified statements shall upon their receipt be filed of record by the board

Section 18 ANNUAL RETURNS BY TAXABLES AFFIDAVIT ADMINISTERING OATHS PENALTY The board shall annually at the time when the assessors receive their books furnish the assessors of the several townships boroughs and cities of the respective counties with blanks which shall be prepared and furnished by the State Department of Revenue and for which the county shall pay to the Department of Revenue the actual amount of the cost of preparation and printing Each of said assessors shall furnish a copy of the same to every taxable person copartnership association and corporation in his respective ward district borough or township or to any officer agent employe found at the place of business of any such partnership association or corporation in his ward district borough or township Upon such blank each taxable person copartnership association and corporation shall make return annually of the aggregate amount of all intangibles held owned or possessed by such person copartnership or corporation either in his her or its own right or as trustee agent attorney-in-fact or in any other capacity for the use benefit or advantage of any other person persons copartnership association or corporation Such return shall be made and sworn or affirmed to by such taxable person or by a member or officer of such copartnership association or corporation Provided That any corporation association or partnership doing business in more than one county shall be liable to make such return only in the county in which its principal office within this Commonwealth is situated.

Such affidavit shall be made before the proper assessor or other person authorized to administer oaths and shall set forth that the return is full true and correct to the best of his or her knowledge and belief and shall also show that all taxes imposed by this act on intangibles have been paid and that he has fully complied with all the provisions of this act Such affidavit shall also contain such other information as the board may deem advisable for the proper administration of this act Any person who shall wilfully and corruptly make a false and fraudulent return shall be guilty of perjury and upon his or her conviction thereof shall be sentenced to pay a fine not exceeding five hundred dollars and undergo an imprisonment by separate and solitary confinement at labor not exceeding seven years and thereupon be forever disqualified from being a witness in any matter of controversy.

The several assessors are hereby authorized to administer the oath or affirmation to any person making the return prescribed by this section for the taking of which oath or affirmation no charge shall be made by the assessor Any assessor who shall accept such return from any person or officer required to make the same without requiring the oath or affirmation of such person or officer as herein provided or who shall make any charge for administering such oath or affirmation shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding five hundred dollars.

Any person who shall fail, neglect or refuse to make the return required by this section, shall be guilty of a misdemeanor, and, upon conviction thereof, shall be sentenced to pay a fine not exceeding two hundred dollars and costs of prosecution, or to undergo imprisonment not exceeding six months or both.".

Section 19 VALUATIONS FOR INDEBTEDNESS PURPOSES For the purpose of determining the assessed value of intangibles as a basis for the constitutional right of any county to incur indebtedness upon the assessed valuation of taxible property during the year one thousand nine hundred and thirty-seven the assessments made under the provisions of existing law shall be taken and used but such assessments shall not in any case be used at the basis of valuation for the imposition of the tax during said year During the year one thousand nine hundred and thirty-eight and during each year thereafter the assessed value of intangibles for indebtedness purposes shall be determined by the board by computing the value of all intangibles upon which the tax hereby imposed has been paid during the preceding year using as the basis for such computation the gross amount of the tax on intangibles collected during such year without interest or penalties and the valuation so determined shall be deemed to be the assessed valuation of taxable intangible property under the Constitution and laws of this Commonwealth

Section 20 TAXES DUE FROM ESTATES OF DECEDENTS The executor of every will and the administrator of every estate at the time of filing with the register of wills or clerk of the orphans' court the inventory and appraisal of such estate or of any affidavit setting forth the real and personal property of such decedent for the purpose of determining the inheritance tax shall in addition thereto file an affidavit in duplicate setting forth all intangibles included in such inventory or affidavit

The office with whom the same is filed shall forthwith send one of said copies of such affidavit to the board whose duty it shall then be to proceed for the assessment and recovery of the taxes due from such decedent with penalties and interest as above provided and for that purpose to present a claim therefor to the orphans' court of the proper county or to proceed by action or suit at law in any court or competent jurisdiction for such recovery thereof or to take any or all appropriate steps or procedure for the collection of said taxes

Section 21 INTANGIBLES HELD AS COLLATERAL DUTY OF PERSONS HOLDING Every person having or receiving into his possession or custody as collateral or otherwise any intangible on account of which a tax is imposed by this act shall examine such intangible and ascertain that it has been stamped or the tax paid on account thereof No person or officer shall authenticate witness or guarantee any signature to any assignment or transfer of any intangible on account of which a tax is imposed by the provisions of this act unless the stamps or certificates required for the current year appear upon or accompany such intangible All intangibles in possession of any person as collateral or otherwise shall be subject to examination by the board No person holding any such intangible shall be privileged to require the name of the owner the location or description or amount of any intangibles so sought to be examined as a condition precedent to such examination

Section 22 ENFORCEMENT OF ACT RULES AND REGULATIONS The board is hereby charged with the duty of enforcing or causing this act to be enforced and administered and shall prescribe and provide all the necessary forms to be used in connection therewith and may require reports at any time and from any person or officer concerning any matter pertaining to any intangible of any person subject to a tax under the provisions of this act and may examine any person or officer under oath concerning any such intangible and shall make promulgate and enforce such rules of procedure and regulations in any matter connected with the enforcement and administration of this act which may be necessary fully to carry out the provisions thereof Failure to enforce the provisions of this section by the board shall be deemed wilful neglect of duty and punishable by a fine of five hundred dollars ($500) for each such neglect

Section 23 TAX A DEBT ACTION TO RECOVER In addition to all other remedies for the collection of the tax imposed by the provisions of this act such tax as soon as it accrues shall constitute a debt of the person liable for such tax and the board may cause any necessary action to be instituted in the name of the county in any court of competent jurisdiction on relation of the board against such person for the recovery of such tax and all penalties accruing on account of the non-payment thereof Any such suit shall be prosecuted by the county solicitor

and in any judgment rendered against the taxpayer in any such suit for any unpaid tax a reasonable attorney fee shall be included for the attorney prosecuting such suit

Section 24 STAMPS PREPARATION CONTRACTS DISTRIBUTION The county commissioners of each county shall within thirty days after the date of final enactment of this act and on or before the first day of July of each year thereafter determine and advice the State Department of Revenue whether such county shall contract for the manufacture of the stamps required by the provisions of this act for use in such county for the ensuing year or whether such county shall purchase such stamps from the Department of Revenue as hereinafter provided the Department of Revenue shall not be required to sell any stamps to any county that has signified its intention to contract for the manufacture of its own stamps or to any county that has failed to signify its intention within the times hereinbefore specified The department may however sell stamps to such counties if the stamps are available without curtailing the supply for the use of the counties that have properly signified their intention to purchase from the department

The county commissioners of any county determining to supply its own stamps and not to purchase the same from the Department of Revenue shall make and execute contracts in behalf of such county for dyes plates and printing necessary for the manufacture of such stamps The board shall have the custody of the stamps dyes plates and other material and things used in the manufacture of such stamps

Contracts for dyes plates printing and other services and supplies necessary for the manufacture and preparation of stamps by the Department of Revenue shall be let and executed in the same manner as contracts for engraving printing and supplies for the use of the various departments of the State government or such work or any part thereof may be done at the various State penal or correctional institutions by the inmates thereof under the conditions prescribed by existing law The Department of Revenue shall have custody of all stamps prepared by it until sold and of all dyes plates and other material and things used in the manufacture of such stamps The cost of procuring such stamps shall be in the first instance be paid out of any appropriation to the Department of Revenue available for such purpose The department shall sell such stamps to the various counties requiring the same at such price as will fully reimburse the Commonwealth for all moneys expended in procuring the same but not at a profit

Adhesive stamps for the purpose of paying the tax levied under the provisions of this act shall be prepared by the State Department of Revenue or by the county commissioners as the case may be in such form of such denominations and in such quantities as the department or county commisioners may prescribe The year of the issuance of any stamp provided for herein shall be engraved upon the face thereof and no such stamp shall be used in any year other than the year of issue All stamps prepared by the county commissioners for any individual county shall have the name of such county engraved upon the face thereof All stamps prepared by the Department of Revenue shall have a blank space upon the face thereof upon which the name or a distinctive abbreviation of the name of the county where the stamps are to be used shall be printed stamped or written before such stamps are issued by the department No stamp shall be used upon any intangible except such as are taxable in the county the name of which is indicated on the face of such stamp The board shall make provision for the sale of stamps in the office of the county treasurer at such places and at such times as the board may deem necessary

Section 25 STAMPS CANCELLATION Whenever an adhesive stamp is used under the provisions of this act the person using or affixing it shall write or stamp thereon the initials of his name and the date when the same is affixed or used and shall mutilate the stamp in such manner that it cannot be used again.

Section 26 APPLICATION FOR ASSESSMENT AND COMPUTATION OF TAX On application of any person the board shall determine the amount of tax due on account of any intangible in respect of which the tax provided by this act is imposed and issued to such person such receipt release waiver certificate or acquittance as will show the release of such intangible from any lien on account of such tax

Section 27 SALE OF STAMPS BY COUNTY TREASURER The county treasurer as a part of his official duty and without additional salary or compensation shall receive from the board from time to time the stamps provided to be used under the terms of this act Such treasurer shall be chargeable with the full amount of all stamps delivered to him and shall sell such stamps and collect the money therefor and deposit the same in the proper designated depository to the credit of the county Within thirty days after the end of the calendar year one thousand nine hundred and thirty-seven and within thirty days after the end of each calendar year hereafter each county treasurer shall return to the board all stamps in his possession bearing the date of the preceding year and receive proper credit therefor

Section 28 UNUSED STAMPS DISPOSITION At the end of each calendar year any person owning and having any unused stamps of the issue of that year in his possession may within twenty days from the end of such year and not thereafter surrender such stamps to the county treasurer The treasurer shall receive such stamps and deliver to such person a like amount of stamps dated and usable in the then current year Each county treasurer shall keep a record in the form and manner provided by the board of all stamps so surrendered and deliver such stamps to the board and receive credit therefor all in accordance with the rules of the board The board may under regulations prescribed therefor by it provide for the reissue of stamps in lieu of stamps destroyed by fire or unavoidable casualty

Section 29 RECORDING INSTRUMENTS CONDITIONS No instrument securing the payment of any debt evidenced by any intangible as defined by this act shall be admitted to record in this State until all taxes then due as provided by this act have been paid on account of the intangible so secured by such instrument

Section 30 UNSTAMPED INTANGIBLES ENFORCEABILITY No intangible in respect of and by which the tax imposed by this act is measured shall be valid or enforceable nor shall the same be sold assigned transferred renewed removed consigned mailed or shipped unless and until all taxes and penalties accrued on account thereof shall have been paid Any sale renewal or assignment of any such intangibles on account of and by which the taxes imposed by this act are measured have not been paid shall be null and void

Section 31 ACT CONSTRUED The tax hereby imposed shall be in lieu of all other taxes except estate or transfer inheritance taxes which might have been or might be imposed upon intangibles or against the owners or holders thereof by virtue of the provisions of any law of this State enacted prior to the passage of this act No State or local tax except transfer inheritance and estate taxes shall be imposed upon any intangibles on account of which a tax is imposed by the provisions of this act by virtue of the provisions of any other law of this State enacted prior to the passage of this act

Section 32 EXTENSION OF TIME FOR PAYMENT The board or county treasurer with the approval in writing of the board may at any time upon good cause being shown extend the time not to exceed ninety days within which any taxpayer may pay any taxes accrued or accruing under the provisions of this act Such extension may be granted to such taxpayer with or without penalty or interest and during any such extension any taxpayer may enforce sell assign transfer renew remove consign mail or ship any intangible in respect of which such extension was granted The board may grant such extension upon such terms and conditions as it shall deem just and may require the taxpayer to execute a

satisfactory bond to secure the payment of any tax found to be due.

Section 33 STAMPS UNAVAILABLE EXTENSION In case at any time after the passage of this act stamps have not been prepared and distributed at the time any tax imposed by this act accrues then the taxpayer shall have ten days after such stamps are prepared and distributed as provided by the terms of this act within which to procure and affix any stamps required by the provisions of this act All penalties provided by this act shall be suspended during the time such stamps are not available If during such time any person shall desire to enforce sell assign transfer renew remove consign mail or ship any such intangible the tax required by this act may be paid to the country treasurer and a receipt therefor shall be attached to such intangible.

Section 34 POWERS OF BOARD The board shall have the authority of and the powers conferred by the general laws of this State concerning taxation for the administration of this act and such laws hereby are extended to and made a part of this act so far as applicable for the purposes of assessing and collecting taxes imposed by this act and such taxes omitted through mistake inadvertence or fraud.

Section 35 FAILURE TO PAY TAX OR CANCEL STAMPS PENALTY Whoever makes signs issues authenticates or accepts or causes to be made signed issued authenticated or accepted any instrument document or paper of any kind or description whatsoever evidencing any intangible or any assignment or transfer thereof without the tax thereon being paid or stamps affixed in accordance with the provisions of this act or whoever makes use of any adhesive stamp to denote any tax imposed by this act without cancelling or obliterating such stamp as in this act provided is guilty of a misdemeanor and upon conviction shall pay a fine of not less than twenty-five dollars nor more than five hundred dollars or be imprisoned not less than thirty-days nor more than six months or both for each such offense.

Section 36 STAMPS PROHIBITED PRACTICES PENALTY Whoever fraudulently cuts tears or removes from any vellum parchment paper instrument writing or document evidencing any intangible on account of or in respect of which any tax is imposed by this act any adhesive stamp used in compliance with the provisions of this act or whoever fraudulently uses joins fixes or places to with or upon any such evidence of intangible on account or in respect of which any tax is imposed by this act any adhesive stamp which has been cut torn or removed from any other evidence of intangible or whoever fraudulently uses joins fixes or places to with or upon any evidence of intangible any adhesive stamp of insufficient value or any forged counterfeited or altered stamp or whoever wilfully removes or alters the cancelling or defacing marks of or otherwise prepares any adhesive stamps with intent to use or cause the same to be used after it has already been used or knowingly or wilfully buys sells offers for sale or gives away any washed or restored adhesive stamp to any person for use or knowingly and without lawful excuse has in his possession any washed or restored or altered stamp which has been removed from any vellum parchment paper instrument writing or document or whoever knowingly or wilfully prepares buys sells offers for sale or has in his or its possession any counterfeited stamps is guilty of a misdemeanor and upon conviction shall be punished by a fine of not less than one hundred dollars nor more than one thousand dollars or be imprisoned for not less than one year nor more than five years or both at the discretion of the court.

Section 37 ENFORCEMENT OFFICERS DIVULGING INFORMATION PENALTY Whoever being or having been a county official or member of the board of any county or being or having been a clerk employe or agent of any such officer or board divulges except in the performance of his duties or upon order of the board or in any reports required by law as the case may be or when called upon to testify in any court or proceedings any information acquired by him in the exercise of the powers vested in him by any of the provisions of this act or while claiming to exercise such powers in respect to the transactions or business of any person to whom this act is applicable shall be guilty of a misdemeanor and upon conviction shall be fined not less than fifty dollars nor more than five hundred dollars and shall thereafter be disqualified from acting in any official capacity whatsoever in connection with the assessment or collection of taxes.

Section 38 REQUIRING PERSON BORROWING TO PAY TAX USURY It is unlawful for any person in loaning money at interest to any person which transaction is taxable as an intangible under the provisions of this act to require the person borrowing the same to pay the tax imposed thereon by this act In all cases where such tax shall have been paid by the borrower the same shall be considered usury and be subject to the laws governing the same.

Section 39 PAYMENT OVER OF STATE TAX One-half of the gross amount of all taxes collected by each county or city and county during the year one thousand nine hundred and thirty-seven shall be paid by the treasurer of such county or city and county into the General Fund of the State Treasury through the Department of Revenue for general State purposes Such payments shall be made on the first days of each month during the year one thousand nine hundred and thirty-seven and final settlement shall be made not later than the first day of April one thousand nine hundred and thirty-eight

Section 40 TAX FOR STATE PURPOSES All scrip bonds certificates and evidences of indebtedness issued and all scrip bonds certificates and evidences of indebtedness assumed or on which interest shall be paid by any and every private corporation incorporated or created under the laws of this Commonwealth or the laws of any other state or of the United States and doing business in this Commonwealth and all scrip bonds certificates and evidences of indebtedness issued and all scrip bonds certificates and evidences of indebtedness assumed or on which interest shall be paid by any county city borough township school district or incorporated district of this Commonwealth are hereby made taxable in the year one thousand nine hundred and thirty-seven and annually thereafter for State purposes at the rate of four mills on each dollar of the nominal value thereof Provided That whenever under the provisions of this section any private corporation shall become liable for such taxes upon evidences of indebtedness by it assumed or on which it shall pay interest it shall be the duty of such corporation not later than ten days thereafter to give notice in writing to any person who may at such time be liable for the payment of any taxes upon such indebtedness under the provisions of the second section of this act that the corporation has assumed such indebtedness or the payment of the interest thereon and will deduct and pay the taxes imposed thereon by this section Such notice shall also be given before the first day of October of each and every subsequent year during which such corporation is liable for the payment of such interest Where any private corporation shall assume such evidences of indebtedness or the payment of interest thereon prior to the first day of October in any year and shall give notice as hereinbefore provided such corporation shall be relieved from the duty of deducting and paying the taxes imposed by this section for the balance of such year but shall deduct and pay said taxes for the ensuing year and the person to whom such notice shall be given shall for such ensuing year be relieved from the payment of tax under the provisions of section two of this act upon such evidences of indebtedness so assumed or on which the corporation shall pay interest Where any private corporation shall assume such evidences of indebtedness or the payment of interest thereon or subsequent to the first day of October in any year and shall give the notice as hereinbefore provided such corporation shall be relieved from the duty of deducting and paying the tax upon such evidences of indebtedness by it assumed or on which it shall pay interest for the balance of such year and for the ensuing year and the person to whom notice is so given

shall pay the tax for the period for which the corporation is relieved upon such evidences of indebtedness so assumed or on which the corporation shall pay interest as provided for in section two of this act Neglect or failure on the part of any corporation upon assuming any evidences of indebtedness or becoming liable for the payment of interest thereon to give the notice as herein provided and within the time prescribed shall make such corporation liable for the payment of taxes from the time when such evidences of indebtedness are assumed or for the entire period for which interest shall be paid Neglect or failure to give such notice before the first day of October of each and every subsequent year during which such corporation is liable for the payment of such interest shall make the corporation liable for such taxes for the year following without any deduction from interest due as hereinbefore provided Provided That this section shall not apply to bank notes or notes discounted or negotiated by any bank or banking institution savings institution or trust company nor to interest-bearing accounts in any bank or banking institution savings institution or trust company And provided That the provisions of this act shall not apply to building and loan associations or to savings institutions having no capital stock but if at any time either now or hereafter any persons individuals or bodies corporate have agreed or shall hereafter agree to issue his their or its securities bonds or other evidences of indebtedness clear of and free from the said four mills tax herein provided for or have agreed or shall hereafter agree to pay the same nothing herein contained shall be so construed as to relieve or exempt him it or them from paying the said four mills tax on any of the said such securities bonds or other evidences of indebtedness as may be held owned by or owing to the said savings institution having no capital stock And provided further That the provisions of this act shall not apply to fire companies firemen's relief associations life or fire insurance corporations having no capital stock secret and beneficial socieites labor unions and labor union relief association and all beneficial organizations paying sick or death benefits or either or both from funds received from voluntary contributions or assessments upon members of such associations societies or unions And provided further That corporations limited partnerships and point-stock associations liable to tax on capital stock for State purposes shall not be required to pay any further tax under this section on the mortgages bonds and other securities owned by them in their own right but corporations limited partnerships and joint stock administrators holding such securities as trustees executors administrators guardians or in any other manner shall be liable for the tax imposed by this section upon all securities so held by them as in the case of individuals And provided further That none of the classes of property made taxable by this section for State purposes shall be taxed or taxable for county school or other local puropses

It is the intent of this act that all script bonds certificates and evidences of indebtedness made taxable under this section are not taxable under section two of this act and that only such script bonds certificates and evidences of indebtedness which cannot be made taxable under this section are to be taxed under section two of this act

Section 41 VALIDITY If any clause sentence paragraph or part of this act shall for any reason be adjudged by any court of competent jurisdiction to be invalid such judgment shall not affect impair or invalidate the remainder of this act but shall be confined in its operation to the clause sentence paragraph or part thereof which is directly involved in the controversy in which such judgment shall have been rendered It is hereby declared as the legislative intent that this act would have been adopted had such invalid provisions not been included therein The tax imposed by virtue of this act shall be levied and collected as in this act provided irrespective of the nature or character of such tax

Section 42 REPEALS The act approved the seventeenth day of June one thousand nine hundred and thirteen (Pamphlet Laws five hundred seven) entitled "An act to provide revenue for State and county purposes and in cities coextensive with counties for city and county purposes imposing taxes upon certain classes of personal property providing for the assessment and collection of the same providing for the duties and compensation of prothonotaries and recorders in connection therewith and modifying existing legislation which provided for raising revenue for State purposes" and its amendments is hereby repealed Provided That its provisions shall continue in force for the purpose of enforcing payment of any tax payable thereunder for the year one thousand nine hundred and thirty-six and for any year or years prior thereto

The act approved the seventeenth day of May one thousand nine hundred and twenty-nine (Pamphlet Laws one thousand eight hundred four) entitled "An act relative to certain judgments prescribing duties of prothonotaries and repealing prior legislation" is hereby repealed

The act approved the twenty-second day of June one thousand nine hundred and thirty-five (Pamphlet Laws four hundred fourteen) entitled "An act to provide revenue for State purposes imposing taxes upon certain classes of personal property providing for the assessment collection and lien of the same and the distribution of the proceeds thereof imposing duties on executors administrators registers of wills recorders of deeds prothonotaries and court clerks and on persons copartnerships associations banks national banks trust companies and other corporations receiving deposits of money and on certain corporations and limited partnerships conferring powers and imposing duties on certain State officers and departments imposing penalties and making an appropriation" is hereby repealed Provided That its provisions shall remain in force for the purpose of enforcing payment of any tax payable thereunder for the year one thousand nine hundred and thirty-six

All other acts and parts of acts inconsistent herewith are hereby repealed

On the question,

Shall the bill pass finally?

BILL POSTPONED

Mr. McCREARY. Mr. Speaker, I move that this bill be placed upon the postponed calendar.

The motion was agreed to.

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. CHERVENAK asked and obtained permission of the House for the Committee on Constitutional Amendments to meet during the session of the House.

Mr. FLINCHBAUGH asked and obtained permission of the House for the Committee on Ways and Means to meet during the session of the House.

Miss BRANCATO asked and obtained permission of the House for the Committee on Cities to meet during the session of the House.

REPORTS FROM COMMITTEES

Mr. WEIDEMANN, from the Committee on Ways and Means, reported as committed, House Bill No. 129 (Senate Bill No. 17), entitled:

An Act to amend sections seven and eight of the act, approved the twenty-second day of June, one thousand nine hundred and thirty-five (P. L. 414), entitled "An act to provide revenue for State purposes: imposing taxes upon certain classes of personal property; providing for the assessment collection, and lien of the same, and the distribution of the proceeds thereof; imposing duties on executors, administrators, register of wills, recorders of deeds, prothonotaries, and court clerks, and on persons, copartnerships, associations, banks, national banks, trust

companies, and other corporations receiving deposits of money, and on certain corporations and limited partnerships; conferring powers and imposing duties on certain State officers and departments; imposing penalties; and making an appropriation;" by changing certain penalties imposed by said act.

Mr. HOMER S. BROWN, from the Committee on Constitutional Amendments, reported as amended, House Bill No. 155 (Senate Bill No. 8), entitled:

A Joint Resolution proposing an amendment to section one article eighteen of the Constitution of the Commonwealth of Pennsylvania.

Mr. HAGERTY, from the Committee on Cities, reported as committed, House Bill No. 160 (Senate Bill No. 87), entitled:

An Act abating under certain circumstances tax penalties and interest on certain city taxes in cities of the first class, school districts of the first class and prohibiting the sale of real property for the non-payment of any such taxes for a certain period and preserving certain tax liens and providing for the extension thereof

BILLS ON FIRST READING

Mr. WEIDEMANN asked and obtained the unanimous consent for House Bill No. 129 (Senate Bill No. 17), to be read for the first time.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 129 (Senate Bill No. 17), entitled:

An Act to amend sections seven and eight of the act approved the twenty-second day of June, one thousand nine hundred and thirty-five (P. L. 414), entitled "An act to provide revenue for State purposes; imposing taxes upon certain classes of personal property; providing for the assessment, collection and lien of the same, and the distribution of the proceeds thereof; imposing duties on executors, administrators, registers of wills, recorders of deeds, prothonotaries, and court clerks, and on persons, copartnerships associations, banks, national banks, trust companies, and other corporations receiving deposits of money and on certain corporations ad limited partnerships conferring powers and imposing duties on certain State officers and departments; imposing penalties; and making an appropriation," by changing certain penalties imposed by said act.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Mr. HAGERTY asked and obtained the unanimous consent for House Bill No. 160 (Senate Bill No. 87) to be read for the first time.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 160 (Senate Bill No. 87), entitled:

An Act abating under certain circumstances tax penalties and interest on certain city taxes in cities of the first class school districts of the first class and prohibiting the sale of real property for the non-payment of any such taxes for a certain period and preserving certain tax liens and providing for the extension thereof

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

SENATE MESSAGE

HOUSE BILLS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 63.

An Act to amend section five hundred and one of the act approved the first day of May one thousand nine hundred and twenty-nine (Pamphlet Laws nine hundred five) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animal upon the highways of the Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prscribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by requiring extra fees for the assignment of special registration plates.

HOUSE BILL No. 73.

An Act to enable persons, associations, partnerships, and corporations to borrow money and secure the repayment thereof by the execution and recordation of chattel mortgages on any chattels of any kind or description; providing for bonds with confessions of judgments; regulating the assignment and release of such mortgages; and designating the operation and effect of the lien of such mortgages.

HOUSE BILL No. 100.

An Act to further amend the title, to re-enact and further amend paragraph (e) of section one, to further amend section thirty-nine of the act, approved the twentieth day of June, one thousand nine hundred nineteen (Pamphlet Laws, five hundred twenty-one), entitled, as amended "An act providing for the imposition and collection of certain taxes upon the transfer of property passing from a decedent who was a resident of this Commonwealth at the time of his death, and of property within this Commonwealth of a decedent who was a nonresident of the Commonwealth at the time of his death; defining and taxing transfers made in contemplation of death; and making it unlawful for any corporation of this Commonwealth, or national banking association located therein, to transfer the stock of such corporation or banking association, standing in the name of any such decedent, until the tax on the transfer thereof has been paid; and providing penalties; and citing certain acts for repeal," by defining as a transfer and taxing the right of survivorship in property as to which such rights exists, and providing for the extension of the Commonwealth's lien on real property for a further period of time.

With the information that the Senate has passed the same without amendment.

BILLS SIGNED BY THE SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

HOUSE BILL No. 100.

An Act to further amend the title to reenact and further amend paragraph (e) of section one and to further

amend section thirty-nine of the act approved the twentieth day of June one thousand nine hundred nineteen (Pamphlet Laws five hundred twenty-one) entitled as amended "An act providing for the imposition and collection of certain taxes upon the transfer of property passing from a decedent who was a resident of this Commonwealth at the time of his death and of property within this Commonwealth of a decedent who was a non-resident of the Commonwealth at the time of his death defining and taxing transfers made in contemplation of death and making it unlawful for any corporation of this Commonwealth or national banking association located therein to transfer the stock of such corporation or banking association standing in the name of any such decedent until the tax on the transfer thereof has been paid and providing penalties and citing certain acts for repeal" by defining as a transfer and taxing the right of survivorship in property as to which such right exists and providing for the extension of the Commonwealth's lien on real property for a further period of time

HOUSE BILL No. 73.

An Act to enable persons, associations, partnerships, and corporations to borrow money and secure the repayment thereof by the execution and recordation of chattel mortgages on any chattels of any kind or description; providing for bonds with confessions of judgments; regulating the assignment and release of such mortgages; and designating the operation and effect of the lien of such mortgages.

HOUSE BILL No. 63.

An Act to amend section five hundred and one of the act approved the first day of May one thousand nine hundred and twenty-nine (Pamphlet Laws nine hundred and five) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vericles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by requiring extra fees for the assignment of special registration plates

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. COHEN asked and obtained permission for the Committee on Appropriations to meet during the session of the House.

LEAVE OF ABSENCE

Mr. BERNHARD asked and obtained leave of absence for himself until 10:00 o'clock tomorrow morning.

REPORT FROM COMMITTEE

Mr. MELCHIORRE, from the Committee on Appropriations, reported as committed, House Bill No. 161, entitled:

An Act making an appropriation to the Water and Power Resources Board for payment into the Flood Control Fund for flood control purposes.

BILL ON FIRST READING

Mr. MELCHIORRE asked and obtained unanimous consent for House Bill No. 161, to be read for the first time.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 161, entitled:

An Act making an appropriation to the Water and Power Resources Board for payment into the Flood Control Fund for flood control purposes.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

ANNOUNCEMENT

There will be a Republican caucus in the Senate caucus room immediately after this session.

RECESS

The SPEAKER. If there are no objections, the Chair will now declare a recess until 10:00 o'clock P. M. Are there objections? The Chair hears none and declares a recess until 10:00 o'clock tonight.

The House will reconvene promptly at 10:00 o'clock, and the Chair requests all the members to be present at that hour.

AFTER RECESS

The House reconvened at 10:00 P. M.

The SPEAKER (Roy E. Furman) in the Chair.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 153.

An Act making an appropriation to the State Emergency Relief Board for direct relief work relief and expenses defining the purposes for which such monies may be expended and prescribing the powers and duties of the State Emergency Relief Board and certain State Departments and ratifying confirming and validating the action of the Governor and the fiscal officers in making monies available for unemployment relief prior to the adoption of this act

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend section 1, page 1, line 4, by striking out the word "two" and inserting in lieu thereof the word "five"; also same line by striking out the numerals "($2,000,000)" and inserting in lieu thereof the numerals "($5,000,000)"

On the question,

Will the House concur in the amendments made by the Senate?

Mr. EBERHARTER. Mr. Speaker and members of the House, the Democratic majority in this House last night and during the past few days has gone on record as being

unalterably opposed to any further transfers of funds from special funds to the general fund for the purpose of unemployment relief, unless and until the Senate has come forward with an adequate tax program. So far the record shows that the Senate has no adequate tax program, at least they haven't offered any. They haven't even come forward with enough tax revenue producing measures to take care of the transfers that have already been made and which are proposed to be made in the companion bill to this appropriation bill.

The Democratic majority of this House is irrevocably opposed to any further transfers of funds, where there are no tax producing measures which will take care of those funds. We are opposed to any starvation relief program. For that reason Mr. Speaker and members of the House, I move you that the communication together with the bill be laid upon the table.

On the question,

Will the House agree to the motion?

Mr. TURNER. Mr. Speaker, I desire to interrogate the gentleman from Allegheny, Mr. Eberharter.

The SPEAKER. The interrogation is not in order. A motion to lay upon the table is not debatable.

QUESTION OF PARLIAMENTARY INQUIRY

Mr. TURNER. Mr. Speaker, I rise to a question of parliamentary inquiry.

The SPEAKER. The gentleman will state his question of parliamentary inquiry.

Mr. TURNER. Mr. Speaker, while I recognize the fact that a motion to lay on the table is not debatable, it seems to me the interrogation of the gentleman who has made the motion is in proper order.

The SPEAKER. The Chair would like to read from the decisions of the House for the information of the gentleman from Delaware.

Mr. TURNER. Mr. Speaker, before you rule on this, might I point out to you, and perhaps guiding you in your ruling that I think the interrogation is perfectly proper in view of the fact that the gentleman from Allegheny has made a statement, prefacing his motion to lay on the table.

The SPEAKER. The Chair must rule that the interrogation is out of order and will read Decision No. 136.

"Under a parliamentary inquiry the question was raised as to whether an interrogation on a motion to lay a resolution on the table was proper or improper.

"The Speaker stated under the rule which provides that a motion to lay on the table is not debatable, it would preclude an interrogation which certainly is in the nature of an argument. (Legislative Journal February 17, 1931, p. 335.)"

MOTION TO SUSPEND RULE

Mr. TURNER. I move that Rule No. 51 be suspended, Mr. Speaker.

The SPEAKER. For what purpose?

Mr. TURNER. Mr. Speaker, for the purpose of debating the question of the interrogation of the gentleman from Allegheny.

POINT OF ORDER

Mr. ANDREWS. I rise to a point of order.

The SPEAKER. The gentleman from Cambria will state his point of order.

Mr. ANDREWS. Mr. Speaker, there is nothing in order except a vote upon the motion to table, the question having been put to the House.

The SPEAKER. In reply to the point of order raised by the gentleman from Cambria, Mr. Andrews, the Chair will read Rule No. 88:

"Any rule of the House may be suspended at any time for a specific purpose by a majority vote of the members elect; after the accomplishment of which purpose the rule shall remain in force as before."

Therefore, the Chair is of the opinion that the motion of the gentleman from Delaware is in order.

On the question,

Will the House agree to the motion to suspend Rule 51?

Mr. TURNER. Mr. Speaker and members of the House, the reason why I have asked to suspend the rule is that I feel that the legislation that is now before us and which the gentleman from Allegheny has sought to lay upon the table—

POINT OF ORDER

Mr. JAMES W. PATTERSON. Mr. Speaker, I rise to a point of order.

The SPEAKER. The gentleman from Allegheny will state his point of order.

Mr. JAMES W. PATTERSON. Mr. Speaker, the gentleman is not discussing the subject under debate. He is discussing the motive of the gentleman from Allegheny, Mr. Eberharter.

The SPEAKER. The point of order is well taken. The Chair feels that no debate is in order. The only question before the House is the motion to suspend.

QUESTION OF PARLIAMENTARY INQUIRY

Mr. TURNER. Mr. Speaker, I rise to a question of parliamentary inquiry.

The SPEAKER. The gentleman from Delaware will state his question of parliamentary inquiry.

Mr. TURNER. Mr. Speaker, is not a motion to suspend the rules debatable?

The SPEAKER. That is correct, but the gentleman is endeavoring to suspend a rule which is not debatable and therefore, the motion is not debatable. The Chair so rules.

QUESTION OF PARLIAMENTARY INQUIRY

Mr. TURNER. Mr. Speaker, I rise to a question of parliamentary inquiry.

The SPEAKER. The gentleman from Delaware will state his question of parliamentary inquiry.

Mr. TURNER. Mr. Speaker, in suspending the rule, is it is not necessary to state the purpose for which you desire to suspend the rule?

The SPEAKER. The Chair has already stated that purpose. The purpose is to permit debate upon the motion before the House.

QUESTION OF PARLIAMENTARY INQUIRY

Mr. TURNER. Mr. Speaer, I rise to a question of parliamentary inquiry.

The SPEAKER. The gentleman will state his yuestion of parliamentary inquiry.

Mr. TURNER. Mr. Speaker, if the motion to suspend the rule is debatable, then the rule is debatable, and if the reason to suspend the rule is a part of that motion

then must it not therefore be a part of the entire motion, that you can debate the reasons?

The SPEAKER. In answer to the gentleman from Delaware, who has made a motion to suspend Rule 51, which is a rule that is not debatable, therefore, the Chair rules that the motion before the House is not debatable.

On the question recurring,

Will the House agree to the motion to suspend Rule 51-

The yeas and nays were required by Mr. TURNER and Mr. SCHROCK and were as follows:

YEAS—46

Atkins,	Gates,	McKinney,	Stockham,
Baldi,	Habbyshaw,	Nothnagle,	Surface,
Barnhardt,	Hamilton, R. S.,	Parks,	Sweeney,
Blumberg,	Hermansen,	Roan,	Trout,
Boose,	Hoopes,	Royer,	Turner,
Boyd, R.,	Jones,	Schrock,	VanAllsburg,
Boyer,	Kenney,	Shortz,	Weidemann,
Brennan,	Linderman,	Shreiner,	Wickersham,
Cooper	Longaker,	Simpson,	Winner,
Davies,	Mason,	Sloan,	Woodside,
Duffort,	McCreary,	Sproul,	Yeakel,
Forrest,	McDevitt,		

NAYS—89

Achterman,	Dent,	Kobelak,	Powers,
Allen,	Diehl,	LaRue,	Reising,
Andrews,	Eberharter,	Long,	Sarraf,
Anthony,	Eroe,	Lovett,	Scanlon,
Arnold,	Falkenstein,	Male,	Schaeffer,
Aukerman,	Ferko,	McDermott,	Schrope,
Baine,	Finnerty,	McElroy,	Shaw,
Baker, J J.,	Fitch,	Melchiorre,	Shepard,
Bradley,	Flanagan,	Mentzer,	Shugarts,
Brancato,	Flinchbaugh,	Moomaw,	Siegel,
Brown, H. S.,	Gerard,	Mooney,	Smith, J. A.,
Brown, J. E.,	Haberlen,	Moran,	Smith, W. G.,
Brownfield,	Hagerty,	Munley,	Stank,
Brumbaugh,	Haluska,	Nagel,	Stevens,
Burke,	Hamilton, F. P.	O'Keefe,	Tronzo,
Cannon,	Harkins,	Ominsky,	Tumelty,
Caputo,	Hetrick,	O'Neill,	Van Sickle,
Chervenak,	Holland,	Patterson C.,	Weiss,
Coakley,	Holstrom,	Patterson, J. W.,	Welliver,
Cohen,	Kilroy,	Pearson,	Welsh,
Coleman,	Kinney,	Pfaff,	Yourishin,
Coolahan,	Klingler,	Piole,	Furman,
Decker,			

So the question was determined in the negative and the motion was not agreed to.

On the question recurring,

Will the House agree to the motion?

The yeas and nays were required by Mr. TURNER and Mr. SCHROCK and were as follows:

YEAS—92

Achterman,	Decker,	Kobelak,	Piole,
Allen,	Dent,	LaRue,	Powers,
Andrews,	Diehl,	Long,	Reising,
Anthony,	Eberharter,	Lovett,	Sarraff,
Arnold,	Eroe,	Male,	Scanlon,
Aukerman,	Falkenstein,	McCreary,	Schaeffer,
Baine,	Ferko,	McDermott,	Schrope,
Baker, J J.,	Finnerty,	McElroy,	Shaw,
Bradley,	Fitch,	McHenry,	Shepard,
Brancato,	Flanagan,	Melchiorre,	Shugarts,
Brown, H. S.,	Flinchbaugh,	Mentzer,	Siegel,
Brown, J. E.,	Gerard,	Moomaw,	Smith, J. A.,
Brownfield,	Haberlen,	Mooney,	Smith, W. G.,
Brumbaugh,	Hagerty,	Moran,	Stank,
Burke,	Hamilton, F. P.,	Munley,	Stevens,
Cannon,	Harkins,	Nagel,	Tronzo,
Caputo,	Hetrick,	O'Keefe,	Tumelty,
Chervenak,	Holland,	Ominsky,	VanSickle,
Coakley,	Holstrom,	O'Neill,	Weiss,
Cochran,	Hoopes,	Patterson, C.,	Welliver,
Cohen,	Kilroy,	Patterson, J. W.,	Welsh,
Coleman,	Kinney,	Pearson,	Yourishin,
Coolahan,	Klingler,	Pfaff,	Furman,

NAYS—44

Atkins,	Forrest,	McKinney,	Stockham,
Baldi,	Gates,	Nothnagle,	Surface,
Barnhardt,	Habbyshaw,	Parks,	Sweeney,
Blumberg,	Hamilton, R. S.,	Roan,	Trout,
Boose,	Hermansen,	Royer,	Turner,
Boyd, R.,	Jones,	Schrock,	VanAllsburg,
Boyer,	Kenney,	Shortz,	Weidemann,
Brennan,	Linderman,	Shreiner,	Wickersham,
Cooper,	Longaker,	Simpson,	Winner,
Davies,	Mason,	Sloan,	Woodside,
Duffort,	McDevitt,	Sproul,	Yeakel,

So the question was determined in the affirmative and the motion was agreed to.

The SPEAKER. If there are no objections the Chair will now declare a recess for fifteen minutes.

Mr. WICKERSHAM. Mr. Speaker, I object.

The SPEAKER. The Chair hears objection.

QUESTION OF PERSONAL PRIVILEGE

Mr. WICKERSHAM. Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER. The gentleman will state his question of personal privilege.

Mr. WICKERSHAM. Mr. Speaker and members of the House, it being apparent that the Democratic majority of this House is unwilling to attempt to immediately solve the pressing relief needs that have been before this House—

POINT OF ORDER

Mr. SHUGARTS. Mr. Speaker, I rise to a point of order.

The SPEAKER. The gentleman will state his point of order.

Mr. SHUGARTS. Mr. Speaker, under a question of personal privilege, only where the integrity of a member has been attacked can he rise to a question of personal privilege.

The SPEAKER. In answering the point of order raised by the gentleman from Clearfield, the Chair will read Rule No. 67.

"Any member may rise and explain a matter personal to himself by leave of the Speaker, but he shall not discutt any pending question in such explanation."

The Chair will further read the rulings on this rule:

"Questions of personal privilege are, first, those affecting the rights of the House collectively, its safety, dignity and the integrity of its proceedings. Second, the rights, reputation and conduct of its members individually in their representative capacity only. (Legislative Journal, March 20, 1933, p. 1251. Also Legislative Journal, January 23, 1933, p. 247.)"

"Personal privilege questions must be confined to the integrity of the member or of the House." (Legislative Journal, May 20, 1931, p. 4677)".

The Chair feels that the gentleman from Dauphin having asked the floor on a question of personal privilege, he should confine his remarks to matters pertaining to himself only.

Mr. WICKERSHAM. Mr. Speaker and members of the House—

The SPEAKER. Will the gentleman yield? If the gentleman wishes to discuss other matters, he will have

to obtain unanimous consent of the House for the purpose of making a statement.

Mr. WICKERSHAM. Mr. Speaker, I desire to discuss matters concerning myself.

The SPEAKER. The gentleman will proceed.

Mr. WICKERSHAM. Mr. Speaker and members of the House, as a member of this House my integrity is and will be questioned if I do not do everything within my power in an attempt to provide immediate relief for those who come from my—

POINT OF ORDER

Mr. COHEN. Mr. Speaker, I rise to a point of order.

The SPEAKER. The gentleman from York, Mr. Cohen, will state his point of order.

Mr. COHEN. Mr. Speaker, the gentleman from Dauphin is out of order for two reasons: first, he is far afield from the question of personal privilege; and second, he is violating an armed truce between the Republican leadership on his side and the Democratic leadership on this side relative to a recess for conference.

QUESTION OF PARLIAMENTARY INQUIRY

Mr. ANDREWS. Mr. Speaker, I rise to a question of parliamentary inquiry.

The SPEAKER. Will the gentleman yield until the Chair has given a decision on the last point of order raised?

POINTS OF ORDER WITHDRAWN

Mr. COHEN. Mr. Speaker, I wish to withdraw the points of order that I raised.

QUESTION OF PARLIAMENTARY INQUIRY

Mr. WICKERSHAM. Mr. Speaker, I rise to a question of parliamentary inquiry.

The SPEAKER. The gentleman from Dauphin, Mr. Wickersham, will state his question of parliamentary inquiry.

Mr. WICKERSHAM. Mr. Speaker, am I permitted to interrupt my remarks to interrogate the gentleman from York, Mr. Cohen?

The SPEAKER. Will the gentleman from York, Mr. Cohen, permit himself to be interrogated?

Mr. COHEN. Mr. Speaker, I will.

Mr. WICKERSHAM. Mr. Speaker, I desire to know from the gentleman from York, Mr. Cohen, whether or not the Democratic majority in this House proposes to bring out again the Eberharter bills and pass them as soon as the Senate passes the tax bills which are on the third reading calendar for tomorrow?

Mr. COHEN. Mr. Speaker, I think the position of the Democratic majority of this House has always been that we desire to have an adequate relief program. I am not sure at the present time as to the exact yields of the two bills that are now on the Senate third reading calendar. The estimates of income that will be derived from those two bills vary between the estimate of the Republican Senators and the members of the majority of this House. The Republican estimate, I believe, indicates that the increase of two per cent in the corporate net income tax means an income of six million dollars to the Commonwealth. That is one million dollars in excess of the estimate that was placed upon it by the majority of this House.

In addition thereto, the increase in the personal property tax has been estimated by the Senate to yield the sum of $24,000,000, and the best available information that we have on that particular measure, in its amended status, is to the effect that it will raise but $18,000,000, so that the program that is now in the Senate rather than raising $30,000,000 on those two particular bills in reality raises but eighteen and five, or twenty three million dollars, a difference in those two bills of approximately seven million dollars. Until an analysis is made of the income represented by those bills and a definite understanding arrived at between the membership of this House and the majority in the Senate, we will not be in a position to state just exactly what will be done by the measure.

At the time when the gentleman from Dauphin was making his statement, we were attempting to effectuate some understanding between the majority in this House and the majority in the Senate, which conference Mayor Wilson of Philadelphia was also attending. However, I was forced to leave that conference due to the fact that I had been informed that the House had not recessed but that it was proceeding with the business before the House, and I, therefore, returned to the floor of the House. I do not have available all the information relative to the negotiation in the proceeding.

Mr. WICKERSHAM. Mr. Speaker, I desire to ask this further question of the gentleman from York: Is my assumption correct, Mr. Cohen, that in your answer you are now stating that there is no definite agreement to bring before the House and pass House Bills 153 and 154 if the Senate passes all of the tax bills that will be on it third reading calendar tomorrow?

Mr. COHEN. Mr. Speaker, there is no definite understanding that I know of to present to this House at the present time. I wish the gentleman from Dauphin and the membership of this House to realize that as soon as I am relieved of the interrogation I expect to continue with the negotiation.

Mr. WICKERSHAM. Mr. Speaker, Mr. Cohen is relieved and I will resume on the question of personal privilege.

The SPEAKER. The gentleman will proceed.

Mr. WICKERSHAM. Mr. Speaker and members of the House, in view of the facts which have been brought out in the interrogation, I consider that my integrity as a member of this House would be under serious question if I did not do everything within my power to provide immediate relief—

POINT OF ORDER

Mr. COHEN. Mr. Speaker, I rise to a point of order.

The SPEAKER. The gentleman from York, Mr. Cohen, will state his point of order.

Mr. COHEN. Mr. Speaker, the gentleman is not speaking on a question of personal privilege.

The SPEAKER. The Chair feels that the gentleman from Dauphin is attempting to discuss pending legislation under a question of personal privilege. Therefore,

ne rules that the point of order of the gentleman from York is well taken.

Mr. WICKERSHAM. Mr. Speaker, I ask unanimous consent to offer the following resolution and for its immediate consideration.

The SPEAKER. Will the House give its unanimous consent to the introduction of the resolution? Are there objections?

Mr. COHEN. Mr. Speaker, I object.

The SPEAKER. The Chair hears objection.

The Chair wishes to inform the House that this is not a privileged resolution.

RECESS

Mr. COHEN. Mr. Speaker, I move that the House do now recess for fifteen minutes.

On the question,

Will the House agree to the motion?

The yeas and nays were required by Mr. COHEN and Mr. TUMELTY and were as follows:

YEAS—94

Achterman,	Dent,	Kobelak,	Piole,
Allen,	Diehl,	LaRue,	Powers,
Andrews,	Eberharter,	Long,	Reising,
Anthony,	Eroe,	Lovett,	Sarraf,
Arnold,	Falkenstein,	Male,	Scanlon,
Aukerman,	Ferko,	McCreary,	Schaeffer,
Baine,	Finnerty,	McDermott,	Schrope,
Baker, J. J.,	Fitch,	McElroy,	Shaw,
Bradley,	Flanagan,	McHenry,	Shepard,
Brancato,	Flinchbaugh,	Melchiorre,	Shugarts,
Brown, H. S.,	Gerard,	Mentzer,	Siegel,
Brown, J. E.,	Haberlen,	Moomaw,	Smith, J. A.,
Brownfield,	Hagerty,	Mooney,	Smith, W. G.,
Brumbaugh,	Hamilton, F. P.,	Moran,	Stank,
Burke,	Harkins,	Munley,	Stevens,
Cannon,	Hartman,	Nagel,	Tronzo,
Caputo	Hetrick,	O'Keefe,	Tumelty,
Chervenak,	Hirsch,	Ominsky,	VanSickle,
Coakley,	Holland,	O'Neill,	Weiss,
Cochran,	Holstrom,	Patterson, C.,	Welliver,
Cohen,	Hoopes,	Patterson, J. W.,	Welsh,
Coleman,	Kilroy,	Pearson,	Yourishin,
Coolahan,	Kinney,	Pfaff,	Furman,
Decker,	Klinger,		

NAYS—43

Atkins,	Forrest,	McKinney,	Stockham,
Baldi,	Gates,	Nothnagle,	Surface,
Barnhardt,	Habbyshaw,	Parks,	Sweeney,
Blumberg,	Hamilton, R. S.,	Roan,	Trout,
Boose,	Hermansen,	Royer,	Turner,
Boyd, R.,	Jones,	Schrock,	Weidemann,
Boyer,	Kenney,	Shortz,	Wickersham,
Brennan,	Linderman,	Shreiner,	Winner,
Cooper,	Longaker,	Simpson,	Woodside,
Davies,	Mason,	Sloan,	Yeakel,
Duffort,	McDevitt,	Sproul,	

So the question was determined in the affirmative and the motion was agreed to.

AFTER RECESS

The time of recess having expired.

The SPEAKER (Roy E. Furman) in the Chair.

BILL ON THIRD READING

Mr. ANDREWS. Mr. Speaker, I desire to call up House Bill No. 133, Printer's No. 168, on page 2 of today's calendar, bills on third reading postponed.

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. ANDREWS,

The House resumed the consideration on third reading of House Bill No. 133, entitled:

An Act making an appropriation to the Department of Welfare for the purpose of rehabilitating and replacing real and personal property of State-aided hospitals damaged or destroyed by flood.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—139

Achterman,	Diehl,	Long,	Schrock,
Allen,	Duffort,	Longaker,	Schrope,
Andrews,	Eberharter,	Lovett,	Shaw,
Anthony,	Eroe,	Male,	Shepard,
Arnold,	Falkenstein,	Mason,	Shortz,
Atkins,	Ferko,	McCreary,	Shreiner,
Aukerman,	Finnerty,	McDermott,	Shugarts,
Baine,	Fitch,	McDevitt,	Siegel,
Baker, J. J.,	Flanagan,	McElroy,	Simpson,
Baldi,	Flinchbaugh,	McHenry,	Sloan,
Barnhardt,	Forrest,	McKinney,	Smith, J. A.,
Blumberg,	Gates,	Melchiorre,	Smith, W. G.,
Boose,	Gerard,	Mentzer,	Sproul,
Boyd, R.,	Habbyshaw,	Moomaw,	Stank,
Boyer,	Haberlen,	Mooney,	Stevens,
Bradley,	Hagerty,	Moran,	Stockham,
Brancato,	Haluska,	Munley,	Surface,
Brennan,	Hamilton, F. P.,	Nagel,	Sweeney,
Brown, H. S.,	Hamilton, R. S.,	Nothnagle,	Tronzo,
Brown, J. E.,	Harkins,	O'Keefe,	Trout,
Brownfield,	Hartman,	Ominsky,	Tumelty,
Brumbaugh,	Hermansen,	O'Neill,	Turner,
Burke,	Hetrick,	Parks,	Van Allsburg,
Cannon,	Hirsch,	Patterson, C.,	Van Sickle,
Caputo,	Holland,	Patterson, J. W.,	Weidemann,
Chervenak,	Holstrom,	Pearson,	Weiss,
Coakley,	Hoopes,	Pfaff,	Welliver,
Cochran,	Jones,	Piole,	Welsh,
Cohen,	Kenney,	Powers,	Wickersham,
Coleman,	Kilroy,	Reising,	Winner,
Coolahan,	Kinney,	Roan,	Woodside,
Cooper,	Klingler,	Royer,	Yeakel,
Davies,	Kobelak,	Sarraf,	Yourishin,
Decker,	LaRue,	Scanlon,	Furman,
Dent,	Linderman,	Schaeffer,	

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

MOTION TO TAKE BILL FROM TABLE

Mr. TURNER. Mr. Speaker, I move that House Bill No. 153, Printer's No. 176, together with the message from the Senate, which was laid on the table, be taken from the table.

On the question,

Will the House agree to the motion?

The yeas and nays were required by Mr. TURNER and Mr. WICKERSHAM and were as follows:

YEAS—43

Atkins,	Gates	McKinney,	Stockham,
Baldi,	Habbyshaw,	Nothnagle,	Surface,
Barnhardt,	Hamilton, R. S.,	Parks,	Sweeney,
Blumberg,	Hermansen,	Roan,	Trout,
Boose,	Jones,	Royer,	Turner,
Boyer,	Kenney,	Schrock,	Weidemann,
Brennan,	Linderman,	Shortz,	Wickersham,
Cooper,	Longaker,	Shreiner,	Winner,

Davies,	Mason,	Simpson,	Woodside,
Duffort,	McCreary,	Sloan,	Yeakel,
Forrest,	McDevitt,	Sproul,	

NAYS—90

Achterman,	Diehl,	Kobelak,	Piole,
Allen,	Eberharter,	LaRue,	Powers,
Andrews,	Eroe,	Long,	Reising,
Anthony,	Falkenstein,	Lovett,	Sarraf,
Arnold,	Ferko,	Male,	Scanlon,
Aukerman,	Finnerty,	McDermott,	Schaeffer,
Baine,	Fitch,	McElroy,	Shaw,
Baker, J. J.,	Flinchbaugh,	McHenry,	Shepard,
Bradley,	Gerard,	Melchiorre,	Shugarts,
Brancato,	Haberlen,	Mentzer,	Siegel,
Brown, H. S.,	Hagerty,	Moomaw,	Smith, J. A.,
Brown, J. E.,	Haluska,	Mooney,	Smith, W. G.,
Brumbaugh,	Hamilton, F. P.,	Moran,	Stank,
Burke,	Harkins,	Munley,	Stevens,
Caputo,	Hetrick,	Nagel,	Tronzo,
Chervenak,	Hirsch,	O'Keefe,	Tumelty,
Coakley,	Holland,	Ominsky,	VanSickle,
Cochran,	Holstrom,	O'Neill,	Weiss,
Cohen,	Hoopes,	Patterson, C.,	Welliver,
Coleman,	Kilroy,	Patterson, J. W.,	Welsh,
Coolahan,	Kinney,	Pearson,	Zimmerman,
Decker,	Klinger,	Pfaff,	Furman,
Dent,			

So the question was determined in the negative and the motion was not agreed to.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 154.

An Act ratifying confirming and validating the transfer of money from the Liquid Fuels Tax Fund and the Liquor License Fund to the General Fund and providing for the subsequent return from the General Fund of the transferred money

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend title, page 1, line 3, by inserting after the word "Fund" and before the word "to" the words "providing for additional transfers from the Liquid Fuels Tax Fund and the State Stores Fund."

Amend Section 1, page 1, line 10, by inserting after the word 'Governor" the words "the twenty-fourth day of June one thousand nine hundred and thirty-six."

Amend page 2, by inserting between lines 4 and 5 the following new paragraph:

"Section 2 In addition to the transfers ratified confirmed and validated in section one of this act the Governor the Auditor General and the State Treasurer are hereby authorized to transfer to the General Fund the additional sum of one million five hundred thousand dollars ($1,500,000) from the Liquid Fuels Tax Fund and the sum of one million five hundred thousand dollars ($1,500,000) from the State Stores Fund in order to make the same available for appropriation to the State Emergency Relief Board for unemployment relief purposes"

Amend Section 2, page 2, line 5, by striking out after the word "Section" the numeral "2" and inserting in lieu thereof the numeral "3"; also in line 6, by inserting after the word "Fund" and before the word "and" the words "State Stores Fund"; also in line 8, by inserting after the word "Fund" and before the word "and" the words "State Stores Fund."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. EBERHARTER. Mr. Speaker, I move that the bill together with the communication be laid upon the table.

On the question,

Will the House agree to the motion?

The yeas and nays were required by Mr. WICKERSHAM and Mr. McDEVITT and were as follows:

YEAS—93

Achterman,	Dent,	Kinney,	Piole,
Allen,	Diehl,	Klingler,	Powers,
Andrews,	Duffort,	Kobelak,	Reising,
Anthony,	Eberharter,	LaRue,	Sarraf,
Arnold,	Eroe,	Long,	Scanlon,
Aukerman,	Falkenstein,	Lovett,	Schaeffer,
Baine,	Ferko,	McDermott,	Schroper,
Baker, J. J.,	Finnerty,	McElroy,	Shaw,
Bradley,	Fitch,	McHenry,	Shepard,
Brancato,	Flanagan,	Melchiorre,	Shugarts,
Brown, H. S.,	Flinchbaugh,	Mentzer,	Siegel,
Brown, J. E.,	Gerard,	Moomaw,	Smith, J. A.,
Brownfield,	Haberlen,	Mooney,	Smith, W. G.,
Brumbaugh,	Hagerty,	Moran,	Stank,
Burke,	Haluska,	Munley,	Stevens,
Cannon,	Hamilton, F. P.,	Nagel,	Tronzo,
Caputo,	Harkins,	O'Keefe,	Tumelty,
Chervenak,	Hartman,	Ominsky,	VanSickle,
Coakley,	Hetrick,	O'Neill,	Weiss,
Cochran,	Hirsch,	Patterson, C.,	Welliver,
Cohen,	Holland,	Patterson, J. W.,	Welsh,
Coolahan,	Holstrom,	Pearson,	Yourishin,
Coleman,	Hoopes,	Pfaff,	Furman,
Decker,	Kilroy,		

NAYS—43

Atkins,	Gates,	McKinney,	Surface,
Baldi,	Habbyshaw,	Nothnagle,	Sweeney,
Barnhardt,	Hamilton, R. S.,	Roan,	Trout,
Blumberg,	Hermansen,	Royer,	Turner,
Boose,	Jones,	Schrock,	VanAllsburg,
Boyer,	Kenney,	Shortz,	Weidemann,
Brennan,	Linderman,	Shreiner,	Wickersham,
Cooper,	Longaker,	Simpson,	Winner,
Davies,	Male,	Sloan,	Woodside,
Duffort,	Mason,	Sproul,	Yeakel,
Forrest,	McDevitt,	Stockham,	

So the question was determined in the affirmative and the motion was agreed to.

SENATE MESSAGE

RESOLUTION FOR CONCURRENCE

The Clerk of the Senate being introduced presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, July 9, 1936.

Whereas, Bucknell University at Lewisburg is planning a Pennsylvania Folk Festival, depicting the costumes, habits and folklore of the early settlers in this Commonwealth and of their descendants, to be held at the University Stadium on the afternoon and evening of Thursday, July 30, 1936; and

Whereas, An invitation has been issued to the Senators and Members of the General Assembly to attend this festival; therefore be it

Resolved (if the House of Representatives concur), That the Senate and House of Representatives hereby accept with thanks, the invitation to attend this Pennsylvania Folk Festival; and that as many Senators, and as many Members of the House, as can conveniently do so, assemble at the Stadium of Bucknell University on said date, at eight o'clock in the evening, to witness the pagentry and to participate in the festival to the fullest extent.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

ADJOURNMENT

Mr. PFAFF. Mr. Speaker, I move that this House do now adjourn until Friday, July 10, 1936, at 12:01 A. M.

The motion was agreed to and (at 11:59 P. M.) the House adjourned until Friday, July 10, 1936, at 12:01 o'clock A. M.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Extraordinary Session of 1936.

Vol. 19. HARRISBURG, PA., FRIDAY, JULY 10, 1936. No. 32.

SENATE

FRIDAY, JULY 10, 1936

The Senate met at 12:01 o'clock A. M.

The PRESIDENT (Lieutenant-Governor Thomas Kendy) in the Chair.

PRAYER

Honorable Frank W. Ruth offered the following prayer:

Almighty God, our Heavenly Father, we come to Thee day. We acknowledge Thee as the Ruler of destiny of l people. We realize that Thou hast given us extraordiary opportunities, and with these opportunities have come comprehensible responsibilities. We pray that Thy Holy pirit will guide us to do and say what Thou dost want s to do and say for the peace and contentment of our eople and to the honor and glory of Thy great name. men.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. SONES, the further reading was dispensed with, and the Journal was approved.

BILL ON FINAL PASSAGE

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 6, as follows:

Joint Resolution proposing an amendment to article nine section eight of the Constitution of the Commonwealth of Pennsylvania

Section 1 Be it resolved by the Senate and House of epresentatives of the Commonwealth of Pennsylvania in eneral Assembly met That the following amendment to ie Constitution of the Commonwealth of Pennsylvania be id the same is hereby proposed in accordance with the ghteenth article thereof

That article nine section eight of the Constitution of ennsylvania is hereby amended to read as follows

Section 8 The debt of any county city borough township hool district or other municipality or incorporated district except as provided herein and in section fifteen of is article shall never exceed seven (7) per centum upon ie assessed value of the taxable property therein but the bt of the county of Allegheny may be increased an amount that the total county debt of such unty shall not exceed ten (10) per centum upon the sessed value of the taxable realty therein and the debt the city and county of Philadelphia may be increased in such amount that the total city and county bt of said city and county shall not exceed fifteen (15) r centum upon the assessed value of the taxable realty therein nor shall any municipality or district incur any new debt or increase its indebtedness to an amount exceeding two (2) per centum upon such assessed valuation of taxable property or taxable realty without the consent of the electors thereof at a public election in such manner as shall be provided by law In ascertaining the borrowing capacity of the city and county of Philadelphia at any time there shall be deducted from such debt so much of the debt of said city and county as shall have been incurred or is about to be incurred and the proceeds thereof expended or about to be expended upon any public improvement or in the construction purchase or condemnation of any public utility or part thereof or facility therefor to the extent that such public improvement or public utility or part thereof whether separately or in connection with any other public improvement or public utility or part thereof may yield or may reasonably be expected to yield revenue in excess of operating expenses sufficient to pay the interest and sinking fund charges thereon The method of determining such amount so to be deducted may be prescribed by the General Assembly

In incurring indebtedness for any purpose the city and county of Philadelphia may issue its obligations maturing not later than fifty (50) years from the date thereof with provision for a sinking fund sufficient to retire said obligations at maturity the payment to such sinking fund to be in equal or graded annual or other periodical installments Where any indebtedness shall be or shall have been incurred by said city and county of Philadelphia for the purpose of the construction or improvements of public works or utilities of any character from which income or revenue is to be derived by said city and county or for the reclamation of land to be used in the construction of wharves or docks owned or to be owned by said city and county such obligations may be in an amount sufficient to provide for and may include the amount of the interest and sinking fund charges accruing and which may accrue thereon throughout the period of construction and until the expiration of one year after the completion of the work for which said indebtedness shall have been incurred but not in excess of five years from the time of the incurring of such indebtedness and said city and county shall not be required to levy a tax to pay said interest and sinking fund charges as required by section ten article nine of the Constitution of Pennsylvania until the expiration of said period of one year after the completion of said work Provided however That any county city borough township or other municipality or incorporated district may with the consent of the electors thereof increase its indebtedness to the extent of three (3) per centum over and beyond any limitation fixed herein toward the sole purpose of constructing or completing sewage treatment works

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—42

Aron,	Harvey,	Pierson,	Shapiro,
Batchelor,	Homsher,	Prince,	Sones,
Baumer,	Howell,	Rankin,	Sordoni,
Bean,	Huffman,	Reed,	Staudenmeier,
Buckman,	Kahle,	(Dauphin)	Thompson,
Chapman,	Lanius,	Rice,	(Centre)
Coyne,	Law,	Roberts,	Thompson,
Ealy,	McGinnis,	Rodgers,	(Westmoreland)
Frey,	Mallery,	Ruth,	Trainer,
Gelder,	McClure,	Salus,	Woodward,
Graff,	Owlett,	Scott,	Ziesenheim,
Harris,			

NAYS—5

Cavalcante,	Miller,	Pytko,	Reed,
McCreesh,			(Washington)

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 28 (House Bill No. 19), entitled:

An Act to amend section three of the act, approved the sixteenth day of May, one thousand nine hundred thirty-five (Pamphlet Laws, two hundred eight), entitled "An act to provide revenue for State purposes by imposing an excise tax, for a limited period of time, on the net incomes of certain corporations, joint-stock associations, and limited partnerships; providing for the assessment and collection of the tax, and appeals to courts; conferring powers, and imposing duties on certain persons, corporations, joint-stock associations, limited partnerships, State, and county officers, boards, and departments; making an appropriation, and providing penalties," by further defining net income and increasing the rate of tax for a limited period of time.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—14

Aron,	Harris,	Owlett,	Staudenmeier,
Bean,	Harvey,	Salus,	Thompson,
Coyne,	Law,	Scott,	(Westmoreland)
Graff,	McClure,	Sordoni,	

NAYS—33

Batchelor,	Howell,	Prince,	Rodgers,
Baumer,	Huffman,	Pytko,	Ruth,
Buckman,	Kahle,	Rankin,	Shapiro,
Cavalcante,	Lanius,	Reed,	Sones,
Chapman,	Mallery,	(Dauphin)	Thompson,
Ealy,	McCreesh,	Reed,	(Centre)
Frey,	McGinnis,	(Washington)	Trainer,
Gelder,	Miller,	Rice,	Woodward,
Homsher,	Pierson,	Roberts,	Ziesenheim,

Less than a majority of all the Senators having voted "aye" the question was determined in the negative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consid eration of Senate Bill No. 30 (House Bill No. 27), a follows:

An Act to amend the act approved the twenty-secon day of June one thousand nine hundred thirty-fiv (Pamphlet Laws four hundred fourteen) entitled "A act to provide revenue for State purposes imposin taxes upon certain classes of personal property provid ing for the assessment collection and lien of the sam and the distribution of the proceeds thereof imposin duties on executors administrators registers of wil recorders of deeds prothonotaries and court clerks an on persons copartnerships associations banks nationa banks trust companies and other corporations receivin deposits of money and on certain corporations an limited partnerships conferring powers and imposin duties on certain State officers and departments impos ing penalties and making an appropriation" by increas ing the rate of tax imposing said tax on additiona shares of stock and on the same value of certain equit able interests changing the listing date the dat of filin reports and the date and manner of payment of the ta providing for certain exemptions from said tax an making further provision with regard to penalties

Section 1 Be it enacted by the Senate and House o Representatives of the Commonwealth of Pennsylvania i General Assembly met and it is hereby enacted by th authority of the same That Sections three four five si seven eight nine ten eleven twelve thirteen fourtee fifteen sixteen seventeen eighteen nineteen twent twenty-one twenty-two twenty-three and twenty-four o the act approved the twenty-second day of June on thousand nine hundred thirty-five (Pamphlet Laws fou hundred fourteen) entitled "An act to provide revenu for State purposes imposing taxes upon certain classes o personal property providing for the assessment collectio and lien of the same and the distribution of the proceed thereof imposing duties on executors administrato registers of wills recorders of deeds prothonotaries an court clerks and on persons copartnerships associatio banks national banks trust companies and other corpora tions receiving deposits of money and on certain corpora tions and limited partnerships conferring powers and im posing duties on certain State officers and departmen imposing penalties and making an appropriation" be an the same are hereby amended to read as follows

Section 3 Tax on Mortgages Judgments Et Cetera Im position and Rate of Tax Exceptions All personal prop erty of the classes hereinafter enumerated owned held o possessed by any resident whether such personal propert be owned held or possessed by such resident in his ow right or as active trustee agent attorney-in-fact or in an other capacity for the use benefit or advantage of an other person copartnership unincorporated associatio company joint-stock company or association limite partnership bank or corporation and the equitable intere presently enjoyed in any such personal property owne held or possessed by any resident where the legal title t such personal property is vested in a trustee agent or a torney in fact located in another state is hereby mad taxable annually for State purposes at the rate of [or mill] four mills on each dollar of the value thereof as of date to be fixed annually in the manner provided in sec tion five of this act and no failure to assess or return th same shall discharge such owner or holder thereof fro liability therefor that is to say

All mortgages all moneys owing by solvent debto whether by promissory note or penal or single bill bon or judgment all articles of agreement and accounts beat ing interest all public loans whatsoever except those is sued by this Commonwealth or the United States an those made taxable for State purposes all loans issued b any corporations association company or limited partne ship created or formed under the laws of this Commo wealth or of the United States or of any other state o government including car-trust securities and loa secured by bonds or any other form of certificate or ev dence of indebtedness whether the interest be include

in the principal of the obligation or payable by the terms thereof except such loans as are made taxable for State purposes [by section] [nineteen] [hereof] under the laws of this Commonwealth all shares of stock in any bank corporation association company or limited partnership created or formed under the laws of this Commonwealth or of the United States or of any other state or government except shares of stock in any bank and bank and trust company national banking association savings institution building and loan association corporation or limited partnership [that may be] employing a substantial portion of its property in this Commonwealth and which is liable to a tax on its shares or its capital stock for State purposes under the laws of this Commonwealth or relieved from the payment of tax on its shares or capital stock for State purposes by the laws of the Commonwealth all moneys loaned or invested in other states territories the District of Columbia or foreign countries all other moneyed capital in the hands of individual citizens of the State all stages omnibuses hacks cabs and other vehicles used in transporting passengers for hire except steam and street passenger railway cars owned or used or possessed within this Commonwealth by any person or persons or by any corporate body or bodies all annuities yielding annually over two hundred dollars ($200) Provided That this section shall not apply to bank notes or notes discounted or negotiated by any bank or banking institution savings institution or trust company nor to loans shares of stock or other securities held by bankers or brokers solely for trading purposes nor to accounts or debit balances owing by customers of bankers or brokers in the usual courses of business nor to interest-bearing accounts in any bank or banking institution savings institution or trust company and provided That the provisions of this act shall not apply to building and loan associations or to savings institutions having no capital stock and if at any time either now or hereafter any persons individuals or bodies corporate have agreed or shall hereafter agree to issue his their or its securities bonds or other evidences of indebtedness clear of and free from the said [one mill] four mills tax herein provided for or have agreed or shall hereafter agree to pay the same nothing herein contained shall be so construed as to relieve or exempt him it or them from paying the said [one mill] four mills tax on any of the said securities bonds or other evidences of indebtedness as may be held owned or owing to the said savings institution having no capital stock And provided further That the provisions of this act shall not apply to fire companies firemen's relief owned by or owing to the said savings institution having no capital stock secret and beneficial societies labor unions and labor union relief associations and all beneficial organizations paying sick or death benefits or either or both from funds received from voluntary contributions or assessments upon members of such associations societies or unions And provided further That corporations limited partnerships and joint-stock associations liable to tax on capital stock for State purposes shall not be required to make any report or pay any further tax under this section on the mortgages bonds and other securities owned by them in their own right but corporations limited partnerships and joint-stock associations holding such securities as trustees executors administrators guardians or in any other manner shall return and pay the tax imposed by this section upon all securities so held by them as in the case of individuals And provided further That none of the classes of property made taxable by this section for State purposes shall be taxed or taxable for any local purpose under the laws of this Commonwealth except for county purposes and in cities coextensive with counties for city and county purposes as now provided by law And provided further That the provisions of this section shall not apply to personal property of the class hereinabove enumerated hereafter received from any person or persons copartnership or unincorporated association or company non-resident in or not located within this Commonwealth or from any joint-stock company or association limited partnership bank or corporation formed erected or incorporated by under or in pursuance of any law of the United States or of any state or government other than this Commonwealth and not doing business within this Commonwealth by any person or persons copartnership unincorporated association company joint-stock company or association limited partnership bank or corporation as active trustee agent attorney-in-fact or in any other capacity for the use benefit or advantage of any person or persons copartnership or unincorporated association or company nonresident in or not located within this Commonwealth or for the use benefit or advantage of any joint-stock company or association limited partnership bank or corporation formed erected or incorporated by under or in pursuance of any law of the United States or of any state or government other than this Commonwealth and not doing business within this Commonwealth

The words "substantial portion of its property" as used in this section shall be construed to mean only property other than office furniture and fixtures which is necessary and actually used for the exercise of a corporate franchise in this Commonwealth

The value of the equitable interest in any personal property made subject to tax by this section shall be measured by ascertaining the value of the personal property in which such resident has the sole equitable interest or in case of divided equitable interests in the same personal property than by ascertaining such part of the value of the whole of such personal property as represents the equitable interest of such resident therein

Section 4 Returns and Payment of Tax (a) For the purpose of ascertaining the amount of tax payable under the third section of this act it shall be the duty of every resident liable to pay such tax on or before the fifteenth day of [March] February of each year to transmit to the department upon a form prescribed prepared and furnished by the department a return in duplicate the original under oath or affirmation of

(1) The aggregate actual value of each of the different classes of property made taxable by the third section of this act held owned or possessed by such resident as of the date fixed annually in the manner provided in section five of this act either in his own right or as trustee agent attorney-in-fact or in any other capacity for the use benefit or advantage of any other person copartnership unincorporated association company limited partnership joint-stock association or corporation

(2) The amount of interest dividends or other income derived from each class of such property at any time during the preceding calendar year and

(3) Such other information as may be required by the department concerning such property The duplicate unsworn return shall be forwarded by the Department of Revenue to the county commissioners Board of Revision of Taxes or board for the assessment and revision of taxes as the case may be of the county from whih the return was made for its use and information

The failure of any taxable resident to receive or procure a return form shall not excuse him from making a return

(b) The return so made shall be sworn or affirmed to by the person making the same if an individual and in the case of copartnerships unincorporated associations and joint-stock associations and companies by some member thereof and in the case of limited partnerships and corporations by the president chairman or treasurer thereof

(c) Any agent duly authorized by the department is hereby authorized to administer the oath or affirmation to any person or officer making the return prescribed by this section for the taking of which oath or affirmation no charge shall be made Any such agent who shall make any charge for administering such oath or affirmation shall be deemed guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding five hundred dollars ($500.00) or to undergo imprisonment not exceeding one (1) year either or both in the discretion of the court

(d) The tax imposed by section three hereof shall be due and payable when such return is required to be filed and every resident at the time of making every return shall compute and pay to the department the tax due the Commonwealth by such resident

Section 5 Listing Date The department shall on or before the [first] fifteenth day of [February] January one thousand nine hundred [thirty-six] thirty-seven and an-

nually thereafter fix a day as of which the property made taxable by the third section of this act shall be listed and assessed The day so fixed shall be between the first and the fifteenth days of the [immediately preceding] month of January both inclusive and the day so fixed shall be printed or stamped on the forms for making returns of all such property [if] If through inadvertence mistake or otherwise the department fails to designate or fix such date or if such date does not appear on the form for making return of such property the date as of which such property shall be listed and assessed shall be the immediately preceding first day of January

[Section 6 Original Assessment Notice The Department shall originally assess the tax imposed by the third section of this act on the basis of the return duly made Promptly after the date of such original assessment the department shall give or send by mail or otherwise a notice thereof to the taxpayer If the taxpayer is dissatisfied with the original assessment so made he may petition for a reassessment in the manner hereinafter provided]

Section [7] 6 Estimated Assessment Notice If any resident liable for or believed by the department to be liable for the tax imposed by the third section of this act shall fail to refuse to file a return in the manner and within the time prescribed by this act the department shall make an estimated assessment against him The department shall promptly thereafter give or send by mail or otherwise notice of such estimated assessment to such resident At any time within thirty (30) days after notice of such estimated assessment is so given or sent such resident may file a return under oath or affirmation with the department [and if the department is satisfied that such return is correct and includes all property made taxable by the third section of this act or that such resident owned held or possessed no such taxable property it shall assess the tax if any on the basis of the return so made together with a penalty of ten per centum of the gross amount of taxable property returned] and at that time shall compute and pay to the department the tax due by him to the Commonwealth with interest thereon at the rate of six per centum per annum from the time such property should have been returned [to the date of assessment and shall cancel the estimated assessment] together with a penalty of ten per centum of the amount of the tax due Any resident against whom an estimated assessment is made who shall fail or refuse to file a return and compute and pay the tax interest and penalty in the manner and within the time provided in this section shall have no right to appeal therefrom or to petition for a reassessment and in any suit for the collection of a tax so assessed shall not be permitted to set up as a defense that he owned held or possessed no property made taxable by the third section of this act or any other matter of defense whatsoever If any resident shall file a return [is filed] before an estimated assessment is made but not within the time required by this act [a penalty of ten per centum shall be added to the amount of property so returned and the tax assessed on the basis thereof with interest at the rate of six per centum per annum from the time such property should have been returned to the date of assessment] such resident at that time shall compute and pay to the department the tax due by him to the Commonwealth with interest thereon at the rate of six per centum per annum from the time such property should have been returned together with a penalty of ten per centum of the tax due

Section [8] 7 Additional Assessment Notice If any taxable resident shall fail to include in any return all of his property made taxable by the third section of this act or shall fail to compute and pay tax thereon as required in this act the department shall make an additionl assessment of tax against such resident [of] on the amount of such omitted property together with a penalty of ten per centum of such [amount and interest thereon at the rate of six per centum per annum from the time such property should have been returned to the date of assessment] additional assessment Promptly thereafter the department shall give or send by mail or otherwise notice thereof to such resident If such resident is dissatisfied with the additional assessment so made he may petition for a reassessment in the manner hereinafter provided

Section [9] 8 Assessments Made at any Time with Five Years An additional assessment or estimated assessment as heretobefore provided may be made by the department at any time within five (5) years after a property owned held or possessed or alleged to have been so owned held or possessed by an resident should have been returned by him for taxation notwithstanding he shall have paid a tax assessed on the basis of returns previously made or filed and nothwithstanding the department shall have made previous additional or estimated assessments against such resident In any such case credit shall be given for any penalty formerly assessed and paid

Section [10] 9 Petition for Reassessment Appeal (a) Any resident against whom [any original assessment or] an additional assessment is made may petition the department for a reassessment Notice of an intention to file such a petition or to appear and be heard shall be given to the department [prior to the time the amount becomes due and payable to wit Within] within [thirty (30)] ninety (90) days after notice of such [original assessment or] additional assessment is given or sent by the department to the taxpayer as provided in this act The department shall hold such hearings in each county as may be necessary to hear and determine petitions for reassessment at such places and at such times as may be determined by rules and regulations of the department and each petitioner who has duly notified the department of an intention to file a petition to file a petition for reassessment or to appear and be heard shall be notified by the department of the time when and the place where such hearings shall be held All such petitions shall set forth specifically and in detail the grounds upon which it is claimed the [original or] additional assessment is erroneous or unlawful and shall be accompanied by an affidavit under oath or affirmation certifying to the correctness of the facts stated therein If no petition for reassessment is filed with the department the petitioner may in lieu thereof appear at the hearing and present his petition orally in which event all testimony or statements of facts shall be made under oath or affirmation

(b) If such petitioner is dissatisfied with the action of the department on his petition for reassessment [or if any resident against whom an estimated assessment is made and who has duly thereafter made a return as heretofore provided is dissatisfied with the refusal of the department to assess the tax on the basis of the return so made and to cancel the estimated assessment] he shall have the right to appeal to the court of common pleas of the proper county at any time within [thirty (30)] sixty (60) days after notice of such action [or refusal] is given to him by the department If any resident shall fail to give due notice of an intention to petition for a reassessment and to file a petition for reassessment or to appear and be heard after due notice of his intention to do so or to appeal to the court of common pleas within the time and in the manner herein set forth the right to do so shall be forever barred and any such resident so failing shall not thereafter be permitted in a suit for the recovery of such tax to set up any ground of defense which might have been determined either by the department or the court of common pleas as aforesaid In all cases of petitions for reassessment and appeals the burden of proof shall be on the petitioner or appellant as the case may be and every appeal to the court of common pleas under this section shall specify all the objections to the assessment and any objection not specified in the appeal shall not be considered by the court

Section [11] 10 Information at Source Reports (a) The executor of every will and the administrator of every estate at the time of filing with the register of wills or clerk of the orphans' court the inventory and appraisal of such estate or of any affidavit setting forth the real and personal estate of such decedent for the purpose of determining the transfer inheritance tax imposed theron by existing law shall in addition thereto file with such register of wills or clerk of the orphans' court a statement in duplicate under oath or affirmation setting forth the items included in such inventory or affidavit which may be liable to the tax imposed by the third section of this act

he register or clerk with whom the same is filed shall rthwith send one copy thereof to the department It all be the duty of the department to proceed at once assess the tax due from such decedent with interest and enalties as heretofore provided in this act and to present claim therefor through the Department of Justice to the rphans' court of the proper county or to proceed by ction or suit at law through the Department of Justice any court of competent jurisdiction for the recovery ereof or to take any or all appropriate steps or proedure necessary for the collection of such tax

(b) It shall be the duty of the recorder of deeds in ach and every county in this Commonwealth to keep a ily record separate and apart from all other records of very mortgage or article of agreement given to secure e payment of money entered in his office for recording hich record shall set forth the following information to it The date of the mortgage or agreement the names the parties thereto the just sum of money secured the recise residence of the mortgagee or person to whom terest is payable a brief description of the real estate on which such mortgage is secured and the date or veral dates when the said sum or portion of the said m shall become due and payable and a like daily cord of every assignment of a mortgage or an article agreement given to secure the payment of money and so the number of mortgages and agreements together ith the amount of same and the names of the parties ereto which shall have been that day satisfied of record or the purpose of obtaining with accuracy th precise sidence of all mortgagees assignees and persons to whom terest is payable on articles of agreements it shall be e duty of the recorder of deeds in each county whener a mortgage assignment or agreement given to secure e payment of money shall be presented to him for cord to refuse the same unless the mortgage assignment agreement has attached thereto and made part thereof certificate signed by the mortgagee assignee or person titled to interest or his duly authorized attorney or ent setting forth the precise residence of such mortgagee signee or person entitled to interest and such certificate all be recorded with the mortgage assignment or agreeent Every recorder of deeds on the first Monday of ch month shall file the aforesaid daily record or a copy ereof with the department

(c) It shall be the duty of the prothonotary or clerk the court of common pleas in each and every county this Commonwealth forthwith upon the passage of is act to keep a daily record separate and apart from l other records of every single bill bond judgment or her instrument securing a debt entered of record in s office Such daily record shall set forth the following formation to wit The date of the instrument the names the plaintiff and defendant together with the precise sidence of the plaintiff or person to whose use such ll bond judgment or other obligation to pay money is arked whenever such residence can be ascertained the st sum secured and the date or several dates when e said sum or portion of the same shall become due d payable with the further information whether any of id bonds or judgments are accompanied with mortgages d also the number of every single bill bond judgment other instrument securing a debt together with the nount of same and the names of the plaintiff and dendant thereto which shall have been that day satisfied e prothonotary or clerk of the court of common pleas all file the aforesaid daily record or a copy thereof ith the department on the first Monday of each month

Section [12] 11 Compensation of Recorders and Prononotaries The several recorders of deeds prothonories and court clerks as aforesaid shall be entitled to ceive ten cents for each and every mortgage judgment lien assignment or satisfaction thereof reported to the partment as heretofore required in this act Such fees all be paid by the respective county treasurers on the esentation of proper vouchers certified by the departent and shall be applied in like manner as other fees ceived by such recorders prothonotaries or clerks Proded That no fee shall be allowed in any case where e residence of any plaintiff mortgagee or assignee is nitted in such reports And provided further That the amount allowed any prothonotary or clerk or recorder of deeds under this act shall not exceed the sum of six hundred dollars ($600.00) per annum

Section [13 Payment and] 12 Due Date All taxes [penalties and interest resulting from any original] whether a report is filed as herein required or whether an estimated or additional assessment is made by the department shall be due and payable [within thirty (30) days after notice of such original or additional assessment is given or sent by the department as heretofore provided if no petition for reassessment is taken or within thirty (30) days after notice of the determination of such petition if no appeal is taken All taxes penalties and interest resulting from any estimated assessment made by the department shall be due any payable within thirty (30) days after the expiration of the time within which a return may be made in such cases if no return is made and thirty (30) days after notice of the assessment made on the basis of such return is given or sent as heretofore provided if such return is made and the tax assessed on the basis thereof] on the fifteenth day of February of each year

Section [14] 13 Interest The tax imposed by the third section of this act shall bear interest at the rate of twelve per centum per annum from the date such tax is due and payable until paid except that any tax found due as the result of an appeal to the court of common pleas or any appellate court shall bear interest at the rate of six per centum per annum from the date the tax was originally due and payable until paid [Any balance finally found due by the department as a result of a reassessment shall bear interest at the rate of twelve per centum per annum from the time such amount was originally due and payable until paid]

Section [15] 14 Lien of Taxes (a) All taxes imposed under the third section of this act together with all penalties and interest shall be considered a public account after [being assessed] becoming due and payable in the manner prescribed in this act and as such shall be a lien upon the franchises and real property of the resident against whom the same are assessed after the same has been entered and docketed of record by the prothonotary of the county where the resident's franchises or property are situated.

(b) The department may at any time transmit to the prothonotaries of the respective counties of the Commonwealth to be by them entered of record certified copies of all liens for taxes imposed by the third section of this act and penalties and interest upon which record it shall be lawful for writs of scire facias to issue and be prosecuted to judgment and execution in the same manner as such writs are ordinarily employed

Section [16] 15 Credits for Overpayment The Board of Finance and Revenue may allow a credit for any taxes imposed by the third section of this act and penalties and interest thereon [alleged to have been] paid [as the result of an error of law or of fact or of both law and fact] to the Commonwealth and which the Commonwealth is not rightfully or equitably entitled Claims for such credits shall be made in accordance with the provisions of "The Fiscal Code" relative to petitions for refunds of taxes No petition for such credit shall be considered by the board unless filed with the board within two (2) years of the payment alleged to have been erroneously made

Upon the allowance of any such petition the credit so determined may be applied against any amount due or subsequently becoming due by such petitioner on account of taxes imposed by the third section of this act and penalties and interest thereon or may be assigned in whole or in part to any other taxable resident to be applied against any amount due or subsequently becoming due by such resident on account of taxes imposed by the third section of this act and penalties and interest thereon Upon the allowance of a petition for credit the board shall issue its certificate under its hand and seal and no credit claimed whether assigned or not shall be allowed unless evidenced by such certificate

Section [17] 16 Penalties Costs (a) Every person or officer who shall wilfully and corruptly make a false and fraudulent return of property made taxable by the third section of this act shall be guilty of wilful and corrupt

perjury and upon conviction thereof shall be subject to punishment as provided by law

(b) Any wilful failure on the part of recorders of deeds or prothonotaries or clerks to carry out the duties imposed upon them by section [eleven] ten of this act shall be deemed a misdemeanor and upon conviction thereof the person or persons so failing to comply shall be sentenced to pay a fine not exceeding five hundred dollars ($500.00) or to undergo imprisonment not exceeding one (1) year or both in the descretion of the court

(c) Every register of wills who shall fail to send copies of affidavits filed with him by executors or administrators to the department as required by section [eleven] ten of this act shall be guilty of a misdemeanor and upon conviction thereof the register so failing shall be sentenced to pay a fine not exceeding five hundred dollars ($500.00) or to undergo imprisonment not exceeding one (1) year or both in the descretion of the court

(d) Every executor or administrator who fails to file the affidavit with the register of wills as required by section [eleven] ten of this act shall be subject to a penalty of twenty-five dollars ($25.00) for the first day and ten dollars ($10.00) for each succeeding day during which such affidavit is not filed to be collected by the department through the Department of Justice in the same manner as debts are by law collected

(e) Whenever any person acting for or on behalf of the department shall in good faith institute legal proceedings for any violations of the provisions of this act and for any reason shall fail to recover costs of record such costs shall be a charge upon the proper county as shall such costs in the event defendant is imprisoned for failure to pay fine or costs or both and shall be audited and paid as are costs of like character in said county

Section [18] 17 Enforcement Rules and Regulations Inquisitorial Powers of the Department (a) The department is hereby charged with the enforcement of the provisions of this act and is hereby authorized and empowered to prescribe adopt promulgate and enforce rules and regulations relating to any matter or thing pertaining to the administration and enforcement of the provisions of this act and the collection of taxes penalties and interest imposed by this act

(b) The department or any agent authorized in writing by it is hereby authorized to examine the books papers and records of any resident in order to verify the accuracy of any return made or if no return was made to ascertain and assess the tax imposed by the third section of this act Every such resident is hereby directed and required to give the department or its duly authorized agent the means facilities and opportunity for such examinations and investigations as are hereby prothorized to examine any person under oath concerning any property which was or should have been returned for taxation and to this end may compel the production of books papers and records and the attendance of all persons whether as parties or witnesses whom it believes have knowledge of such property The procedure for such hearing or examination shall be the same as that provided by "The Fiscal Code" relating to inquisitorial powers of fiscal officers

Any information gained by the department as a result of any returns investigations hearings or verifications required or authorized by this act and any information gained by the county commissioners Board of Revision of Taxes or board for the assessment and revision of taxes as the result of duplicate returns received from the department shall be confidential except for official purposes and any person or agent divulging such information shall be deemed guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not in excess of five hundred dollars ($500.00) or to undergo imprisonment for not more than three (3) years or both in the discretion of the court

(c) The powers conferred by this act upon the department relating to the administration or enforcement of this act shall be in addition to but not exclusive of any other powers heretofore or hereafter conferred upon the department by law

Section [19] 18 Tax on Script Bonds Et Cetera Imposition and Rate of Tax All script bonds certificates and evidences of indebtedness issued and all script bonds certificates and evidences of indebtedness assumed or on which interest shall be paid by any and every private corporation incorporated or created under the laws of this Commonwealth or the laws of any other state or of the United States and doing business in this Commonwealth and all script bonds certificates and evidences of indebtedness issued are hereby made taxable [for the year one thousand nine hundred and thirty-six and annually thereafter] for State purposes during the calendar year one thousand nine hundred thirty-six on reports filed for the calendar year one thousand nine hundred thirty-five or for the fiscal year beginning in the calendar year one thousand nine hundred thirty-five at the rate of one mill on each dollar of the nominal value thereof and during the calendar year one thousand nine hundred thirty-seven on reports filed for the calendar year one thousand nine hundred thirty-six or the fiscal year beginning in the calendar year one thousand nine hundred thirty-six at the rate of four mills on each dollar of the nominal value thereof which tax shall be in addition to the tax imposed for State purposes by section seventeen of the act approved the seventeenth day of June one thousand nine hundred and thirteen (Pamphlet Laws five hundred seven) and its amendments or supplements Provided That Whenever under the provisions of this section any private corporation shall become liable for such taxes upon evidences of indebtedness by it assumed or on which it shall pay interest it shall be the duty of such corporation not later than ten (10) days thereafter to give notice in writing to any person who may at such time be liable for the payment of any taxes upon such evidence of indebtedness under the provisions of the third section of this act that the corporation has assumed such indebtedness or the payment of the interest thereon and will deduct and pay the taxes imposed thereon by this section Such notice shall also be given before the first day of October of each and every subsequent year during which such corporation is liable for the payment of such interest Where any private corporation shall assume such evidences of indebtedness or the payment of interest thereon prior to the first day of October in any year and shall give notice as hereinbefore provided such corporation shall be relieved from the duty of deducting and paying the taxes imposed by this section for the balance of such year but shall deduct and pay said taxes for the ensuing year and the person to whom such notice shall be given shall for such ensuing year be relieved from the payment of tax under the provisions of the third section of this act upon such evidences of indebtedness so assumed or on which the corporation shall pay interest Where any private corporation shall assume such evidences of indebtedness or the payment of interest thereon on or subsequent to the first day of October in any year and shall give the notice as hereinbefore provided such corporation shall be relieved from the duty of deducting and paying the tax upon such evidences of indebtedness by it assumed or on which it shall pay interest for the balance of such year for the ensuing year and the person to whom notice is so given shall pay the tax for the period for which the corporation is relieved upon such evidences of indebtedness so assumed or on which the corporation shall pay interest as provided for in the third section of this act Neglect or failure on the part of any corporation upon assuming any evidences of indebtedness or becoming liable for the payment of interest thereon to give the notice as herein provided and within the time prescribed shall make such corporation liable for the payment of taxes from the time when such evidences of indebtedness are assumed or for the entire period for which interest shall be paid Neglect or failure to give such notice before the first day of October of each and every subsequent year during which such corporation is liable for the payment of such interest shall make the corporation liable for such taxes for the year following without any deductions from interest due as hereinbefore provided Provided That this section shall not apply to bank notes or notes discounted or negotiated by any bank or banking institution savings institution or trust company nor to interest-bearing accounts in any bank banking institution savings institution or trust company nor to scrip bonds

certificates and evidences of indebtedness issued assumed or on which interest is paid by any and every private corporation engaged in the mining of coal And provided further savings institution or trust company And provided further That the provisions of this act shall not apply to building and loan associations or to savings institutions having no capital stock and if at any time either now or hereafter any persons individuals or bodies corporate have agreed or shall hereafter agree to issue his their or its securities bonds or other evidences of indebtedness clear of and free from the said (one mill) four mills tax herein provided for or have agreed or shall hereafter agree to pay the same nothing herein contained shall be so construed as to relieve or exempt him it or them from paying the said [one mill] four mills tax on any of the said such securities bonds or other evidences of indebtedness as may be held owned by or owing to the said savings institution having no capital stock And provided further That the provisions of this act shall not apply to fire companies firemen's relief associations life or fire insurance corporations having no capital stock secret and beneficial societies labor unions and labor union relief associations and all beneficial organizations paying sick or death benefits or either or both from funds received from voluntary contributions or assessments upon members of such associations societies or unions And provided further That corporations limited partnerships and joint-stock associations liable to tax on capital stock for State purposes shall not be required to pay any further tax under this section on the mortgages bonds and other securities owned by them in their own right but corporations limited partnerships and joint-stock associations holding such securities as trustees executors administrators guardians or in any other manner shall be liable for the tax imposed by this section upon all securities so held by them as in the case of individuals And provided further That none of the classes of property made taxable by this section for State purposes shall be taxed or taxable for county school or other local purposes

It is the intent of this act that all scrip bonds certificates and evidences of indebtedness made taxable under this section are not taxable under the third section of this act and that only such scrip bonds certificates and evidences of indebtedness which cannot be made taxable under this section are to be taxed under the third section of this act.

Section [20] 19 Collection of Tax The tax for State purposes imposed upon obligations of private and public corporations by section [nineteen] eighteen of this act shall be collected in the same manner as the tax imposed for State purposes upon such obligations by section seventeen of the act approved the seventeenth day of June one thousand nine hundred thirteen (Pamphlet Laws five hundred seven) and its amendments or supplements it being the true intent and meaning of this act that the provisions of the law in force at the time of the passage of this act relating to the manner of the collection of the State tax upon such obligations shall remain unaffected by this act.

Section [21] 20 Disposition of Tax Interest Fees Fines Forfeitures and Penalties All taxes and interest that shall be received recovered paid or collected under the provisions of this act shall be paid into the State Treasury through the department

All moneys paid into the State Treasury from taxes for the first year for which a tax is imposed by the provisions of this act shall be used only for unemployment relief purposes and for such purposes are hereby appropriated and all moneys paid into the State Treasury during the second year this act is in effect shall be credited to the General Fund

Section [22] 21 Constitutional Construction If any section sentence clause or part of this act is for any reason held to be unconstitutional the decision of the court shall not affect or impair any of the remaining provisions of this act It is hereby declared as the legislative intent that this act would have been adopted had such unconstitutional sentence section clause or part thereof not been included herein

Section [23] 22 Effect on Other Acts of Assembly Nothing contained in this act shall be deemed to repeal or modify the act approved the seventeenth day of June one thousand nine hundred thirteen (Pamphlet Laws five hundred seven) entitled "An act to provide revenue for State and county purposes and in cities coextensive with counties for city and county purposes imposing taxes upon certain classes of personal property providing for the assessment and collection of the same providing for the duties and compensation of prothonotaries and recorders in connection therewith and modifying existing legislation which provided for raising revenue for State purposes" and its amendments or supplements The taxes imposed by this act shall be in addition to all other taxes which are now or hereafter imposed by law

Section [24] 23 Effective Date This act shall become effective immediately upon its final enactment and shall remain in force for the assessment and collection of taxes under section three of this act for the calendar years one thousand nine hundred and thirty-six and one thousand nine hundred and thirty-seven and for the collection of taxes under section [nineteen] eighteen of this act during the calendar years one thousand nine hundred and thirty-six and one thousand nine hundred and thirty-seven on reports filed for the calendar years one thousand nine hundred and thirty-five and one thousand nine hundred and thirty-six or for the fiscal years beginning in the calendar years one thousand nine hundred and thirty-five and one thousand nine hundred and thirty-six

Section 2 This act shall become effective immediately upon its final enactment

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—10

Aron,	Harvey,	Sordoni,	Thompson,
Coyne,	Salus,	Staudenmeier,	(Westmoreland)
Harris,	Scott,		Trainer,

NAYS—37

Batchelor,	Homsher,	Miller,	Rice,
Baumer,	Howell,	Owlett,	Roberts,
Bean,	Huffman,	Pierson,	Rodgers,
Buckman,	Kahle,	Prince,	Ruth,
Cavalcante,	Lanius,	Pytko,	Shapiro,
Chapman,	Law,	Rankin,	Sones,
Ealy,	Mallery,	Reed,	Thompson,
Frey,	McClure,	(Dauphin)	(Centre)
Gelder,	McCreesh,	Reed,	Woodward,
Graff,	McGinnis,	(Washington)	Ziesenheim,

Less than a majority of all the Senators having voted "aye" the question was determined in the negative.

Mr. SHAPIRO. Mr. President, I voted against these bills, and I do not understand the reason or the logic of the Senator from Delaware, Mr. McClure, when he says these bills were Democratic bills. I disagree with him entirely. When this child was sent over here by the Democrats it lay in the Committee, tossed about, for months; and when it came out tonight, bruised and battered and emasculated, it was no Democratic child. If the Republicans, as I have said before, believed, honestly, that $35,000,000 is sufficient for relief, it was their duty to vote their program. These bills are their bills now, not ours. I said—what we might term "yesterday"—that the Republicans would not vote for these bills, I prophesied that they would not vote for these very bills which they produced themselves; and my prophecy has been proven to be correct.

I suggest to the gentleman who say we do not want relief, that if they would have accepted our amendments, or if they will now accept our amendments, they can deliver the same seven or eight votes which they think is necessary to pass these bills, and I assure them that every man who voted against the bills in their present emasculated condition will vote for the bills in their original Democratic condition. It is no answer, either in this Senate or to the people of Pennsylvania, to say, "We gave you enough votes for our program and you would not vote for it." The transfers have been made time and again, but when we come to the revenue measures it is just like the recurring decimal, always identical in form and always diminishing in value. There has nothing here been suggested by the Republican Party for which they themselves would stand. Their program for $35,000,000 means that the situation in Pennsylvania, financially, would be this—and that is what I had in mind when I voted against these bills: First, that there would be an estimated expenditure of $55,000,000; secondly, that there would be estimated enactments of $35,000,000—and under the decision in the Kalodner case the tax anticipation notes would be invalid, no tax anticipation notes could be sold, because the decision requires that the estimated income shall be equal to the estimated expenditures, so that the budget may be balanced, and unless the budget is balanced there can be no sale of tax anticipation notes. The only way the budget could be balanced would be for the Relief Administrator to reduce his estimated expenditures to equal the $35,000,000 estimated requirements; and in order to carry it out would have to immediately take off six of seven thousand persons now on relief rolls; and it was because of that situation which would be facing us sooner or later that I voted against the reduction, believing that they themselves did not have the courage to follow even that program. I thought the Committee on Finance, of which the Senator from Delaware is Chairman, might have the courage to vote for these bills, however; but the Committee on Finance emasculated the bills before presenting them to us, and when they came out they came out in their crippled condition.

There has been talk of a constructive program. I have seen no constructive program presented that I believe would be carried out. We have heard a lot of criticism, but there has been no program either constructive or conciliatory to form the basis for settlement. Nobody can believe that the program that has been presented is intellectually honest; that the statements made now by the Senators on the Republican side are made honestly and with any idea of carying them out. You can judge of it by their behavior here—just think of it. It has been pointed out here that these bills were attempted to be amended by the Democratic members, to bring them back so thy could vote for their own bills. And that was opposed by whom?—By the Republicans. They had enough votes to do that, and enough votes to defeat the amendments. And then, on roll call for second reading they had enough votes to carry all the bills, and on third reading they have the effrontery to say, "We delivered enough votes to take care of our program, with which you do not agree, and since you did not accept, the fault must lie with you." That may be an excuse, but I doubt whether it is even an explanation, and it does not solve the problem; and I agree with the Senator from Centre, Mr. Thompson—I have maintained for the past three weeks that the Republican Party has undertaken to tear down the program of the Democratic Party; and I say now, maybe the Democratic Party wants too much money—I don't know; I have pointed out before that these are all estimates, and they are subject to conditions over which we have no control, and the only basic argument we could use to support them is the experience of the past. The experience of the future is only conjecture. Even tonight—or, this morning, rather, this Republican Senate has flown in the teeth of experience as recent as the thirty days in June. The relief rolls for June cost over $6,000,000. So far as there has been appropriated for July with the same amount of people on the relief rolls $1,000,000; and tonight there was transferred $3,000,000 or a total of $4,000,000. The total amount that would be left, out of the money that they have suggested, however thirty-five millions of dollars, would not be sufficient and I disagree with the figures because they have failed to take into consideration that there are more than twenty-eight weeks in the succeeding seven months Those figures would not give to the Relief Board more than $2,900,000 a month, in the final analysis, to be spent for relief, and our experience in the last five months has shown that the figure needed is nearer $6,200,000.

Now, how these people expect to answer—not the public but their own consciences, when they go home and think about the fact that there is relief no more in Pennsylvania, and that there will be no more funds by virtue of the fact that they themselves have refused to stand up for the only constructive suggestion—not program but suggestion—that we will give—and we think $35,000,000 is not based on any adequate figures—is more than I can understand. How they can explain to themselves, sufficient to satisfy them, that because they delivered, or were willing to deliver, ten votes for their program, to which we are opposed—and for which we accept the full responsibility, is more than I can understand.

Whether we be wrong or not, at least we have had the courage of our convictions, and we have stood up for our program, believing in it, and believing it to be necessary These gentlemen have told us time and again that relief is too costly, and $35,000,000 is enough—and they have not stood up for their program. The people of Pennsylvania will want to know why, if the Republicans said $35,000,000 was enough, they did not give it. The House is waiting for these bills, the House was ready to meet this situation if it could be met. There was room for compromise if all these bills were passed, but it had to be the Republican program and not the Democratic program It was proposed by the Republicans and it should have been put over by them. I said, myself, and I reiterate it that had these bills been passed I would have been willing to vote for transfers. They were not passed, because the Republicans would not pass them. I said, before, that the Republicans intended not to vote for this program, that this is a smokescreen, and that it is an effort to take away the political effect that must necessarily follow, and they were upon the shoulders of the Republicans. I think the Democrats have proved their case, and the Republicans have proved their weakness.

Mr. THOMPSON (Centre). Mr. President, I would like to interrogate the Senator from Delaware, Mr. McClure.

The PRESIDENT. Will the Senator from Delaware, Mr. McClure, permit himself to be interrogated?

Mr. McCLURE. Mr. President, I will be glad to be interrogated.

Mr. THOMPSON (Centre). Mr. President, is it not a fact that the Republican majority in this State Senate mustered up 26 votes for the passage of Senate Bill No. 19 on second reading yesterday afternoon?

Mr. McCLURE. Mr. President, that is so.

Mr. THOMPSON (Centre). And is not it a fact, Mr. President, that the Republican majority mustered 26 votes for the passage of Senate Bill No. 27 yesterday afternoon?

Mr. McCLURE. Mr. President, pardon me, the Senator from Centre is under a misapprehension. I recall that there were twenty-five votes for the bill and not twenty-six—or twenty-four.

Mr. THOMPSON (Centre). Mr. President, I think the Senator from Delaware, if he informs himself correctly, will find that there were twenty-six votes for one and twenty-seven votes for the other.

Mr. McCLURE. Well, Mr. President, the Senator from Centre may inquire from the desk how many votes were cast for these bills yesterday afternoon.

Mr. THOMPSON (Centre). Mr. President, I would like to know why the bills were all right to vote for yesterday afternoon, and became so repulsive this morning?

Mr. McCLURE. Mr. President, I suppose the Republicans voted for those bills yesterday to give the Democrats a chance to join with the Republicans to-night in the final passage of those bills. Tonight the Democrats showed no inclination to vote for these bills, and not one person, not one Senator among the Democrats, would vote for them.

Mr. THOMPSON (Centre). Mr. President, is it not true that on Tuesday, July 7th, in answer to my question as follows: "Mr. President, will the Senator from Delaware inform the Senate as to what is anticipated as the return from House Bill No. 19?" the Senator from Delaware answered: "Mr. President, if the increase is from six per cent to ten per cent., the income would be $10,000,000?"

Mr. McCLURE. Mr. President, I believe I answered $10,150,000.

Mr. THOMPSON (Centre). Mr. President, excuse me, the Senator from Delaware is correct—$10,150,000.

Mr. PRESIDENT, is it not a fact that in answer to my question, on the same day, as follows: "Mr. President, what is anticipated as a return from House Bill No. 26?" the Senator from Delaware answered: "Mr. President, House Bills Nos. 26, 27 and 28 are included together. The revenue from those measures would be $40,000,000, and there is no subdivision of the revenue by the Department of Labor, in connection with these bills"?

Mr. McCLURE. Mr. President, the statement of the Senator fom Centre is corect.

Mr. THOMPSON (Centre). Mr. President, is it not a fact that in answer to my question, on the same day, as follows: "Mr. President, do we understand that we have reasonable assurance that such bills will be reported out as promptly as they can be handled by the Committee and corrected by the sub-committees; is that correct?" the Senator from Delaware replied: "Mr. President, I am not committing the Committee on Finance to any definite action, but it was evident this morning that it was their intention to report these bills out after they are amended"?

Mr. McCLURE. Mr. President, the Senator from Centre is reading from the record, and I made the statement, and I still stand for that statement.

Mr. THOMPSON (Centre). Mr. President, is it not a fact that when House Bill No. 19 came out upon the calendar it was not in the form as stated on Tuesday by the Senator from Delaware, but the estimated income from that bill had, in fact, been cut in half?

Mr. McCLURE. Mr. President, that is so. I also want to call attention to the previous statement I made, that I was not responsible for the action of the Finance Committee.

Mr. THOMPSON (Centre). Mr. President, is it not a fact that when House Bill No. 27 came out on the floor of this Senate it was not accompanied by House Bill No. 26 and House Bill No. 28, as was the statement of the Senator from Delaware on July 7th, but it was by itself and emasculated in such shape that it will now only yield, according to the estimate of the Department of Revenue, not more than $18,000,000?

Mr. McCLURE. Mr. President, House Bills Nos. 26 and 28 were postponed for the present in Finance Committee, if I remember correctly, by a unanimous vote. The question of revenue seems to be a very illusive one. Yesterday morning, as I explained, we called before our Committee a representative of the Department of Revenue. At that time he informed us that House Bill No. 27 would produce revenue between $8,000,000 and $6,500,000. To-day I received a letter from the same gentleman, informing me that this revenue bill will not produce even $6,000,000, if my memory serves me correctly.

Mr. THOMPSON (Centre). Mr. President, is it not a fact, then, that the bills as they occur on the calendar—the bills which have just been defeated—as they were reported out by the Senate Committee on Finance, instead of yielding $50,150,000, as assured by the Senator from Delaware on Tuesday, will yield approximately only $23,-000,000, according to the estimate of the Department of Revenue?

Mr. McCLURE. Mr. President, I stated to the Senator from Centre this afternoon that I have never given him the amount of $50,150,000. I have never made such a statement. Evidently the Senator from Centre took the bills at the time it was thought they might be reported to the floor, and computed his own revenue.

Mr. PRESIDENT, may I interrogate the Senator from Centre, Mr. Thompson?

The PRESIDENT. Will the Senator from Centre permit himself to be interrogated?

Mr. THOMPSON (Centre). Mr. President, I will.

Mr. McCLURE. Mr. President, the Senator from Centre this afternoon mentioned the same figure of $50,150,000, and I am curious to know what record he has to show that I mentioned that amount of money.

Mr. THOMPSON (Centre). Mr. President, reading from the Journal Tuesday, July 7, the answer of the Senator from Delaware—he is referring to House Bill No. 19—is as follows: "Mr. President, if the increase is from six per cent to ten per cent, the income would be $10,-150,000." And again, on the same day, referring to House Bills Nos. 26, 27 and 28, he said, "The revenue from these measures would be $40,000,000." Adding the two together we get the total of $50,150,000.

On down, on the record, the Senator from Delaware states that in addition thereto House Bill No. 100 would yield approximately $460,000, in addition to these other figures for the rest of the present biennium. So I think

the Senator from Delaware will agree with me that these are not my figures but his figures.

Mr. McCLURE. Mr. President, I realize the total $50,150,000, but in my statement I did not add the revenue from the different bills. I agree with the Senator from Centre County that they do total that much, and there can be no argument about that.

Mr. THOMPSON (Centre). Mr. President, I would like to interrogate the Senator from Delaware.

The PRESIDENT. Will the Senator from Delaware, Mr. McClure, permit himself to be interrogated?

Mr. McCLURE. Mr. President, I would be very glad to be interrogated.

Mr. THOMPSON (Centre). Mr. President, in view of the fact that the bills as they reposed in Committee on July 7th were estimated by the Senator from Delaware to yield $50,150,000, and as they came out of the Committee, and are on the calendar, are proposed to yield $23,000,000, or a difference of $17,150,000, will the Senator from Delaware explain how, with such emasculation, these bills can be considered a part of the Democratic program?

Mr. McCLURE. Mr. President, I am very glad that the gentleman from Centre asked be that question; it saves me from replying to the Senator from Philadelphia, Mr. Shapiro.

These bills were introduced in the House by Democratic members. They passed the Democratic House and came to the Senate. The revenues from these bills were reduced in the Senate Finance Committee. They still represent a part of the revenue in the original bill. There seems to be a thought in Democratic circles to pass punitive legislation of different kinds. I can speak for myself and I think I speak for several members of the Finance Committee when I state that we believe the tax burden should be spread as much as possible. And this, of course, necessitates a number of bills, and thereby the burden is not borne by a few.

We still adhere to the principle of ability to pay. We believe that there are others in the State who might be taxed, which are not covered by these bills; and we cannot see any reason why these two particular bills should bear all the relief burden.

BILL OVER IN ORDER

Mr. WOODWARD. Mr. President, I ask unanimous consent that Senate Bill No. 46, on third reading, entitled:

An Act relating to proceedings for the forfeiture of rights, privileges or franchises of corporations making claim against street railway, traction or motor power companies in certain cases; and providing for the disposition of rights, privileges or franchises forfeited and for contracts relating thereto.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

QUESTION OF PERSONAL PRIVILEGE

Mr. THOMPSON (Centre). Mr. President, I rise to a question of personal privilege.

The PRESIDENT. The Senator from Centre, Mr. Thompson, will state his question of personal privilege.

Mr. THOMPSON (Centre). Mr. President, after observing the vote which defeated House Bill No. 19 and House Bill No. 27, I say that the pretensions of the Republican side of this Senate yesterday afternoon, when they pretended to have eyes and ears and hearts for the people of this State who need relief was a false front. We have seen that while the other side of this House was willing to transfer funds that did not exist, although they had a majority and voted a majority in favor of both these bills on second reading, yet they were not sincerely interested in levying taxes to be appropriated for relief purposes.

When Democratic side of this House yesterday afternoon wanted the Republican side of this House to come out in the clear and show us a program that would be adequate to meet the necessities of the situation and pass tax bills with the majority which only they have in this Senate, that then we would be for temporary expedients to raise funds but, Mr. President, while they have passed these bills on second reading, they have demonstrated here this morning that they are not sincerely interested in the welfare of the people of this State, but all they said and all they did yesterday afternoon was a pious pretense which they did not propose to back up with their votes.

Mr. President, this relief situation is now in the lap of the Republican members of this Senate more so than it has ever been. It is up to them now to propose their program, whether it be the $35,000,000 program, such as was hinted at the Republican caucus, the $41,000,000 program of Senator McClure, or the $45,000,000 program of some of the other Senators or whatever they want; but I say that it is time now that they come out in the clear before the Senate of Pennsylvania, the other House of this General Assembly and the people of the Commonwealth of Pennsylvania, and say what they propose to do in this relief situation.

Mr. McCLURE. Mr. President, I desire to interrogate the Senator from Centre, Mr. Thompson.

The PRESIDENT. Will the Senator from Centre, Mr. Thompson, permit himself to be interrogated?

Mr. THOMPSON (Centre). Mr. President. I will.

Mr. McCLURE. Mr. President, will the Senator from Centre, Mr. Thompson, tell me how many Democrats voted on third reading for Senate Bill No. 28 (House Bill No. 19) this morning?

Mr. THOMPSON (Centre). Mr. President, according to my count there was none voted in favor of it.

Mr. McCLURE. Mr. President, will the Senator from Centre tell me how many Democratic Senators voted for Senate Bill No. 30 (House Bill No. 27)?

Mr. THOMPSON (Centre). Mr. President, I did not keep any count of the vote on that bill because the Republican majority in this Senate had demonstrated in their vote on House Bill No. 19 that they were not on the level in their pretensions to provide funds for relief, and I felt that they would do the same thing with House Bill No. 27 that they did with House Bill No. 19, and I say again, as I said yesterday afternoon, that the Democratic side of this House will not pull the chestnuts out of the fire for the Republican majority.

QUESTION OF PERSONAL PRIVILEGE

Mr. McCLURE. Mr. President, I rise to a question of personal privilege.

The PRESIDENT. The Senator from Delaware, Mr. McClure, will state his question of personal privilege.

Mr. McCLURE. Mr. President, it must have been a great effort this morning for the gentleman from Centre to make this speech and charge the Republicans with

insincerity. There has been no cooperation here in the passage of these bills. Not one Democartic Senator voted for these bills. and all that we have heard for ten or eleven weeks has been that we should report bills from the Finance Committee so that they could be passed for the purpose of relief. I do not know what bills they want us to report out that they will vote for. These bills are Democratic bills, introduced in the House of Representatives by Democrats, passed the House with Democratic votes, came to this Senate, and we, the Republicans on this side of this House, feel that we have done more than we should be called on to do, or, at least, we have done as much as we should do to provide for relief. If relief breaks down and it continues for an indefinite time, it s no fault of any Republicans. These Democrats in this House showed yesterday afternoon a great determination that they wanted relief to break down. They instituted every parliamentary procedure known to block the passage of the transfer bills, and this morning they come back here and not one Democratic Senator will vote for these bills which are to provide relief.

MOTION TO DISCHARGE COMMITTEE

Mr. CAVALCANTE. Mr. President, just a moment ago the Senator from Delaware stated that he is fully in accord to distribute the tax burden among those who are able to pay. At this time I offer the following motion:

I move that the Committee on Finance of this Senate be discharged from further consideration of Senate Bill No. 20 (House Bill No. 21), so that the same may be returned to the floor of this Senate for constitutional consideration.

Mr. McCREESH. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. CAVALCANTE. Mr. President, may I inform the members of this Senate that that bill is the Chain Store Tax, and I trust that the Senator from Delaware will agree, with his vote, that that group can pay some taxes.

Mr. McCLURE. Mr. President, it is not unlike the Senator from Fayette to ask that the Committee be discharged from consideration of this particular bill. This bill provides for a tax on chain stores. We know that if it is possible for business to pass the burden to consumers they always do it; and this tax is a tax on the market basket, it is a tax that will be passesd on to every woman when she goes to market; and I am very glad tonight to have this motion made to discharge this particular bill from committee, because it, to my mind, shows that no great consideration is being given by the Democrats when they consider a tax of this kind.

Mr. CAVALCANTE. Mr. President, I desire to interrogate the Senator from Delaware, Mr. McClure.

The PRESIDENT. Will the Senator from Delaware, Mr. McClure, permit himself to be interrogated?

Mr. McCLURE. Mr. President, I will.

Mr. CAVALCANTE. Mr. President, is the Senator from Delaware informed as to the enormous salaries being paid to the presidents and other officials of all these chain stores?

Mr. McCLURE. Mr. President, I do not think that the salaries of the chain stores officers are any higher than the salaries of officials of other organizations doing the same gross business and carrying the same responsibilities.

Mr. CAVALCANTE. Mr. President, is the Senator from Delaware informed as to the enormous profits of the chain stores in the year 1935?

Mr. McCLURE. Mr. President, I have not examined the statement of any chain store company.

Mr. CAVALCANTE. Mr. President, is the Senator from Delaware informed that just about seventy per cent of the money that this Commonwealth spends for relief goes into the coffers of the chain stores?

Mr. McCLURE. Mr. President, the only reason I can see for that is that they can buy at the chain stores cheaper than they can buy at the other stores; and that is the reason for having chain stores—so that people can purchase cheaply.

The PRESIDENT. May the Chair point out that the discussion on this motion must necessarily be limited to the mechanics of the motion to discharge the committee.

And the question recurring,

Will the Senate agree to the motion?

The yeas and nays were required by Mr. CAVALCANTE and Mr. FREY and were as follows, viz:

YEAS—24

Baumer,	Law,	Reed,	Sones,
Cavalcante,	McCreesh,	(Washington)	Staudenmeier,
Frey,	McGinnis,	Rice,	Thompson,
Harris,	Miller,	Roberts,	(Centre)
Huffman,	Prince,	Rodgers,	Thompson,
Kahle,	Pytko,	Ruth,	(Westmoreland)
Lanius,	Rankin,	Shapiro,	

NAYS—22

Aron,	Ealy,	Mallery,	Scott,
Batchelor,	Gelder,	McClure,	Sordoni,
Bean,	Graff,	Owlett,	Trainer,
Buckman,	Harvey,	Pierson,	Woodward,
Chapman,	Homsher,	Reed,	Ziesenheim,
Coyne,	Howell,	(Dauphin)	

Present and not voting: Salus.

So the question was determined in the negative.

The PRESIDENT. Less than the number required by the rules, the motion is lost.

QUESTION OF PERSONAL PRIVILEGE

Mr. SALUS. Mr. President, I rise to a question of personal privilege.

The PRESIDENT. The Senator from Philadelphia, Mr. Salus, will state his question of personal privilege.

Mr. SALUS. Mr. President, I want to explain the reason for my vote here tonight of "Present." It wasn't made viciously, but my present inclination is to sit in my seat from now on and vote "Present" on every question that comes before us for action until both sides and both factions of this House get closer together, until somebody, somehow, can get them together, to get some good common sense; and unless my views of tonight are changed, I propose to vote "Present" on all legislation.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 60, entitled:

Joint Resolution proposing an amendment to section one article nine of the Constitution of the Commonwealth of Pennsylvania

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—41

Aron,	Harris,	McGinnis,	Rodgers,
Batchelor,	Harvey,	Owlett,	Ruth,
Baumer,	Homsher,	Pierson,	Scott,
Bean,	Howell,	Prince,	Shapiro,
Cavalcante,	Huffman,	Rankin,	Sordoni,
Chapman,	Kahle,	Reed,	Staudenmeier,
Coyne,	Lanius,	(Dauphin)	Thompson,
Ealy,	Law,	Reed,	(Westmoreland)
Frey,	Mallery,	(Washington)	Trainer,
Gelder,	McClure,	Rice,	Woodward,
Graff,	McCreesh,	Roberts,	Ziesenheim,

NAYS—4

Buckman,	Miller,	Pytko,	Sones,

Present and not voting: Salus.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 75, entitled:

Joint Resolution proposing an amendment to article nine of the Constitution of the Commonwealth of Pennsylvania by adding thereto section one C

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

On the question,

Will the Senate agree to the bill?

Mr. HUFFMAN. Mr. President, I desire to interrogate the author of this joint resolution, the Senator from Erie, Mr. Ziesenheim?

The PRESIDENT. Will the Senator from Erie, Mr. Ziesenheim, permit himself to be interrogated?

Mr. ZIESENHEIM. Mr. President, I will.

Mr. HUFFMAN. Mr. President, I would like to have the Senator from Erie explain what this resolution means.

Mr. ZIESENHEIM. Mr. President, this resolution proposes an amendment to the Constitution, which, if adopted by this Session of the Legislature and by the 1937 Session, would then go to a vote by the people in 1938. If adopted at that referendum in 1938 it provides that after 1943 the maximum millage that might be levied against real estate would be ten mills on the fair market value, in addition to necessary provision for debt service. In other words, if any municipality requires ten mills, we will say, for debt service, and the ten mills of this bill for current expenses, the total maximum millage in that municipality would be twenty mills.

Mr. LAW. Mr. President, I desire to interrogate the Senator from Erie, Mr. Ziesenheim.

The PRESIDENT. Will the Senator from Erie, Mr. Ziesenheim, permit himself to be interrogated?

Mr. ZIESENHEIM. Mr. President, I will.

Mr. LAW. Mr. President, will the Senator from Erie state whether this limitation applies to each of the subdivisions—that is, as to county, city or borough or township, and school, or whether it is the total for the three?

Mr. ZIESENHEIM. Mr. President, it would be within the province of the Legislature of 1943, or thereafter, to regulate that. That would not be fixed by the Constitution but fixed by future legislation.

Mr. LAW. Mr. President, I still do not get the answer—whether that is ten mills for each or a total of ten mills.

Mr. ZIESENHEIM. Mr. President, a grand total of ten mills for current expenses, as distinguished from debt service.

On the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—41

Aron,	Homsher,	Owlett,	Ruth,
Batchelor,	Howell,	Pierson,	Scott,
Baumer,	Huffman,	Prince,	Shapiro,
Bean,	Kahle,	Rankin,	Sones,
Chapman,	Lanius,	Reed,	Sordoni,
Coyne,	Law,	(Dauphin)	Staudenmeier,
Ealy,	Mallery,	Reed,	Thompson,
Frey,	McClure,	(Washington)	(Westmoreland)
Gelder,	McCreesh,	Rice,	Trainer,
Graff,	McGinnis,	Roberts,	Woodward,
Harvey,	Miller,	Rodgers,	Ziesenheim,

NAYS—4

Buckman,	Cavalcante,	Harris,	Pytko,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 86 (House Bill No. 82), entitled:

An Act to amend section one of the act approved the thirtieth day of March one thousand nine hundred and fifteen (Pamphlet Laws thirty-four) entitled "An act to promote the health and efficiency of firemen in cities of the second class by providing for a two-platoon system for firemen in the department of public safety of such cities" as amended by changing the hours of the day and night shifts.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—44

Aron,	Harris,	Owlett,	Ruth,
Batchelor,	Harvey,	Pierson,	Scott,
Baumer,	Homsher,	Prince,	Shapiro,
Bean,	Howell,	Pytko,	Sones,
Buckman,	Huffman,	Rankin,	Sordoni,
Cavalcante,	Kahle,	Reed,	Staudenmeier,
Chapman,	Lanius,	(Dauphin)	Thompson,
Coyne,	Mallery,	Reed,	(Westmoreland)
Ealy,	McClure,	(Washington)	Trainer,
Frey,	McCreesh,	Rice,	Woodward,
Gelder,	McGinnis,	Roberts,	Ziesenheim,
Graff,	Miller,	Rodgers,	

NAYS—1

Law,	

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL OVER IN ORDER

Mr. EALY. Mr. President, I ask unanimous consent that Senate Bill No. 102 (House Bill No. 136), on third reading, entitled:

Joint Resolution proposing an amendment to article nine of the Constitution of the Commonwealth of Pennsylvania by adding thereto a section

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 85 (House Bill No. 81), as follows:

An Act to amend section one of the act approved the twenty-fifth day of April one thousand nine hundred and thirty-five (Pamphlet Laws eighty-two) entitled "An act requiring certain cities to allow members of the fire departments twenty-four consecutive hours of rest each week and fourteen days vacation each year except in emergency cases" by providing that the provisions of said act shall be mandatory and prohibiting any diminution of salary or compensation

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of the act approved the twenty-fifth day of April one thousand nine hundred and thirty-five (Pamphlet Laws eighty-two) entitled "An act requiring certain cities to allow members of the fire departments twenty-four consecutive hours of rest each week and fourteen days vacation each year except in emergency cases" is hereby amended to read as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That any city except cities of first class second class A and third class having fire departments shall [allow and permit] grant every member of such fire departments [to have] twenty-four consecutive hours of rest without diminution of the salary or compensation fixed by ordinance or resolution of such city in every calendar week except in emergency cases for the suppression of riots or tumults or the preservation of the public peace in times of war riot conflagration or public celebrations and in addition thereto [to have] shall grant to every member of such fire department an annual vacation of not less than fourteen days without diminution of the salary or compensation fixed by ordinance or resolution of such city provided however that nothing in the provisions of this act shall be so construed as to prevent cities of the third class having fire departments from allowing or permitting every member of such fire department to have at least twenty-four consecutive hours of rest in every calendar week except in the emergency cases above provided for nor to prevent such third class cities from permitting every member of such fire department to have an annual vacation of not less than fourteen days without diminution of the salary or compensation fixed by ordinance or resolution of such city

This act shall become effective immediately upon its final enactment

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

QUESTION OF PERSONAL PRIVILEGE

Mr. TRAINER. Mr. President, for the last ten weeks, and perhaps before the last ten weeks, we have been listening to a very great many nice, sweet, oratorical words that are put out to the people of Pennsylvania as to the values of both the candidates for the office of President. Last week, and perhaps we have them here tonight; I saw them in the early sessions here, when I arrived here this evening—the Mayor of Philadelphia, who was telling us in Philadelphia we are going to have 50c gas. The experience in this Senate the last ten weeks has taught us that if we could just get the distinguished Mayor to connect this Senate with the gas lines of the U. G. I., perhaps we will get gas for nothing in Philadelphia. We have been listening to a lot of hot air, and hot air is gas, on personal privilege questions from the members of this Senate for ten weeks, and what have we accomplished? An empty nothing.

Now then, when we are coming down to tax people, tax everybody and anybody anywhere; and every time a fellow puts up his head he will be subject to a tax—whether it is the president of a bank or a lady at the wash tub. As to the president of the bank, you must tax him because he is apparently making money.

Why don't these leaders of both parties get together, and get down to real, honest-to-God taxes, and tax anyone and everybody, and put a tax on everybody, and have everybody in the State of Pennsylvania, come Marcus Hook to Erie County and from Pike County to Delaware County, pay a fair tax on what they are earning? Let us get away from here, and stop sitting around all summer long.

MOTION TO ADJOURN

Mr. BUCKMAN. Mr. President, I move that the Senate do now adjourn until next Monday evening at 9 o'clock.

Mr. McCLURE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

MOTION WITHDRAWN

Mr. BUCKMAN. Mr. President, I ask permission to withdraw the motion for the present.

The PRESIDENT. Does the seconder of the motion withdraw his second?

Mr. McCLURE. Mr. President, I withdraw my second.

The PRESIDENT. The motion is withdrawn.

May the Chair say that this Senate is rather in a ridiculous position at the present moment. The Chair awaits the pleasure of the Senate.

MOTION TO RECESS

Mr. SHAPIRO. Mr. President, I move that the Senate do now take a recess until 12 o'clock today.

Mr. MILLER. Mr. President, I second the motion.

RECESS

Mr. GELDER. Mr. President, I move you that the Senate do now take a recess for ten minutes.

Mr. McCREESH. Mr. President, I second the motion.

POINT OF ORDER

Mr. SHAPIRO. Mr. President, I rise to a point of order.

The PRESIDENT. The Senator from Philadelphia, Mr. Shapiro, will state his point of order.

Mr. SHAPIRO. Mr. President, there was a motion made and seconded to recess until 12 o'clock.

The PRESIDENT. The Chair did not hear the seconding of the motion.

On the question,

Will the Senate agree to the motion to recess for ten minutes?

It was agreed to.

AFTER RECESS

The PRESIDENT. The time for recess having elapsed, the Senate will be in order.

REPORT FROM COMMITTEE

Mr. COYNE. Mr. President, I ask unanimous consent to make a report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. COYNE, from the Committee on Executive Nominations reported with favorable recommendation the following nominations made by His Excellency, the Governor of the Commonwealth.

MEMBER OF THE STATE BOARD OF PHARMACY

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, Pa., May 4, 1936.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor to nominate for the advice and consent of the Senate the following:

(Mrs.) Mary Florence Sabatino, Philadelphia, from February 28, 1936, for the term of six years.

GEORGE H. EARLE.

EXECUTIVE SESSION

By unanimous consent.

A motion was made by Mr. RODGERS,

That Rule 38, which requires nominations made by the Governor, to lie on the table one day be dispensed with, and the Senate do now resolve itself into Executive Session, for the purpose of acting upon the foregoing nominations.

Which was agreed to.

Whereupon,

A motion was made by Mr. RODGERS,

That the Senate do advise and consent to the nominations reported.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—47.

Aron,	Harvey,	Pierson,	Scott,
Batchelor,	Homsher,	Prince,	Shapiro,
Baumer,	Howell,	Pytko,	Sones,
Bean,	Huffman,	Rankin,	Sordoni,
Buckman,	Kahle,	Reed, (Dauphin)	Staudenmeier,
Cavalcante,	Lanius,	Reed, (Washington)	Thompson, (Centre)
Chapman,	Law,	Rice,	Thompson, (Westmoreland)
Coyne,	Mallery,	Roberts,	Trainer
Ealy,	McClure,	Rodgers,	Woodward,
Frey,	McCreesh,	Ruth,	Ziesenheim,
Gelder,	McGinnis,	Salus,	
Graff	Miller,		
Harris	Owlett,		

NAYS—0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

Mr. RODGERS. Mr. President, I move that the Executive Session do now rise.

Mr. PYTKO. Mr. President, I second the motion.

The motion was agreed to.

BILL SIGNED

The PRESIDENT (Lieutenant Governor Thomas Kennedy) announced that the Chief Clerk having reported that the following bill had passed both houses of the General Assembly and the same being correct, the title was publicly read as follows:

House Bill No. 82, entitled:

An Act to amend section one of the act approved the thirtieth day of March one thousand nine hundred and fifteen (Pamphlet Laws thirty-four) entitled "An act to promote the health and efficiency of firemen in cities of the second class by providing for a two-platoon system for firemen in the department of public safety of such cities" as amended by changing the hours of a day and night shifts

Whereupon,

The PRESIDENT (Lieutenant Governor Thomas Kennedy) in the presence of the Senate signed the same.

HOUSE MESSAGE

HOUSE BILLS FOR CONCURRENCE

The Clerk of the House of Representatives being introduced presented for concurrence bills of the House of Representatives as follows:

House Bill No. 133 (Senate Bill No. 112), entitled:

An Act making an appropriation to the Department of Welfare for the purpose of rehabilitating and replacing real and personal property of State-aided hospitals damaged or destroyed by flood.

Which was committed to the Committee on Appropriations.

House Bill No. 159 (Senate Bill No. 113), entitled:

An Act authorizing the Commonwealth to negotiate temporary emergency loans to defray the current and/or other expenses of the State government during the fiscal year ending the thirty-first day of May, one thousand nine hundred thirty-seven, evidenced by tax anticipation notes secured by, and payable from, current revenues levied, assessed, collectible and/or accruing during such fiscal year; defining the powers and duties of the Governor, the Auditor General and the State Treasurer in relation thereto; providing for the payment of interest on, and the repayment of such loans; and making an appropriation.

Which was committed to the Committee on Finance.

RECESS

Mr. HUFFMAN. Mr. President, I move that the Senate do now take a recess for five minutes.

Mr. McCLURE. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS

The PRESIDENT. The time of recess having elapsed, the Senate will be in order.

REPORT FROM COMMITTEES

Mr. ARON. Mr. President, I ask unanimous consent to make a report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. ARON, from the Committee on Finance reported as amended, Senate Bill No. 113 (House Bill No. 159), entitled:

An Act authorizing the Commonwealth to negotiate temporary emergency loans to defray the current and/or other expenses of the State government during the fiscal year ending the thirty-first day of May, one thousand nine hundred thirty-seven, evidenced by tax anticipation notes secured by, and payable from, current revenues levied, assessed, collectible and/or accruing during such fiscal year; defining the powers and duties of the Governor, the Auditor General and the State Treasurer in relation thereto; providing for the payment of interest on, and the repayment of, such loans; and making an appropriation.

MOTION TO READ BILLS THE FIRST TIME

Mr. BUCKMAN. Mr. President, I move that the bill reported from committees at today's session be read the first time.

Mr. HARVEY. Mr. President, I second the motion.

The motion was agreed to.

BILL ON FIRST READING

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 113 (House Bill No. 159), entitled:

An Act authorizing the Commonwealth to negotiate temporary emergency loans to defray the current and/or other expenses of the State government during the fiscal year ending the thirty-first day of May, one thousand nine hundred thirty-seven, evidenced by tax anticipation notes secured by, and payable from, current revenues levied, assessed, collectible and/or accruing during such fiscal year; defining the powers and duties of the Governor, the Auditor General and the State Treasurer in relation thereto; providing for the payment of interest on, and the repayment of, such loans; and making an appropriation.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

MOTION TO ADJOURN

Mr. BUCKMAN. Mr. President, in view of the fact that the Senate has cleared its desk and there is nothing before it to do, and nothing on its way over from the House to be done at this time, I move that the Senate do now adjourn.

Mr. BEAN. Mr. President, I second the motion.

The yeas and nays were required by Mr. FREY and Mr. McCREESH and were as follows, viz:

YEAS—16

Batchelor,	Ealy,	Huffman,	Pierson,
Baumer,	Gelder,	Mallery,	Prince,
Bean,	Graff,	McClure,	Thompson,
Buckman,	Homsher,	Owlett,	(Westmoreland)
Chapman,			

NAYS—23

Aron,	Howell,	Reed,	Scott,
Cavalcante,	Lanius,	(Dauphin)	Shapiro,
Coyne,	McCreesh,	Roberts,	Staudenmeier,
Frey,	McGinnis,	Rodgers,	Thompson,
Harris,	Pytko,	Ruth,	(Centre)
Harvey	Rankin,	Salus,	Trainer,
			Woodward.

So the question was determined in the negative.

RECESS

Mr. WOODWARD. Mr. President, I move that the Senate do now take a recess until 11 o'clock this morning.

Mr. EALY. Mr. President, I second the motion.

Mr. COYNE. Mr. President, I move to amend the motion, so as to extend the recess to 12 o'clock.

Mr. WOODWARD. Mr. President, I accept the amendment.

The PRESIDENT. Will the seconder of the motion accept the amendment.

Mr. EALY. Mr. President, I do.

On the question,

Will the Senate agree to the motion as amended?

The motion was agreed to.

AFTER RECESS

The PRESIDENT. The time of recess having elapsed the Senate will be in order.

NOMINATIONS BY THE GOVERNOR

The Secretary to the Governor being interduced, presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows, and referred to the Committee on Executive Nominations:

NOTARIES PUBLIC

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 10, 1936.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

ALLEGHENY COUNTY

John Caputo, Pittock.

DELAWARE COUNTY

William Taylor, Jr., Media.

LUZERNE COUNTY

S. N. Feidelman, Hazleton.

PHILADELPHIA COUNTY

Frank A. Cooper, 6116 Sansom St., Philadelphia.

WESTMORELAND COUNTY

Elliott L. Hibbs, Monessen.

GEORGE H. EARLE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 10, 1936.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following person for appointment as a Notary Public for a term of four years to compute from the date set opposite her name:

BUCKS COUNTY

Mrs. Mildred M. Spielman, Perkasie, July 18, 1936.

GEORGE H. EARLE

JUSTICES OF THE PEACE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 10, 1936.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following appointments to compute from the date of confirmation:

Raymond E. Good, of South Langhorne, Bucks County, as Justice of the Peace in the Borough of South Langhorne, Bucks County, vice Daniel H. Bilger, deceased, until the first Monday in January, 1938.

Raymond H. Moyer, of Telford, Bucks County, as Justice of the Peace in the Borough of Telford, Bucks County (to fill a vacancy), until the first Monday in January, 1938.

GEORGE H. EARLE

QUESTION OF PERSONAL PRIVILEGE

Mr. EALY. Mr. President, I was somewhat afraid yesterday that the distinguished Senator from Lancaster, as he listened to the proceedings in this Senate and reflected on the character of the men who were here during the earlier part of his long and distinguished service, might have said to himself "How have the mighty fallen", but as the storm clears the atmosphere, I think, perhaps, the debate yesterday will have cleared this situation, and when we return with our minds clear, we can sit down and work out together a program for the salvation of the State. It would help considerably, Mr. President, if someone would tell the Governor that the course which he is pursuing does not add any respect. A former Governor of this Commonwealth took a similar plan and only brought discredit upon himself and the high office which he held and I am afraid that the people of this Commonwealth will think that the attacks of the Governor upon members of a coordinate branch of this Commonwealth, no matter how much he may consider them warranted, will not be proper.

I hope that the House of Representatives will pass the bills for relief that the Senate sent over yesterday. I know that they will not grant permanent relief, but they will give us temporary relief in this situation, and will do a considerable part in that respect if the Director of Relief of Pennsylvania will only put into effect the economies which he has too long neglected and will purge the relief rolls of those who do not belong there. If this is not done, the duty will devolve upon the municipalities to discover the more serious cases and, it seems to me, that those in authority should make it very clear and plain that the persons on the relief rolls, or any able bodied man, his case be suspended and that he will be required to accept any reasonable work which may be offered, or show cause why he cannot get a job.

Considerably more than a year ago, attention was called in this Senate to the fact that this system of relief must be changed, and shortly after that was done, investigating committees, quite a number of them, were appointed by the House of Representatives and a Joint Investigating Committee was appointed for the purpose of investigating the system of relief, and I believe that all those House Committees, without exception, reported in favor of the decentralization of relief.

A Joint Investigating Committee was appointed under a resolution, the preamble of which was in part as follows:

"That some inherent defect exists in the present system of relief distribution; that taxpayers are demanding that the light of publicity be thrown upon the whole system of distributing public relief; and that system of administering relief fails to approach the task of placing relief upon a sound State-wide business basis."

Now, that Joint Investigating Relief Committee proved and declared that their examination showed that that preamble was proper and that the statements therein were borne out by the investigation. This joint committee at the last session of the legislature in 1935 said, in part, in the investigation by the committee, "no criticism occurred more frequently than that relating to the type of employes administering relief. Under Federal rules and regulations, the administration of relief has passed to a large extent into the hands of professional social workers and conduudcted from their point of view. The testimony of the Assistant Administrator of Direct Relief showed the large measure of free play given to the social influence in the whole administration of relief.

Unfortunately many of these persons have been salaried men and women who do not have the viewpoint of the taxpayer who conducts a business with great difficulty to avoid insolvency or who only by most strenuous efforts is able to save himself and family from going on the relief rolls. Everyone desires, of course, to uplift the standard of living of those in want but the danger today from the enormous increase in the cost of relief, is that the whole of society will be precipitated into the same ruin so that the standard of all will eventually be lowered."

This committee, with only one dissenting voice, really five of the six members—although Senator Norton did not actually sign this report, this was before he had gone away, but having previously given the substance of it his approval, and this committee, in making its report said: "The undersigned members of the committee would suggest the passage of an Act of Assembly at this time (that is, the last session of the legislature) for decentralization of the administration of relief. We feel that the State Director of Relief is making an honest effort to cope with a difficult situation but the bureaucratic system which has been built up will make such effort to a great extent fruitless. If a local board with large powers and responsible to the appointing power or to the electors as the case may be, is created by law in each of the counties to begin functioning at a future time to be fixed by the Director of Relief under certain limits, we feel it will be a decided step toward reduction of the relief rolls and the cost thereof."

Now, at that session of the legislature this Senate passed two bills for decentralization of relief. Both of them were rejected by the House. It seems to me that this relief setup is like all bureaus. It is largely concerned in building up and perpetuating itself. Out there in the State of Ohio, in Steubenville, Jefferson County, in May of this year a meeting was held by members of the Jefferson County Tax League, and almost unanimously they sustained a resolution that "relief as administered in Jefferson County has resulted in reckless extravagance, waste, idleness, loss of self-respect, graft, failure and shame. This is a perfidious and ever-increasing pest, and is rapidly devouring the very vitals of our nation. We must call a halt. Many of those in need the most are getting but little, and hundreds of those with other support are getting the most:"

And down in Congress, a group of fifty members of Congress said: "We advocate that all relief funds as far as the Federal Government is concerned should be by grants to the several states and administered by non-partisan committees in local communities. We believe this program of administering relief will save from twenty-five to fifty percent of present expenditures, and result in more adequate and efficient relief of needy and deserving citizens."

I was astonished when the present Relief Director only a short time ago made up his estimate of the amount of funds needed to take care of the system of relief for the next seven months, put in an item of $700,000 to $800,000 for the cost of overhead and salaries of the relief officers, to pay out a fund of $5,200,000. It seems to me that $800,000 is an enormous sum and cannot be justified in any method of computation or calculation. Back in 1932 we were operating under the first Talbot Act, and in September of that year, the last month the Talbot Act was in effect, there were more persons on relief than there are now, and the figures which I have here, taken from the report of one of the directors, show there were 676,011 persons on relief in 1932. The report of the present Director, for the period ending June 20th, shows 568,559 cases on relief, a considerable number less than 1932, yet the cost of administering relief in September, 1932, was $10,809.00, whereas the cost in a month now runs $800,000 or over. In September, 1932, although they had considerably more persons on relief rolls, there was only a little more than $1,000,000 spent for relief. Of course, the standards have been raised, but you cannot account for the vast difference in the amount for relief. Of course these standards have been raised, but you cannot account for the vast difference in the amount of relief merely by the raising of standards, and it seems to me what this Director of Relief is doing in asking for this enormous sum to carry on the cost of administration for these next months is he, just like all of the social relief set-ups, considers this a permanent thing, and that after this flury blows over here, we will get back our big amount of funds to distribute and will keep their organization intact.

Suppose, Mr. President, this WPA ended. Assuredly somebody knows that the Federal Government cannot afford to pay out billions and billions indefinitely, as it does, and if the WPA were stopped, these persons are going to be put back on the states, and we are going to carry these tremendous relief rolls, and our state and every other state within the nation will go bankrupt. The Director of Relief with those three million dollars should spread it as much as possible and cut down this overhead and purge the rolls of these chiselers.

Over here in New Jersey they tried this, and while the Governor has given us his story of the investigations he made of WPAers and relief workers, they got just what they were sent out to get. I would have been astonished if they had reported anything different from what they did report. If you go out to find a certain thing and look hard enough for it, you are going to get it, and we could find just the same thing here in Pennsylvania as the Governor with his WPA group found in New Jersey, but Miss Helen R. McCormack, city welfare supervisor, a trained social worker who has direct charge of relief under the new system, said that she had sent members of her staff to the homes of relief recipients to explain that the city could not afford to give as much relief as when the State paid the bills, and that relief would have to be limited strictly to essentials and to such families as had no other means of support. "The response was surprising," she said. "Nearly all the people we had to drop took it philosophically. They seemed to take it for granted that the old system could not go on forever. They also appeared to feel that what the city could spend for relief should go to the really most destitute cases. There have been very few complaints," she said.

Recently the city of Dunkirk, N. Y., decided to handle its own relief affairs. It was costing the citizens too much to administer it under State and Federal regulations, and when the city of Dunkirk took this matter into its own hands, it is said that the administration expenses have dropped by fifty per cent. The number of families on relief has been reduced from 700 to 150, without serious hardship to anybody. Many able-bodied men have found jobs, which they feared to take while living on relief. And the Mayor of Dunkirk said that the city's welfare needs can be met at a maximum cost of $4,000 a month, though for the first five months of the year the figure was $20,000 a month.

That is all that I want to say, Mr. President, except that if we look this situation in the face, as we must, and quit jockeying for position in this political year, we will come to the conclusion that we should at this time decentralize the administration of relief and make the local communities responsible for the administration, and pass a bill to that effect now.

RESOLUTION RELATIVE TO APPOINMENT OF COMMITTEE TO DETERMINE AMOUNT NECESSARY FOR RELIEF.

Mr. REED (Washington) offered the following resolution which was twice read:

Whereas, for two months and upwards the important subject of relief has been actively before this Senate; and

Whereas, to date no definite program has been formulated and adopted by this Senate; and

Whereas, in order to prevent wide-spread suffering and distress it is the sense of this Senate that partisanship for the present be discarded and a proper relief program prepared and adopted;

Now Therefore, Be it Resolved that a committee, consisting of the following members of this Senate, namely, Andrew J. Sordoni, Benjamin H. Thompson, Frank J. Haris, William B. Rodgers and Herman E. Baumer, be appointed to at once consider the subject of relief and determine the minimum amount required to finance relief in Pennsylvania for the period ending January 31, 1937, and upon arriving at the sum required to outline and suggest a just and fair program of taxation to provide such necessary funds and report its findings to this Senate Monday evening, July 13, 1936.

Mr. REED (Washington). Mr. President, I ask unanimous consent that Rule 39 which, requires concurrent resolutions be referred to an appropriate committee, be suspended and that the Senate do now proceed to the immediate consideration of the Resolution just read.

The PRESIDENT. Is there objection?

Mr. REED (Dauphin). Mr. President, I object to the immediate consideration.

The PRESIDENT. The Chair hears objection.

Mr. McGINNIS. Mr. President, I was going to ask the Senator from Dauphin to withdraw his objection. We do not have a very heavy calendar today and we have a

serious proposition on our hands and here is a step that might simplify it, and it might not; but I see no harm in bringing it right out in the open here today and if it is not satisfactory vote it down. We have nothing else to do except to consider some step—and this is one step—and I would respectfully request the Senator from Dauphin to withdraw his objection and bring it out here on the floor.

The PRESIDENT. Does the Senator from Dauphin, Mr. Reed, insist upon his objection?

Mr. REED (Dauphin). Mr. President, I do.

The PRESIDENT. Under the rules there is no alternative but to refer the resolution to Committee. The Resolution is referred to the Committee on Judiciary Special.

RESOLUTION RELATIVE TO APPOINTMENT OF COMMITTEE TO CONSIDER RELIEF

Mr. WOODWARD offered the following resolution which was twice read and refered to the Committee on Judiciary Special.

In the Senate, July 10, 1936.

Resolved, (if the House of Representatives concur), That the Speaker of the House of Representatives and the President Pro Tempore of the Senate appoint each a committee of five so that there shall be five Democrats and five Republicans on this joint committee;

Resolved, That this joint committee shall report Monday evening, July 13th, a joint program of taxation to yield both a minimum figure for relief; also a maximum figure for relief;

Resolved, That such program be accepted by the House and the Senate up to the minimum amount, but the maximum amount provided in the above program will not be binding upon the House and upon the Senate.

QUESTION OF PERSONAL PRIVILEGE

Mr. MALLERY. Mr. President, I rise to a question of personal privilege.

The PRESIDENT. The Senator from Blair, Mr. Mallery, will state his question of personal privilege.

Mr. MALLERY. Mr. President, worth-while and permanent jobs we must admit do not come from politicians. Permanent jobs come from industry, from work on the farm and work in the shops. A few jobs, possibly good jobs, but of uncertain duration, can come through political pull or endeavor, but real worth-while and permanent jobs must come from industry; therefore, when we consider matters here in this Senate, it occurs to me that everyone here should consider in the first instance what is going to be the permanent and lasting effect of what we may do. Surely no one here wants to drive industry out of Pennsylvania. I know in our community we are endeavoring to bring business into the two counties, and I believe the same thing applies in every county in the State. We want to bring business, lasting jobs into Pennsylvania, therefore, members of the Senate, let us be sensible and let us not do anything to retard true recovery.

This relief situation can be solved, not by any one or two Senators, as we are all able to act for ourselves. We want to approach this matter in a plain and sensible manner, and we can speedily come to a solution of it. Personally, as long as I have a dollar, I do not feel too bad, because I do not have to have a thousand or more, but when I do not have that dollar, why I am certainly down in the dumps. Now, there are people in this State, many people who do not have a dollar. I am just as much opposed as any man in this Senate to the raiding of spec funds, but I cannot see any justification when people this state are without food, there is no fund that I wo not raid in order to provide food for the people in t state. It may well be that we should have come to a co clusion here long ago, and I believe that we could ha come to a satisfactory conclusion, had all of the bills th were introduced in the lower House been brought ov here so that we could impose taxes that applied it on wider basis, so that just a few taxables would not ha been singled out. I am not censuring anyone—hindsi is always better than foresight, but the fact remains th we have not accomplished what we are here for, and bespeak the other members of this House to the end th measures providing for a wider basis of taxation mig be brought into this Senate which we may consider.

Mr. MALLERY. Mr. President, as long as the Sen does not want to adjourn, I want to say a word abo these special funds. We used to have thirty-three spec funds, and we worked for years to lessen this numb I do not know the exact number today. The worst o is the Firemen's Relief Fund. The Senator from Cent Mr. Thompson, who, I think, is a volunteer fireman, shou be the last to raid the Firemen's Relief Fund, but I s maintain it is the worst special fund that exists. T firemen have a lobby to come here and fix the premiu for fire insurance companies, and I do not see why t policemen have not the same right to organize and co here and raise some other fund for their benefit, it exactly the same thing. The situation then becom ironical for either body to refuse to use the money present in Pennsylvania for relief. The theory of t special fund is an insult to the intelligence of a legis tive body. Take the Game and Fish Fund, take any fu you like, the theory to build up its special fund is th fish and game interests will not trust the Legislature furnish adequate appropriation for their use. Should legislative body finance the game and fish needs of t State, or any other needs. The same thing applies to t bond issue of $42,000,000 for an institution. If we b lieve in ourselves and if the people believe in us, th would not ask for a bond issue of $42,000,000 for an i stitution. If they would come to us and trust in o intelligence and fairness to give the institution in t biennium a sufficient amount of money for their pr gramme. I submit, therefore, I am delighted to vote raid special funds at any time for any purpose.

RESOLUTION AUTHORIZING APPOINTMENT OF COMMITTEE TO INVESTIGATE RELIEF

Mr. OWLETT offered the following resolution whi was twice read:

In the Senate, July 10, 1936

Whereas, On May 18, 1936, the Senate adopted a Res lution (known as Senate Resolution No. 1) authorizi the appointment of a Committee to make an investigati of the organization, administration and functioning of t Works Progress Administration in Pennsylvania; and

Whereas, Pursuant to said Resolution the President p tempore of the Senate on May 18th appointed a Co mittee of five members of the Senate, which organiz promptly and proceeded to perform its duties under sa Resolution; and

Whereas, On June 3, 1936, while said Committee w conducting a hearing and examining witnesses who d sired voluntarily to inform the Senate of certain abus in the administration of the Works Progress Administr tion in Pennsylvania, there was served upon the Co

mittee a Restraining Order issued by a judge of the District Court of the United States for the Middle District of Pennsylvania, enjoining the Committee from further proceeding in the performance of any of its duties under said Resolution; and

Whereas, After argument the District Court of the United States granted a temporary injunction further restraining the Committee from performing its duties under said Resolution; and

Whereas, The Committee is advised by its counsel, specially retained by it to represent it in the injunction proceedings, that counsel believe that the action of the District Court would be reversed upon appeal and the injunction vacated, but that an appeal would be futile because said Resolution requires the Committee to complete its duties and report to the present Special Session of the Senate, and the appeal could not be heard and disposed of prior to the adjournment of this Session; and

Whereas, The work of the Committee prior to the issuance of a Restraining Order as aforesaid had revealed gross abuses in the functioning of the Works Progress Administration in Pennsylvania, and particularly an effort by those controlling the Works Progress Administration unlawfully and unconstitutionally to interfere with the freedom of the electors of Pennsylvania to register and vote as they please, and to impose upon persons in need of work relief, an unlawful and unconstitutional requirement that they register as members of a particular political party; and

Whereas, It is necessary in order that appropriate remedial legislation may be enacted, that the Senate obtain further information relating to these and other abuses now being perpetrated in Pennsylvania, in violation of the Constitution and laws of Pennsylvania, and in violation of the rights of the Commonwealth of Pennsylvania as a sovereign State.

Resolved, That the President pro tempore of the Senate is hereby authorized to appoint a Committee of five members of the Senate whose duty it shall be to conduct an investigation of the wide-spread reports that electoral freedom, guaranteed both by the Constitution of Pennsylvania and the Constitution of the United States, is being denied to the unemployed who require relief, and the further wide-spread reports that citizens of Pennsylvania are being compelled, in order to obtain relief or work-relief, to register as members of a particular political party, and that the elections of this Commonwealth are being corrupted by the granting of relief or work-relief to persons not in need thereof, as a consideration for partisan political activity;

Resolved, That the said Committee shall have power to issue subpoenas under the hand and seal of its Chairman, requesting and commanding any person or persons to appear before it and to answer any question touching matters properly being inquired into by the Committee and to produce such books, papers, records and documents as the Committee may deem necessary. Provided, That the Committee shall not have power to subpoena any Federal official or any records of the government of the United States. Such subpoenas may, except as herein otherwise provided, be served upon any person and shall have the force and effect of subpoenas issued out of the Courts of this Commonwealth. Each member of said Committee shall have the power to administer oaths and affirmations to witnesses appearing before the Committee. Any person who shall wilfully refuse or neglect to testify before such Committee and to produce any papers, books or documents, shall be subject to the penalties provided by the Laws of the Commonwealth in such cases;

Resolved, That the Committee shall hold hearings in Philadelphia and in Pittsburgh, and if it deems it necessary, in other cities of the Commonwealth in which the aforesaid abuses are believed to be current;

Resolved, That said Committee shall make a report to the Senate at its next Regular Session and that the powers hereby conferred shall be exercised by the Committee during the recess of the Senate, as well as during the Sessions thereof;

Resolved, That in the event that the power hereby conferred upon the said Committee to subpoena witnesses and enforce its subpoenas during the recess of the Senate shall be held by any Court to be unconstitutional, the said Committee shall nevertheless continue its work and take the testimony of such persons as shall voluntarily appear before it.

Mr. OWLETT. Mr. President, I do not ask for unanimous consent for the immediate consideration of the resolution.

The PRESIDENT. The resolution is referred to the Committee on Federal Relations.

RECONSIDERATION OF SENATE BILL NO. 30 (HOUSE BILL NO. 27)

Mr. THOMPSON (Centre). Mr. President, I move to reconsider the vote by which Senate Bill No. 30 (House Bill No. 27), entitled:

An Act to amend the act approved the twenty-second day of June one thousand nine hundred thirty-five (Pamphlet Laws four hundred fourteen) entitled "An act to provide revenue for State purposes imposing taxes upon certain classes of personal property providing for the assessment collection and lien of the same and the distribution of the proceeds thereof imposing duties on executors administrators registers of wills recorders of deeds prothonotaries and court clerks and on persons copartnerships associations banks national banks trust companies and other corporations receiving deposits of money and on certain corporations and limited partnerships conferring powers and imposing duties on certain State officers and departments imposing penalties and making an appropriation" by increasing the rate of tax changing the listing date the date of filing reports and the date and manner of payment of the tax and making further provision with regard to penalties

was defeated.

The PRESIDENT. How did the Senator vote?

Mr. THOMPSON (Centre). Mr. President, I voted "no."

Mr. REED (Dauphin). Mr. President, I second the motion.

The PRESIDENT. How did the Senator vote?

Mr. REED (Dauphin). Mr. President, I voted "no."

On the question,

Will the Senate agree to the motion?

It was agreed to.

And the question recurring,

Shall the bill pass finally?

Mr. THOMPSON (Centre). Mr. President, I move to reconsider the vote by which this bill passed third reading.

The PRESIDENT. How did the Senator vote?

Mr. THOMPSON (Centre). Mr. President, I voted "aye."

Mr. REED (Dauphin). Mr. President, I second the motion.

The PRESIDENT. How did the Senator vote?

Mr. REED (Dauphin). Mr. President, I voted "aye".

On the question,

Will the Senate agree to the motion?

It was agreed to.

And the question recurring,

Will the Senate agree to the bill on third reading?

Mr. THOMPSON (Centre). Mr. President, I move to reconsider the vote by which this bill passed second reading.

The PRESIDENT. How did the Senator vote?

Mr. THOMPSON (Centre). Mr. President, I voted "aye".

Mr. FREY. Mr. President, I second the motion.

The PRESIDENT. How did the Senator vote?

Mr. FREY. Mr. President, I voted "aye".

On the question,

Will the Senate agree to the motion?

It was agreed to.

And the question recurring,

Will the Senate agree to the bill on second reading?

Mr. THOMPSON (Centre). Mr. President, I move to reconsider the vote by which the title was agreed to.

Mr. FREY. Mr. President, I second the motion.

The motion was agreed to.

On the question recurring,

Will the Senate agree to the title?

Mr. THOMPSON (Centre). Mr. President, I move to reconsider the vote by which the second section of the bill was agreed to.

Mr. FREY. Mr. President, I second the motion.

The motion was agreed to.

And the question recurring,

Will the Senate agree to the section?

Mr. THOMPSON (Centre). Mr. President, I move to reconsider the vote by which the first section of the bill was agreed to.

Mr. FREY. Mr. President, I second the motion.

The motion was agreed to.

On the question,

Will the Senate agree to the section?

The first section of the bill was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That Sections three four five six seven eight nine ten eleven twelve thirteen fourteen fifteen sixteen seventeen eighteen nineteen twenty twenty-one twenty-two twenty-three and twenty-four of the act approved the twenty-second day of June one thousand nine hundred thirty-five (Pamphlet Laws four hundred fourteen) entitled "An act to provide revenue for State purposes imposing taxes upon certain classes of personal property providing for the assessment collection and lien of the same and the distribution of the proceeds thereof imposing duties on executors administrators registers of wills recorders of deeds prothonotaries and court clerks and on persons copartnerships associations banks national banks trust companies and other corporations receiving deposits of money and on certain corporations and limited partnerships conferring powers and imposing duties on certain State officers and departments imposing penalties and making an appropriation" be and the same are hereby amended to read as follows

Section 3 Tax on Mortgages Judgments Et Cetera Imposition and Rate of Tax Exceptions All personal property of the classes hereinafter enumerated owned held or possessed by any resident whether such personal property be owned held or possessed by such resident in his own right or as active trustee agent attorney-in-fact or in any other capacity for the use benefit or advantage of any other person copartnership unincorporated association company joint-stock company or association limited partnership bank or corporation is hereby made taxable annually for State purposes at the rate of [one mill] four mills on each dollar of the value thereof as of a date to be fixed annually in the manner provided in section five of this act and no failure to assess or return the same shall discharge such owner or holder thereof from liability therefor that is to say.

All mortgages all moneys owing by solvent debtors whether by promissory note or penal or single bill bond or judgment all articles of agreement and accounts bearing interest all public loans whatsoever except those issued by this Commonwealth or the United States and those made taxable for State purposes all loans issued by any corporations association company or limited partnership created or formed under the laws of this Common wealth or of the United States or of any other state o government including car-trust securities and loans se cured by bonds or any other form of certificate or evi dence of indebtedness whether the interest be included i the principal of the obligation or payable by the term thereof except such loans as are made taxable for Stat purposes by section [nineteen] eighteen hereof all share of stock in any bank corporation association company o limited partnership created or formed under the laws o this Commonwealth or of the United States or of an other state or government except shares of stock in an bank bank and trust company national banking associatio savings institutions building and loan association corpora tion or limited partnership that may be liable to a tax o its shares or its capital stock for State purposes under th laws of this Commonwealth or relieved from the pay ment of tax on its shares or capital stock for State pur poses by the laws of the Commonwealth all money loaned or invested in other states territories the Distric of Columbia or foreign countries all other moneyed capita in the hands of individual citizens of the State all stage omnibuses hacks cabs and other vehicles used in trans porting passengers for hire except steam and street pas senger railway cars owned or used or possessed withi this Commonwealth by any person or persons or by an corporate body or bodies all annuities yielding an nually over two hundred dollars ($200) Provided Tha this section shall not apply to bank notes or notes dis counted or negotiated by any bank or banking institutio savings institution or trust company nor to loans share of stock or other securities held by bankers or broker solely for trading purposes nor to accounts or debi balances owing by customers of bankers or brokers in th usual courses of business nor to interest-bearing account in any bank or banking institution savings institution o trust company and provided That the provisions of thi act shall not apply to building and loan associations o to savings institutions having no capital stock and if a any time either now or hereafter any persons individual or bodies corporate have agreed or shall hereafter agre to issue his their or its securities bonds or other evidence of indebtedness clear of and free from the said [on mill] four mills tax herein provided for or have agree or shall hereafter agree to pay the same nothing herei contained shall be so construed as to relieve or exemp him it or them from paying the said [one mill] four mill tax on any of the said securities bonds or other evidence of indebtedness as may be held owned by or owing to th said savings institution having no capital stock And pro vided further That the provisions of this act shall no apply to fire companies firemen's relief associations lif or fire insurance corporations having no capital stoc secret and beneficial societies labor unions and labo union relief associations and all beneficial organization paying sick or death benefits or either or both from fund received from voluntary contributions or assessments upon members of such associations societies or union And provided further That corporations limited partner ships and joint-stock associations liable to tax on capita stock for State purposes shall not be required to mak any report or pay any further tax under this seciton o the mortgages bonds and other securities owned by them in their own right but corporations limited partnership and joint-stock associations holding such securities a trustees executors administrators guardians or in an other manner shall return and pay the tax imposed b this section upon all securities so held by them as in th case of individuals And provided further That none o the classes of property made taxable by this section fo State purposes shall be taxed or taxable for any loca purpose under the laws of this Commonwealth excep for county purposes and in cities coextensive with coun ties for city and county purposes as now provided by law And provided further That the provisions of this sectio shall not apply to personal property of the class herein above enumerated hereafter received from any person o persons copartnership or unincorporated association o company nonresident in or not located within this Com-

monwealth or from any joint-stock company or association limited partnership bank or corporation formed erected or incorporated by under or in pursuance of any law of the United States or of any state or government other than this Commonwealth and not doing business within this Commonwealth by any person or persons copartnership unincorporated association company joint-stock company or association limited partnership bank or corporation as active trustee agent attorney-in-fact or in any other capacity for the use benefit or advantage of any person or persons copartnership or unincorporated association or company nonresident in or not located within this Commonwealth or for the use benefit or advantage of any joint-stock company or association limited partnership bank or corporation formed erected or incorporated by under or in pursuance of any law of the United States or of any state or government other than this Commonwealth and not doing business within this Commonwealth.

Section 4 Returns and Payment of Tax (a) For the purpose of ascertaining the amount of tax payable under the third section of this act it shall be the duty of every resident liable to pay such tax on or before the fifteenth day of [March] February of each year to transmit to the department upon a form prescribed prepared and furnished by the department a return in duplicate the original under oath or affirmation of

(1) The aggregate actual value of each of the different classes of property made taxable by the third section of this act held owned or possessed by such resident as of the date fixed annually in the manner provided in section five of this act either in his own right or as trustee agent attorney-in-fact or in any other capacity for the use benefit or advantage of any other person copartnership unincorporated association company limited partnership joint-stock association or corporation

(2) The amount of interest dividends or other income derived from each class of such property at any time during the preceding calendar year and

(3) Such other information as may be required by the deparment concerning such property The duplicate unsworn return shall be forwarded by the Department of Revenue to the county commissioners Board of Revision of Taxes or board for the assessment and revision of taxes as the case may be of the county from which the return was made for its use and information

The failure of any taxable resident to receive or procure a return form shall not excuse him from making a return

(b) The return so made shall be sworn or affirmed to by the person making the same if an individual and in the case of copartnerships unincorporated associations and joint-stock associations and companies by some member thereof and in the case of limited partnerships and corporations by the president chairman or treasurer thereof

(c) Any agent duly authorized by the department is hereby authorized to administer the oath or affirmation to any person or officer making the return prescribed by this section for the taking of which oath or affirmation no charge shall be made Any such agent who shall make any charge for administering such oath or affirmation shall be deemed guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding five hundred dollars ($500.00) or to undergo imprisonment not exceeding one (1) year either or both in the discretion of the court

(d) The tax imposed by section three hereof shall be due and payable when such return is required to be filed and every resident at the time of making every return shall compute and pay to the department the tax due the Commonwealth by such resident

Section 5 Listing Date The department shall on or before the [first] fifteenth day of [February] January one thousand nine hundred [thirty-six] thirty-seven and annually thereafter fix a day as of which the property made taxable by the third section of this act shall be listed and assessed The day so fixed shall be between the first and the fifteenth days of the [immediately preceding] month of January both inclusive and the day so fixed shall be printed or stamped on the forms for making returns of all such property [if] If through inadvertence mistake or otherwise the department fails to designate or fix such date or if such date does not appear on the form for making return of such property the date as of which such property shall be listed and assessed shall be the immediately preceding first day of January

[Section 6 Original Assessment Notice The Department shall originally assess the tax imposed by the third section of this act on the basis of the return duly made Promptly after the date of such original assessment the department shall give or send by mail or otherwise a notice thereof to the taxpayer If the taxpayer is dissatisfied with the original assessment so made he may petition for a reassessment in the manner hereinafter provided]

Section [7] 6 Estimated Assessment Notice If any resident liable for or believed by the department to be liable for the tax imposed by the third section of this act shall fail or refuse to file a return in the manner and within the time prescribed by this act the department shall make an estimated assessment against him The department shall promptly thereafter give or send by mail or otherwise notice of such estimated assessment to such resident At any time within thirty (30) days after notice of such estimated assessment is so given or sent such resident may file a return under oath or affirmation with the department [and if the department is satisfied that such return is correct and includes all property made taxable by the third section of this act or that such resident owned held or possessed no such taxable property it shall assess the tax if any on the basis of the return so made together with a penalty of ten per centum of the gross amount of taxable property returned] and at that time shall compute and pay to the department the tax due by him to the Commonwealth with interest thereon at the rate of six per centum per annum from the time such property should have been returned [to the date of assessment and shall cancel the estimated assessment] together with a penalty of ten per centum of the amount of the tax due Any resident against whom an estimated assessment is made who shall fail or refuse to file a return and compute and pay the tax interest and penalty in the manner and within the time provided in this section shall have no right to appeal therefrom or to petition for a reassessment and in any suit for the collection of a tax so assessed shall not be permitted to set up as a defense that he owned held or possessed no property made taxable by the third section of this act or any other matter of defense whatsoever If any resident shall file a return [is filed] before an estimated assessment is made but not within the time required by this act [a penalty of ten per centum shall be added to the amount of property so returned and the tax assessed on the basis thereof with interest at the rate of six per centum per annum from the time such property should have been returned to the date of assessment] such resident at that time shall compute and pay to the department the tax due by him to the Commonwealth with interest thereon at the rate of six per centum per annum from the time such property should have been returned together with a penalty of ten per centum of the tax due

Section [8] 7 Additional Assessment Notice If any taxable resident shall fail to include in any return all of his property made taxable by the third section of this act or shall fail to compute and pay tax thereon as required in this act the department shall make an additional assessment of tax against such resident [of] on the amount of such omitted property together with a penalty of ten per centum of such [amount and interest thereon at the rate of six per centum per annum from the time such property should have been returned to the date of assessment] additional assessment Promptly thereafter the department shall give or send by mail or otherwise notice thereof to such resident If such resident is dissatisfied with the additional assessment so made he may petition for a reassessment in the manner hereinafter provided

Section [9] 8 Assessments Made at any Time Within Five Years An additional assessment or estimated assessment as heretofore provided may be made by the department at any time within five (5) years after any property owned held or possessed or alleged to have been

so owned held or possessed by any resident should have been returned by him for taxation notwithstanding he shall have paid a tax assessed on the basis of returns previously made or filed and notwithstanding the department shall have made previous additional or estimated assessments against such resident In any such case no credit shall be given for any penalty formerly assessed and paid

Section [10] 9 Petition for Reassessment Appeal (a) Any resident against whom [Any original assessment or] an additional assessment is made may petition the department for a reassessment Notice of an intention to file such a petition or to appear and be heard shall be given to the department [prior to the time the amount becomes due and payable to wit Within] within [thirty (30)] ninety (90) days after notice of such [original assessment or] additonal assessment is given or sent by the department to the taxpayer as provided in this act The department shall hold such hearings in each county as may be necessary to hear and determine petitions for reassessment at such places and at such times as may be determined by rules and regulations of the department and each petitioner who has duly notified the department of an intention to file a petition for reassessment or to appear and be heard shall be notified by the department of the time when and the place where such hearings shall be held All such petitions shall set forth specifically and in detail the grounds upon which it is claimed the [original] [or] additional assessment is erroneous or unlawful and shall be accompanied by an affidavit under oath or affirmation certifying to the correctness of the facts stated therein If no petition for reassessment is filed with the department the petitioner may in lieu thereof appear at the hearing and present his petition orally in which event all testimony or statements of facts shall be made under oath or affirmation.

(b) If such petitioner is dissatisfied with the action of the department on his petition for reassessment [or if any resident against whom an estimated assessment is made and who has duly thereafter made a return as heretofore provided is dissatisfied with the refusal of the department to assess the tax on the basis of the return so made and to cancel the estimated assessment] he shall have the right to appeal to the court of common pleas of the proper county at any time within [thirty (30)] sixty (60) days after notice of such action [or refusal] is given to him by the department If any resident shall fail to give due notice of an intention to petition for a reassessment and to file a petition for reassessment or to appear and be heard after due notice of his intention to do so or to appeal to the court of common pleas within the time and in the manner herein set forth the right to do so shall be forever barred and any such resident so failing shall not thereafter be permitted in a suit for the recovery of such tax to set up any ground of defense which might have been determined either by the department or the court of common pleas as aforesaid In all cases of petitions for reassessment and appeals the burden of proof shall be on the petitioner or appellant as the case may be and every appeal to the court of common pleas under this section shall specify all the objections to the assessment and any objection not specified in the appeal shall not be considered by the court

Section [11] 10 Information at Source Reports (a) The executor of every will and the administrator of every estate at the time of filing with the register of wills or clerk of the orphans' court the inventory and appraisal of such estate or of any affidavit setting forth the real and personal estate of such decedent for the purpose of determining the transfer inheritance tax imposed thereon by existing law shall in addition thereto file with such register of wills or clerk of the orphans' court a statement in duplicate under oath or affirmation setting forth the items included in such inventory or affidavit whih may be liable to the tax imposed by the third section of this act The register or clerk with whom the same is filed shall forthwith send one copy thereof to the department It shall be the duty of the department to proceed at once to assess the tax due from such decedent with interest and penalties as heretofore provided in this act and to present a claim therefor through the Department of Justice to the orphans' court of the proper county or to proceed by action or suit at law through the Department of Justice in any court of competent jurisdiction for the recovery thereof or to take any or all appropriate steps or procedure necessary for the collection of such tax

(b) It shall be the duty of the recorder of deeds in each and every county in this Commonwealth to keep a daily record separate and apart from all other records of every mortgage or article of agreement given to secure the payment of money entered in his office for recording which record shall set forth the following information to wit The date of the mortgage or agreement the names of the parties thereto the just sum of money secured the precise residence of the mortgagee or person to whom interest is payable a brief description of the real estate upon which such mortgage is secured and the date or several dates when the said sum or portion of the said sum shall become due and payable and a like daily record of every assignment of a mortgage or an article of agreement given to secure the payment of money and also the number of mortgages and agreements together with the amount of same and the names of the parties thereto which shall have been that day satisfied of record For the purpose of obtaining with accuracy the precise residence of all mortgagees assignees and persons to whom interest is payable on articles of agreements it shall be the duty of the recorder of deeds in each county whenever a mortgage assignment or agreement given to secure the payment of money shall be presented to him for record to refuse the same unless the mortgage assignment or agreement has attached thereto and made part thereof a certificate signed by the mortgagee assignees or person entitled to interest or his duly authorized attorney or agent setting forth the precise residence of such mortgagee assignee or person entitled to interest and such certificate shall be recorded with the mortgage assignment or agreement Every recorder of deeds on the first Monday of each month shall file the aforesaid daily record or a copy thereof with the department

(c) It shall be the duty of the prothonotary or clerk of the court of common pleas in each and every county in this Commonwealth forthwith upon the passage of this act to keep a daily record separate and apart from all other records of every single bill bond judgment or other instrument securing a debt entered of record in his office Such daily record shall set forth the following information to wit The date of the instrument the names of the plaintiff and defendant together with the precise residence of the plaintiff or person to whose use such bill bond judgment or other obligation to pay money is marked whenever such residence can be ascertained the just sum secured and the date or several dates when the said sum or portion of the same shall become due and payable with the further information whether any of said bonds or judgments are accompanied with mortgage and also the number of every single bill bond judgment or other instrument securing a debt together with the amount of same and the names of the plaintiff and defendant thereto which shall have been that day satisfied The prothonotary or clerk of the court of common pleas shall file the aforesaid daily record or a copy thereof with the department on the first Monday of each month

Section [12] 11 Compensation of Recorders and Prothonotaries The several recorders of deeds prothonotaries and court clerks as aforesaid shall be entitled to receive ten cents for each and every mortgage judgment or lien assignment or satisfaction thereof reported to the department as heretofore required in this act Such fees shall be paid by the respective county treasurers on the presentation of proper vouchers certified by the department and shall be applied in like manner as other fees received by such recorders prothonotaries or clerks Provided That no fee shall be allowed in any case where the residence of any plaintiff mortgagee or assignee is omitted in such reports And provided further That the amount allowed any prothonotary or clerk or recorder of deeds under this act shall not exceed the sum of six hundred dollars ($600.00) per annum

Section [13 Payment and] 12 Due Date All taxes [penalties and interest resulting from any original

ether a report is filed as herein required or whether estimated or additional assessment is made by the de rtment shall be due and payable [within thirty (30) ys after notice of such original or additional assessment given or sent by the department as heretofore provided no petition for reassessment is taken or within thirty 0) days after notice of the determination of such peti-n if no appeal is taken All taxes penalties and in-rest resulting from any estimated assessment made by e department shall be due and payable within thirty 0) days after the expiration of the time within which a turn may be made in such cases if no return is made d thirty (30) days after notice of the assessment made the basis of such return is given or sent as heretofore ovided if such return is made and the tax assessed on e basis thereof] on the fifteenth day of February of ch year

Section [14] 13 Interest The tax imposed by the third ction of this act shall bear interest at the rate of relve per centum per annum from the date such tax due and payable until paid except that any tax found ie as the result of an appeal to the court of common eas or any appellate court shall bear interest at the te of six per centum per annum from the date the x was originally due and payable until paid [Any bal-ice finally found due by the department as a result of reassessment shall bear interest at the rate of twelve r centum per annum from the time such amount was iginally due and payable until paid]

Section [15] 14 Lien of Taxes (a) All taxes imposed nder the third section of this act together with all pen-ties and interest shall be considered a public account on the franchises and real property of the resident ter [being assessed] becoming due and payable in the anner prescribed in this act and as such shall be a lien gainst whom the same are assessed after the same has een entered and docketed of record by the prothono-ry of the county where the resident's franchises or roperty are situated

(b) The department may at any time transmit to the rothonotaries of the respective counties of the Common-ealth to be by them entered of record certified copies all liens for taxes imposed by the third section of this ct and penalties and interest upon which record it shall e lawful for writs of scire facias to issue and be prose-uted to judgment and execution in the same manner as uch writs are ordinarily employed

Section [16] 15 Credits for Overpayment The Board Finance and Revenue may allow a credit for any taxes nposed by the third section of this act and penalties and terest thereon [alleged to have been] paid [as the re-ult of an error of law or of fact or of both law and fact] the Commonwealth and which the Commonwealth is ot rightfully or equitably entitled Claims for such redits shall be made in accordance with the provisions of The Fiscal Code" relative to petitions for refunds of axes No petition for such credit shall be considered by he board unless filed with the board within two (2) ears of the payment alleged to have been erroneously ade

Upon the allowance of any such petition the credit so etermined may be applied against any amount due or ubsequently becoming due by such petitioner on ac-ount of taxes imposed by the third section of this act nd penalties and interest thereon or may be assigned in hole or in part to any other taxable resident to be pplied against any amount due or subsequently becoming ue by such resident on account of taxes imposed by the ird section of this act and penalties and interest thereon pon the allowance of a petition for credit the board shall sue its certificate under its hand and seal and no credit laimed whether assigned or not shall be allowed unless videnced by such certificate

Section [17] 16 Penalties Costs (a) Every person or fficer who shall wilfully and corruptly make a false and audulent return of property made taxable by the third ction of this act shall be guilty of wilful and corrupt erjury and upon conviction thereof shall be subject to unishment as provided by law

(b) Any wilful failure on the part of recorders of eeds or prothonotaries or clerks to carry out the duties imposed upon them by section [eleven] ten of this act shall be deemed a misdemeanor and upon conviction thereof the person or persons so failing to comply shall be sentenced to pay a fine not exceeding five hundred dollars ($500.00) or to undergo imprisonment not exceeding one (1) year or both in the discretion of the court

(c) Every register of wills who shall fail to send copies or affidavits filed with him by executors or administrators to the department as required by section [eleven] ten of this act shall be guilty of a misdemeanor and upon conviction thereof the register so failing shall be sentenced to pay a fine not exceeding five hundred dollars ($500.00) or to undergo imprisonment not exceeding one (1) year or both in the discretion of the court

(d) Every executor or administrator who fails to file the affidavit with the register of wills as required by section [eleven] ten of this act shall be subject to a penalty of twenty-five dollars ($25.00) for the first day and ten dollars ($10.00) for each succeeding day during which such affidavit is not filed to be collected by the department through the Department of Justice in the same manner as debts are by law collected

(e) Whenever any person acting for or on behalf of the department shall in good faith institute legal proceedings for any violations of the provisions of this act and for any reason shall fail to recover costs of record such costs shall be a charge upon the proper county as shall such costs in the event defendant is imprisoned for failure to pay fine or costs or both and shall be audited and paid as are costs of like character in said county

Section [18] 17 Enforcement Rules and Regulations Inquisitorial Powers of the Department (a) The department is hereby charged with the enforcement of the provisions of this act and is hereby authorized and empowered to prescribe adopt promulgate and enforce rules and regulations relating to any matter or thing pertaining to the administration and enforcement of the provisions of this act and the collection of taxes penalties and interest imposed by this act

(b) The department or any agent authorized in writing by it is hereby authorized to examine the books papers and records of any resident in order to verify the accuracy of any return made or if no return was made to ascertain and assess the tax imposed by the third section of this act Every such resident is hereby directed and required to give the department or its duly authorized agent the means facilities and opportunity for such examinations and investigations as are hereby provided and authorized The department is hereby authorized to examine any person under oath concerning any property which was or should have been returned for taxation and to this end may compel the production of books papers and records and the attendance of all persons whether as parties or witnesses whom it believes have knowledge of such property The procedure for such hearing or examination shall be the same as that provided by "The Fiscal Code" relating to inquisitorial powers of fiscal officers

Any information gained by the department as a result of any returns investigations hearings or verifications required or authorized by this act and any information gained by the county commissioners Board of Revision of Taxes or board for the assessment and revision of taxes as the result of duplicate returns received from the department shall be confidential except for official purposes and any person or agent divulging such information shall be deemed guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not in excess of five hundred dollars ($500.00) or to undergo imprisonment for not more than three (3) years or both in the discretion of the court

(c) The powers conferred by this act upon the department relating to the administration or enforcement of this act shall be in addition to but not inclusive of any other powers heretofore or hereafter conferred upon the department of law

Section [19] 18 Tax on Script Bonds Et Cetera Imposition and Rate of Tax All script bonds certificates and evidences of indebtedness issued and all script bonds certificates and evidences of indebtedness assumed or on which interest shall be paid by any and every private

corporation incorporated or created under the laws of this Commonwealth or the laws of any other state or of the United States and doing business in this Commonwealth [and all script bonds certificates and evidences of indebtedness issued] are hereby made taxable [for the year one thousand nine hundred and thirty-six and annually thereafter] for State purposes during the calendar year one thousand nine hundred thirty-six on reports filed for the calendar year one thousand nine hundred thirty-five or for the fiscal year beginning in the calendar year one thousand nine hundred thirty-five at the rate of one mill on each dollar of the nominal value thereof and during the calendar year one thousand nine hundred thirty-seven on reports filed for the calendar year one thousand nine hundred thirty-six or the fiscal year beginning in the calendar year one thousand nine hundred thirty-six at the rate of four mills on each dollar of the nominal value thereof which tax shall be in addition to the tax imposed for State purposes by section seventeen of the act approved the sevententh day of June one thousand nine hundred and thirteen (Pamphlet Laws five hundred seven) and its amendments or supplements Provided That Whenever under the provisions of this section any private corporation shall become liable for such taxes upon evidences of indebtedness by it assumed or on which it shall pay interest it shall be the duty of such corporation not later than ten (10) days thereafter to give notice in writing to any person who may at such time be liable for the payment of any taxes upon such evidence of indebtedness under the provisions of the third section of this act that the corporation has assumed such indebtedness or the payment of the interest thereon and will deduct and pay the taxes imposed thereon by this section Such notice shall also be given before the first day of October of each and every subsequent year during which such corporation is liable for the payment of such interest Where any private corporation shall assume such evidences of indebtedness or the payment of interest theeron prior to the first day of October in any year and shall give notice as hereinbefore provided such corporation shall be relieved from the duty of deducting and paying the taxes imposed by this section for the balance of such year but shall deduct and pay said taxes for the ensuing year and the person to whom such notice shall be given shall for such ensuing year be relieved from the payment of tax under the provisions of the third section of this act upon such evidences of indebtedness so assumed or on which the corporation shall pay interest Where any private corporation shall assume such evidences of indebtedness or the payment of interest thereon on or subsequent to the first day of October in any year and shall give the notice as hereinbefore provided such corporation shall be relieved from the duty of deducting and paying the tax upon such evidences of indebtedness by it assumed or on which it shall pay interest for the balance of such year for the ensuing year and the person to whom notice is so given shall pay the tax for the period for which the corporation is relieved upon such evidences of indebtedness so assumed or on which the corporation shall pay interest as provided for in the third section of this act Neglect or failure on the part of any corporation upon assuming any evidences of indebtedness or becoming liable for the payment of interest thereon to give the notice as herein provided and within the time prescribed shall make such corporation liable for the payment of taxes from the time when such evidences of indebtedness are assumed or for the entire period for which interest shall be paid Neglect or failure to give such notice before the first day of October of each and every subsequent year during which such corporation is liable for the payment of such interest shall make the corporation liable for such taxes for the year following without any deduction from interest due as hereinbefore provided Provided That this section shall not apply to bank notes or notes discounted or negotiated by any bank or banking institution savings institution or trust company nor to interest-bearing accounts in any bank banking institution savings institution or trust company And provided further That the provisions of this act shall not apply to building and loan associations or to savings institutions having no capital stock and if at any time either now or hereafter any persons individuals or bodies corporate have agreed or shall hereafter agree to issue his their or its securities bonds or other evidences of indebtedness clear of and free from the said (one mill) four mills tax herein provided for or have agreed or shall hereafter agree to pay the same nothing herein contained shall be so construed as to relieve or exempt him it or them from paying the said [one mill] four mills tax on any of the said such securities bonds or other evidences of indebtedness as may be held owned by or owing to the said savings institution having no capital stock And provided further That the provisions of this act shall not apply to fire companies firemen's relief associations life or fire insurance corporations having no capital stock secret and beneficial societies labor unions and labor union relief associations and all beneficial organizations paying sick or death benefits or either or both from funds received from voluntary contributions or assessments upon members of such associations societies or unions And provided further That corporations limited partnerships and joint stock associations liable to tax on capital stock for State purposes shall not be required to pay any further tax under this section on the mortgages bonds and other securities owned by them in their own right but corporations limited partnerships and joint-stock associations holding such securities as trustees executors administrators guardians or in any other manner shall be liable for the tax imposed by this section upon all securities so held by them as in the case of individuals And provided further That none of the classes of property made taxable by this section for State purposes shall be taxed or taxable for county school or other local purposes

It is the intent of this act that all scrip bonds certificates and evidences of indebtedness made taxable under this section are not taxable under the third section of this act and that only such scrip bonds certificates and evidences of indebtedness which cannot be made taxable under this section are to be taxed under the third section of this act

Section [20] 19 Collection of Tax The tax for State purposes imposed upon obligations of private and public corporations by section [nineteen] eighteen of this act shall be collected in the same manner as the tax imposed for State purposes upon such obligations by section seventeen of the act approved the seventeenth day of June one thousand nine hundred thirteen (Pamphlet Laws five hundred seven) and its amendments or supplements it being the true intent and meaning of this act that the provisions of the law in force at the time of the passage of this act relating to the manner of the collection of the State tax upon such obligations shall remain unaffected by this act

Section [21] 20 Disposition of Tax Interest Fees Fines Forfeitures and Penalties All taxes and interest that shall be received recovered paid or collected under the provisions of this act shall be paid into the State Treasury through the department

All moneys paid into the State Treasury from taxes for the first year for which a tax is imposed by the provision of this act shall be used only for unemployment relief purposes and for such purposes are hereby appropriated and all moneys paid into the State Treasury during the second year this act is in effect shall be credited to the General Fund

Section [22] 21 Constitutional Construction If any section sentence clause or part of this act is for any reason held to be unconstitutional the decision of the court shall not affect or impair any of the remaining provisions of this act It is hereby declared as the legislative intent that this act would have been adopted had such unconstitutional sentence section clause or part thereof not been included herein

Section [23] 22 Effect on Other Acts of Assembly Nothing contained in this act shall be deemed to repeal or modify the act approved the seventeenth day of June one thousand nine hundred thirteen (Pamphlet Laws five hundred seven) entitled "An act to provide revenue for State and county purposes and in cities coextensive with counties for city and county purposes imposing taxes upon certain classes of personal property providing for the assessment

and collection of the same providing for the duties and compensation of prothonotaries and recorders in connection therewith and modifying existing legislation which provided for raising revenue for State purposes" and its amendments or supplements The taxes imposed by this act shall be in addition to all other taxes which are now or hereafter imposed by law

Section [24] 23 Effective Date This act shall become effective immediately upon its final enactment and shall remain in force for the assessment and collection of taxes under section three of this act for the calendar years one thousand nine hundred and thirty-six and one thousand nine hundred and thirty-seven and for the collection of taxes under section [nineteen] eighteen of this act during the calendar years one thousand nine hundred and thirty-six and one thousand nine hundred and thirty-seven on reports filed for the calendar years one thousand nine hundred and thirty-five and one thousand nine hundred and thirty-six or for the fiscal years beginning in the calendar years one thousand nine hundred and thirty-five and one thousand nine hundred and thirty-six

On the question,

Will the Senate agree to the section?

Mr. THOMPSON (Centre). Mr. President, I move to amend section 3, page 3, line 4 by inserting after the word "association" and before the word "company" the word: "or"; amend section 3, page 3, line 19 by striking out at the beginning of the line before the word 'association" the word: "[corporations]" and inserting in lieu thereof the word "corporation"; amend section 3, page 3, line 28 by striking out after the word "any" and before the word "corporation" the word: "[bank]"; amend section 3, page 4, line 2 by striking out after the word "government" and before the word "shares" the following: "[[[]except[]] [including]]" and inserting in lieu thereof the word: "including"; amend section 3, page 4, line 3 by striking out at the end of the line after the word "any" the following: "[[[]bank[]] bank and trust company national bank-]"; amend section 3, page 4 by striking out line 4; amend section 3, page 4, line 5 by striking out at the beginning of the line before the word "corporation" the following: "[ciation]"; amend section 3, page 4, line 6 by striking out after the word "on" and before the word "its" the following: "[[[]its shares of[]]]"; amend section 3, page 4, line 8 by striking out at the end of the line after the word "on" the following: "[[[]its shares]"; amend section 3, page 4, line 9 by striking out at the beginning of the line before the word "capital" the following: "[or[]]]"; amend section 3, page 4, line 10 by striking out the bold-faced bracket before the word "Provided"; also amend section 3, page 4, line 14 by striking out the bold-faced bracket after the word "Commonwealth"; also amend section 4, page 7, line 13 by striking out after the word "aggregate" and before the word "value" the word: "[actual]"; also amend section 4, page 8, line 6 by inserting after the word "sworn" and before the word "or" the word: "to"; also amend section 4, page 8, line 7 by striking out at the beginning of the line before the word "by" the word: "[to]"; also amend section 6, page 10, line 13 by striking out after the word "of" and before the word "per" the following: "[[[]six[]] [twelve]]" and inserting in lieu thereof the word: "twelve"; also amend section 6, page 11, line 7 by striking out the bold-faced brackets before and after the word "twelve"; also amend section 6, page 11, line 7 by striking out after the word "[twelve]" and before the word "per" the word: "[six]"; also amend section 9, page 12, line 16 by striking out the light-faced bracket before the word "thirty"; also amend section 9, page 12, line 17 by striking out the light-faced bracket after "(30)"; also amend section 9, page 12, line 17 by striking out after "(30)]" and before the word "days" the following: "[ninety (90)]"; also amend section 9, page 13, line 17 by striking out the light-faced brackets before and after "thirty (30)"; also amend section 9, page 13, line 18 by striking out at the beginning of the line before the word "days" the following "[sixty (60)]"; also amend section 10, page 15, line 23 by striking out after the word "of" and before the word "it" the word: "[agreements]" and inserting in lieu thereof the word: "agreement"; also amend section 15, page 19, line 16 by inserting after the word "and" and before the word "which" the word: "tc"; also amend section 15, page 19, line 20 by striking out after the word "such" and before the word "shall" the word: "[credit]" and inserting in lieu thereof the word: "credits"; also amend section 16, page 21, line 19 by striking out the bold-faced bracket before "(f)"; also amend section 16, page 21, line 25 by striking out the bold-faced bracket after the word "court"; also amend section 17, page 22, line 12 by inserting after the word "give" and before the word "the" the word: "to"; also amend section 18, page 23, line 12 by striking out after the word "on" and before the word "Bonds" the word: "[Script]" and inserting in lieu thereof the word: "Scrip"; also amend section 18, page 23, line 13 by striking out after the word "All" and before the word "bonds" the word: "[script]" and inserting in lieu thereof the word: "scrip"; also amend section 18, page 23, line 14 by striking out after the word "all" and before the word "bonds" the word: "[script]" and inserting in lieu thereof the word: "scrip"; also amend section 18, page 23, line 20 by striking out after the word "all" and before the word "bonds" the word: "[script]" and inserting in lieu thereof the word: "scrip"; also amend section 18, page 24, line 16 by striking out after the word "such" and before the word "of" the word: "[evidence]" and inserting in lieu thereof the word: "evidences"; also amend section 18, page 25, line 13 by inserting after the word "year" and before the word "for" the word: "and"; also amend section 18, page 26, line 14 by striking out the parentheses before the word "one" and after the word "mill" and inserting in lieu thereof light-faced brackets.

Mr. FREY. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendments?

Mr. THOMPSON. Mr. President, in order to perhaps shorten the proceedings this morning, I wish to advise the Senate that these are the same amendments that were offered by me last night. The amendments restore the bill to the condition that it was in when it came from the House.

Mr. OWLETT. Mr. President, I was on the sub-committee of the Senate Finance Committee, with Senator Bean and Senator Huffman, in the consideration of the amendments which were inserted by the amendment of House Bill No. 27. The bill, as it originally passed the House, not only added three mills to the present personal property tax, making it payable to the State of Pennsylvania, but in addition removed the present exemption it now gives the holder of stock in Pennsylvania corporations.

Mr. President, since the passage of the original four mill tax law, stock in Pennsylvania corporations, held by individual residents in Pennsylvania, has not been

liable to the four mill tax, nor to the additional State tax, which was passed at the last regular session. This is not, in a true sense, an exemption of this stock. It is, on the other hand, merely inserted in the law to prevent double taxation. If an individual in Pennsylvania invests ten thousand dollars in a business enterprise and incorporates that enterprise, immediately that corporation pays on the capital stock of that company the personal property tax to the State of Pennsylvania. The amendment put in this bill in the House requires him not only to pay,through the corporation, the tax, but he would be required to pay this in addition. That is double taxation, and I want to say merely for the benefit of the members of this Senate, it was recognized by all of the members of the Finance Committee and by all the members of the sub-committee, that the bill in the form as it passed the House of Representatives, could not be enacted in this Senate. The burden imposed by the three mill tax will place a burden on the investors in Pennsylvania too great for them to bear. The eight mill tax will impose an equivalent of twenty per cent income tax on a four per cent investment. This in addition to the five mill income tax, in many cases wipes out the income entirely.

Mr. President, in districts like mine, people with small means, who accumulated savings for their old age will find their income very materially reduced by this eight mill tax. People who saved ten or fifteen thousand dollars to live in their old age, it is practically all taken away from them.

Mr. President, I do not think there is anybody on either side of this Senate that does not recognize the iniquity of an eight mill personal property tax law. If these exemptions are removed, which have always existed in our personal property tax law, in many cases it wipes out the entire income from the savings of widows and orphans in Pennsylvania. Mr. President, I say this to the Senate for this reason: It has been stated so often that we have emasculated this three mill tax law. The committee changed the three mill tax law, put it in the shape where it would have a chance to pass. It was done with practically the unanimous consent of the Senate Finance Committee, both Republicans and Democrats. It was done in an honest endeavor to pass that three mill tax law, to get it in the form that it could pass, so that it would not work more hardship on the citizens of Pennsylvania and be impossible to pass it. It is the only bill that the Senate Finance Committee thought would bring in any revenue at all. We amended that bill in the hope that it could be passed, and for no other reason.

Mr. President, I do not think there is anybody on the Democratic side of this House who believes that this three mill tax law has one single chance of passing with the amendments taken out that the Senate put in it, not one chance, and I ask the members of this Senate to vote against the amendments, which remove the exemption that now exists in our personal property tax law.

Mr. WOODWARD. Mr. President, I may say that I am convinced that this is a vicious tax and I will keep on voting against it, no matter what happens, whether I go home and have a picket around my house or not, I will still vote against this tax. It is a vicious tax. I thought it was dead and therefore I put in the scrap basket this letter—I would like to say that it is not from a widow or orphan either. "Understanding the Legislature will act on House Bill 27, I wish to enter my protest. I am sixty years old, have had forty-five years of savings, amounting to enough to yield about $700.00 income and my personal property tax on this will be increased and this will take twenty per cent of the income. It sounds to me like a federal raid on large incomes under war conditions."

Mr. SHAPIRO. Mr. President, I do not want to make a speech, I want to make a short statement. There is no chance of our arriving at any conclusion or doing anything on the question of relief if these two bills do not pass. There has been a great deal of talk this morning about a desire to do something. The purpose of the Democratic side of the House this morning was to restore both of these bills on the calendar to their original form, in an effort to arrive at some conclusion and agreement on the subject, and I think it is the duty of everybody in this Senate to vote to restore those bills to their original form, to enable us to solve this problem; without it you cannot do it.

And the question recurring.

Will the Senate agree to the amendment?

The yeas and nays were required by Mr. OWLETT and Mr. GRAFF and were as follows, viz:

YEAS—15

Baumer,	Huffman,	Pytko,	Rodgers.
Cavalcante,	McCreesh,	Rankin,	Ruth,
Frey,	McGinnis,	Reed,	Shapiro,
Harris.	Miller,	(Washington)	Thompson, (Centre)

NAYS—15

Aron,	Harvey,	Owlett,	Staudenmeier,
Batchelor,	Homsher,	Reed,	Thompson,
Bean,	Howell,	(Dauphin)	(Westmoreland)
Ealy,	Mallery,	Sordoni,	Woodward,
Gelder.			

The PRESIDENT. Under his prerogative the Chair votes in favor of the amendments.

So the question was determined in the affirmative.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The second section of the bill was read as follows and agreed to:

Section 2. This act shall become effective immediately upon its final enactment.

The title of the bill was read as follows:

An Act to amend the act approved the twenty-second day of June one thousand nine hundred thirty-five (Pamphlet Laws four hundred fourteen) entitled "An act to provide revenue for State purposes imposing taxes upon certain classes of personal property providing for the assessment collection and lien of the same and the distribution of the proceeds thereof imposing duties on executors administrators registers of wills recorders of deeds prothonotaries and court clerks and on persons copartnerships associations banks national banks trust companies and other corporations receiving deposits of money and on certain corporations and limited partnerships conferring powers and imposing duties on certain State officers and departments imposing penalties and making an appropriation" by increasing the rate of tax changing the listing date the date of filing reports and the date and manner of payment of the tax and making further provision with regard to penalties

On the question,

Will the Senate agree to the title?

Mr. THOMPSON (Centre). Mr. President, I move to amend page 2, line 1 of the title, by striking out the bold-faced brackets before the word "removing" and after the word "exemptions"; also page 2, line 3 of the title, by inserting at the end of the line after the word "tax" the following: "providing for duplicate returns by taxpayers and for the use thereof"

Mr. FREY. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the title as amended?

It was agreed to.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

QUESTION OF PERSONAL PRIVILEGE

Mr. OWLETT. Mr. President, I rise to a question of personal privilege.

The PRESIDENT. The Senator from Tioga, Mr. Owlett, will state his question of personal privilege.

Mr. OWLETT. Mr. President, I want to say the members of the Democratic side of this house have now placed this bill in a position where it has not a chance to pass; and I want to say further, Mr. President, that they know that they now place the 3-mill personal property tax bill in a position where it cannot pass, and they know it.

Mr. President, I do not think it is improper to state, either, on the floor of this Senate, so that the public may know, that there was an agreement with the Democratic leaders of this Senate that there would be nothing controversial brought up. For this reason, when I introduced the resolution three minutes ago for an investigation, I did not ask for unanimous consent for the consideration of this resolution, but asked that it be refered to a committee under the rules.

Mr. President, I want to say that if the members of this Senate cannot have an understanding with reference to a matter such as this and that an agreement among members of this Senate is violated, as this agreement has been violated today—I do not say that all the members of the Democratic side of this Senate have violated the agreement, but I do say, Mr. President, that they know that they have placed this 3-mill property tax bill on a basis where it cannot pass this Senate, and they have ruined the chance of getting for the unemployables of Pennsylvania any considerable amount of money to take care of this relief business.

Mr. President, may I for the moment review the situation that has arisen in this Senate? As we all know, no tax bill can originate in this Senate. The Senate of Pennsylvania was definite in its efforts to find money for the needy of Pennsylvania, of taking bills that were in the Senate Finance Committee and Democratic bills, not Republican bills, and seeing what could be passed in this Senate to get relief. The only bill that would bring in any amount of money was the personal property tax bill. Everybody on both sides of this Senate recognizes it is a vicious piece of legislation, recognizes that it puts an unfair burden on a certain class of our people, recognizes that there were any number of arguments, as my good friend from Philadelphia said, against the 3-mill property tax, but in the interest on the part of Republicans and Democrats alike—Mr. President, I repeat, in the interest of Republicans and Democrats alike to get that bill in such shape that there would be enough votes in this Senate to pass it, the bill was amended, and the only way that it could pass, with the consent of the members of the Senate Finance Committee, we came into this Senate and yesterday it came up for second reading and a roll call was demanded. We were then faced with the danger of that bill being killed on second reading and a practice unknown in our short legislative experience, and for the purpose of keeping that bill on the calendar and for the purpose of getting it up for third reading and final passage this morning, the Republican members of this Senate united to pass that bill on second reading. Now it came up for third reading this morning, Mr. President, and what happened? Mr. President, mind you, this was a Democratic bill, this was one of the bills that was sent over to this Senate by the House to raise money for relief in Pennsylvania. It was the one bill that provided any considerable revenue, and what happened? The ten Republicans of this Senate held their noses and anybody must hold their nose to vote for a bill like this 3 mill property tax, but ten Republican members of this Senate voted for that bill, of course assuming that the Democratic members of the Senate, who have voted continuously and regularly for all Democratic measures, would support their own bill, and not one of them voted for it. The only votes that that bill had were the ten Republican votes, which would have been sufficient to pass that bill, if the Democratic members of this Senate had seen fit to vote for their own measure.

Mr. President, this talk that we have had about emasculating this 3 mill personal property tax bill is nothing more or less than political propaganda, made by my friends on the other side. It is a Democratic bill, and the amendments in it make it impossible to get it through and I say the members on the Democratic side of this Senate know that that is the truth.

Mr. President, I cannot let this opportunity go by, since I was on the sub-committee of the Finance Committee and helped to draft these amendments, to answer these vicious charges that this bill has been emasculated. It has not been emasculated. It was put in such shape that there was a possibility of getting it through if it had Democratic support, and not one Democrat dare stand up and oppose it. It is pretty nearly time that the people of Pennsylvania understood this situation. If we are going to have relief tax bills passing this Senate we must have bills that pass the Democratic House and sent over to this Senate, there is no argument about that, no dispute, there is no other way to get this revenue. Now then, there is nobody in Pennsylvania going to say that the Senate cannot exercise its judgment in considering these tax bills and try to get them in shape so that they can be passed, and that is what we have done. We have taken all the bills that were in the Senate Finance Committee and we have amended them in such shape that we thought it was possible to pass them and we have put our bills, we have said, "Here is $38,000,000 and it looks as though we can get it through this Senate in the time that we brought them out," and there is not a single Democrat voted for one of them, after all this talk for the last ten weeks about how we can get revenue.

I never knew of a more unique situation in any legislative body in the land and, Mr. President, we cannot longer sit here and be quiet and have it said that there was bad faith on the part of the Republican members of this Senate. Mr. President, I submit that we had the best good faith that could be shown in reporting out these bills and putting them in such shape that they could pass, and enough Republicans voted for them so that if the Democratic members of the Senate had voted for these bills they would have passed by 30 or 31 votes, and now after an agreement was made that nothing controversial should come up they bring out amendments and restore the bill to its original form, taking out all the amendments which were inserted in committee, and putting it in shape that it will never pass in the world, and I know there are any number of Democratic members in the Senate who will not vote for those bills, at least they would not vote for them if they thought they had any chance of passing.

Mr. HUFFMAN. Mr. President, in reference to the comments made by the Senator from Tioga, I desire to say this: First, that the reason for voting against that bill yesterday was well explained then. I do want to address myself to this fact though, with respect to breaking faith with the Republican side as to what will be done this morning. I did speak to a number of Republicans yesterday and asked if the meeting this morning would be non-controversial. They were willing that that would be, but in a meeting of the Finance Committee last evening, at which Senator Owlett was present, knowing that he was the one man who perhaps would be inclined to raise something this morning, if it was here to be raised, I asked him to pledge himself that this session this morning would be non-controversial and he absolutely refused to pledge himself and when he refused to pledge himself in that committee meeting, we felt that any agreement with respect to not bringing up any controversial matters this morning was off.

Mr. OWLETT. Mr. President, I desire to interogate the Senator from Monroe, Mr. Huffman.

The PRESIDENT. Will the Senator from Monroe, Mr. Huffman, permit himself to be interrogated?

Mr. HUFFMAN. Mr. President, I will.

Mr. OWLETT. Mr. President, I merely want to ask the Senator from Monroe if it is not a fact that I told him I thought we ought to have a definite understanding.

Mr. HUFFMAN. Mr. President, really I cannot say that was the reply. I asked the Senator from Tioga directly over the table, whether, if we agreed to recess until 12 o'clock today, whether it would be agreed that no controversial matters would be taken up, and he said no.

Mr. OWLETT. Mr. President, I would like to ask the Senator from Monroe whether after that meeting we did not have another conference, with Senator Roberts, in which that was the agreement, and pursuant to that agreement is it not a fact that there were a number of Senators went home.

Mr. HUFFMAN. Mr. President, I do not know anything about that, I was not a party to that.

Mr. OWLETT. Mr. President, I do not want to have the Senator from Monroe understand that I am in any way charging that he has violated any agreement that he made with me. I want to say that my experience with the Senator from Monroe has always been the most pleasant and he has never violated any agreement that he made with me. I do not think he will say that I have with him.

Mr. HUFFMAN. Mr. President, no I will not say that, I do not think the Senator from Tioga, Mr. Owlett, has ever broken any agreement he has made with me.

Mr. OWLETT. Mr. President, I want to say that the statement I made this morning was not on the basis of any conference I had with the Senator from Monroe, but I will say there was an agreement, but I will not say there was an agreement with the Senator fom Monroe.

Mr. SHAPIRO. Mr. President, I do not think that anyone had a right at a time like this to make any agreement that there should be no controversial subjects brought up this morning, when there is the most controversial subject that exists in the history of this Senate this morning. The question of relief has not been decided. I would not have come back here this morning if I had known that there were to be no controversial subjects. I do not want anybody to ask me to be in this Senate and then they take themselves home. I have been away from my home for a week, and I would like to get back; but I think we are here to perform a duty and we have got to do something and we cannot run away from this proposition. I am not asking to have these bills put back in their original form to take advantage of anybody, but in the situation in which we are today, unless these bills are restored to their original form there is no chance of arriving at a compromise.

I think, inadvertently, the Senator from Tioga made a misstatement. He said that all the bills that were in the Finance Committee were amended and brought out. I contend that that statement is not correct. I am sure it was made inadvertently. There are several bills that have been killed in the Finance Committee; there is one bill that we voted on last night, the Chain Store Tax, on which the vote was 24 to 23 in favor of discharging the committee, but because of a rule that it would require a constitutional majority to discharge the committee the bill could not be brought out. The Senator from Delaware, Mr. McClure, made the statement that this was a terrible tax and would fall on the consumer. I did not want to take the time last night but I want to state this morning that that is a good tax, and a good subject of compromise, because according to the reports of The Great Atlantic & Pacific Tea Company for the last three years made $60,000,000 profit, and they paid out $49,000,000 in dividends; and I think a company that makes that much money can well afford to absorb a tax of the small size that is imposed on the chain stores. In view of that fact and the fact that there are tax bills which may be brought out, which may be substituted for these, we are now restoring these to their original form, so that by some subsequent agreement we can amend them to do less harm and bring about an agreement here. I think the Republican members should join with the Democratic members in restoring these bills to their original form and then sit down and talk when they have something to compromise upon. As the situation is today there are no taxes that will produce any revenue and if these bills are allowed to stay in their present form we will get nowhere. I am sure on this proposition the Republicans will join with the Democrats to restore the bill.

QUESTION OF PERSONAL PRIVILEGE

Mr. REED (Dauphin). Mr. President, I rise to a question of personal privilege.

The PRESIDENT. The Senator from Dauphin, Mr. Reed, will state his question of personal privilege.

Mr. REED (Dauphin). Mr. President and members of the Senate, when the Senator from Centre, Mr. Thompson, arose to explain this bill and the importance of the reconsideration of this bill he made a motion that the vote by which the bill had been defeated on final passage be reconsidered. When that motion was agreed to and the Senator from Centre, Mr. Thompson, made a motion to reconsider the vote by which this bill had passed third reading, I seconded that motion. When the Senator made the motion that the vote by which this bill had passed second reading be reconsidered, I think it is a matter of record that I did not second that. I want to state my position frankly, so that there may be no misapprehension whatever as to my reason for seconding the first motion. I agreed with him that there was a possibility of compromise on this bill. I do not make assertions impugning the honesty of any Senator, but when I came here this morning, about an hour or more before we went into session, the Senator from Northampton, Mr. Roberts, was present. The Senator from Northampton, Mr. Roberts, left and I was informed by another Senator, who talked to the Senator from Northampton, Mr. Roberts, though I did not talk to him myself, and I took from several conversations and understandings that there would be no controversial subjects brought up this morning. Therefore when I seconded those two motions I did not dream that the purpose was to re-insert into this bill by a record vote, amendments which, when it came from the Finance Committee, had been removed from that bill.

I am making this statement because I do not want it to be assumed by anybody, in any manner, that I was a party to bringing about a situation by which this bill should be amended. I agree with the statement of the Senator from Tioga that this was not a move in the interest of compromise. I say, on the other hand, it was a move made towards permanently defeating this bill. I naturally assumed when this bill got back on the second reading calendar that it would be left there so that amendments might be proposed in a session when there was no agreement or understanding that non-controversial subjects should be considered. I supposed that that courtesy would be shown to the Committee on Finance, which has the consideration of revenue measures, that the bill would be sent back there for consideration.

Therefore, Mr. President, I want this record to show, as emphatically as a record can show, that when I seconded those motions I did it in a spirit of harmony and compromise, to place this bill in a position where it might be amended in good faith, looking to its final passage and not be, as has been done, in a position which will make it utterly impossible of final passage.

MOTION TO ADJOURN

Mr. OWLETT. Mr. President, I move that this Senate be now adjourned until Monday evening at nine o'clock.

Mr. President, I make that motion with this statement, which I would like to make, that there will be an effort made between now and Monday evening, by members of this Senate, to get together on a compromise program, and wind this thing up. It cannot be done by speeches here in the Senate, it cannot be done by continuing this kind of discussion, and I think we all recognize that there is nothing to be gained, Mr. President, by staying in session here any longer. The only thing for us to do, as I say, is to adjourn now until next Monday evening at nine o'clock. I understand the Senator from Monroe, Mr. Huffman, will second that motion.

RECESS

Mr. OWLETT. Mr. President, I withdraw my motion for the time being and ask that the Senate take a recess of five minutes.

Mr. HUFFMAN. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS

The PRESIDENT. The time of recess having elapsed, the Senate will be in order.

RECONSIDERATION OF SENATE BILL NO. 30 (HOUSE BILL NO. 27)

Mr. THOMPSON (Centre). Mr. President, I move to reconsider the vote by which Senate Bill No. 30 (House Bill No. 27), entitled:

An Act to amend the act, approved the twenty-second day of June, one thousand nine hundred thirty-five (P. L. 414), entitled "State Personal Property Tax Act," by increasing the rate of tax; removing certain exemptions; changing the listing date, the date of filing reports, and the date and manner of payment of the tax; and making further provision with regard to penalties

passed second reading.

The PRESIDENT. How did the Senator vote?

Mr. THOMPSON (Centre). Mr. President, I voted "aye".

Mr. OWLETT. Mr. President, I second the motion.

The PRESIDENT. How did the Senator vote?

Mr. OWLETT. Mr. President, I voted "aye".

On the question,

Will the Senate agree to the motion?

The motion was agreed to.

And the question recurring,

Will the Senate agree to the bill on second reading?

Mr. THOMPSON (Centre). Mr. President, I move to reconsider the vote by which the title was agreed to.

Mr. OWLETT. Mr. President, I second the motion.

The motion was agreed to.

And the question recurring,

Will the Senate agree to the title?

Mr. THOMPSON (Centre). Mr. President, I move to reconsider the vote by which the amendment to the title was agreed to.

Mr. OWLETT. Mr. President, I second the motion.

The motion was agreed to.

And the question recurring,

Will the Senate agree to the amendment?

It was not agreed to.

On the question,

Will the Senate agree to the title?

Mr. THOMPSON (Centre). Mr. President, I move to

reconsider the vote by which the second section of the bill was agreed to.

Mr. OWLETT. Mr. President, I second the motion.

The motion was agreed to.

And the question recurring,

Will the Senate agree to the section?

Mr. THOMPSON (Centre). Mr. President, I move to reconsider the vote by which the first section of the bill was agreed to.

Mr. OWLETT. Mr. President, I second the motion.

The motion was agreed to.

And the question recurring,

Will the Senate agree to the section?

Mr. THOMPSON (Centre). Mr. President, I move to reconsider the vote by which the amendment to the section was agreed to.

Mr. OWLETT. Mr. President, I second the motion.

The motion was agreed to.

And the question recurring,

Will the Senate agree to the amendment?

It was not agreed to.

And the question recurring,

Will the Senate agree to the section?

It was agreed to.

The second section of the bill was agreed to.

The title of the bill was agreed to.

And the said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED

Mr. THOMPSON (Centre). Mr. President, I move that Senate Bill No. 30 (House Bill No. 27), the bill just read, be recommitteed to the Committee on Finance.

Mr. OWLETT. Mr. President, I second the motion.

The motion was agreed to.

RECONSIDERATION OF SENATE BILL NO. 28 (HOUSE BILL NO. 19)

Mr. CAVALCANTE. Mr. President, I move to reconsider the vote by which Senate Bill No. 28 (House Bill No. 19), entitled:

An Act to amend sections two and three of the act, approved the sixteenth day of May one thousand nine hundred thirty-five (Pamphlet Laws two hundred eight) entitled "An act to provide revenue for State purposes by imposing an excise tax for a limited period of time on the net incomes of certain corporations joint-stock associations and limited partnerships providing for the assessment and collection of the tax and appeals to courts conferring powers and imposing duties on certain persons corporations joint-stock associations limited partnerships State and county officers boards and departments making an appropriation and providing penalties" by further defining net income and increasing the rate of tax for a limited period of time

was defeated.

The PRESIDENT. How did the Senator vote?

Mr. CAVALCANTE. Mr. President, I voted "no".

Mr. OWLETT. Mr. President, I second the motion.

The PRESIDENT. How did the Senator vote?

Mr. OWLETT. Mr. President, I voted "no".

On the question,

Will the Senate agree to the motion?

The motion was agreed to.

And the question recurring,

Shall the bill pass finally?

Mr. CAVALCANTE. Mr. President, I move to reconsider the vote by which the bill passed third reading.

Mr. OWLETT. Mr. President, I second the motion.

The motion was agreed to.

And the question recurring,

Will the Senate agree to the bill on third reading?

BILL RECOMMITTED

Mr. CAVALCANTE. Mr. President, I move that Senate Bill No. 28 (House Bill No. 19), be recommitted to the Committee on Finance.

Mr. OWLETT. Mr. President, I second the motion.

The motion was agreed to.

CONGRATULATIONS TO JOSEPH H. MILLER

Mr. HARRIS offered hte following resolution, which was twice read, considered and agreed to.

In the Senate, July 9, 1936.

Whereas, One who daily attends the sessions of the Senate of Pennsylvania and occupies a seat in the newspaper balcony of the Chamber has recorded an event of tremendous importance to him, and

Whereas, Mrs. Miller has presented to Joseph H. Miller of the "Philadelphia Inquirer" a baby daughter, now one week old, therefore

Be It Resolved, That the Senate of Pennsylvania note in the Journal this great event for the Millers and extend its best wishes to father, mother and daughter.

ADJOURNMENT

Mr. OWLETT. Mr. President, I move that the Senate do now adjourn.

Mr. BUCKMAN. Mr. President, inasmuch as there is nothing further that we can do this week on this side of the House, I second the motion.

On the question,

Will the Senate agree to the motion.

Mr. ARON. Mr. President, I object to adjournment at this time. I am not interested in the quibbling that has been going on this morning regarding the tax bill. We are informed that today—

The PRESIDENT. The motion to adjourn is not debatable.

Mr. ARON. Mr. President, nobody has stopped me and I would like to have a chance to say a few words.

Mr. President, yesterday we defeated Senate Bill 104 and Senate Bill 105, wherein we transferred three million dollars to provide relief for the starving and hungry. We have here our distinguished Mayor of Philadelphia, who has been working here night and day trying to provide funds immediately to stop starvation in Philadelphia, and I join with our distinguished Mayor in requesting that we will not leave this chamber until the Democrats in the House pass these two transfer bills.

And the question recurring,

Will the Senate agree to the motion?

The Senate adjourned at 2:22 P. M. until 9 o'clock Monday evening, July 3, 1936.

HOUSE OF REPRESENTATIVES

FRIDAY, July 10, 1936

The House met at 12:01 o'clock A. M.
The SPEAKER (Roy E. Furman) in the Chair.

PRAYER

Reverend Marshall L. Shepard, a member of the House, offered the following prayer:

God, our Heavenly Father, we thank Thee for the promise that Thou hast made, that they that wait on the Lord shall renew their strength; they shall mount on wings like eagles; they shall run and not grow weary; they shall walk and not faint. Grant, we pray, the refreshment that comes from waiting upon Thee, that we may have strength to continue the work of this session. In His name and for His sake. Amen.

JOURNAL APPROVED

The SPEAKER. The Clerk will read the Journal of Thurday, July 9, 1936.

The Clerk proceeded to read the Journal of Thursday, July 9, 1936, when, on motion of Mr. LINDERMAN the further reading was dispensed with and the Journal approved.

SENATE MESSAGE

SENATE BILLS FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence bills numbered and entitled as follows:

SENATE BILL No. 6 (HOUSE BILL No. 162).

A Joint Resolution proposing an amendment to article nine section eight of the Constitution of the Commonwealth of Pennsylvania.

Referred to the Committee on Constitutional Amendments.

SENATE BILL No. 60 (HOUSE BILL No. 163).

A Joint Resolution proposing an amendment to section one article nine of the Constitution of the Commonwealth of Pennsylvania.

Referred to the Committee on Constitutional Amendments.

SENATE BILL No. 75 (HOUSE BILL No. 164).

A Joint Resolution proposing an amendment to article nine of the Constitution of the Commonwealth of Pennsylvania by adding thereto section one C.

Referred to the Committee on Constitutional Amendments.

SENATE MESSAGE

HOUSE BILL CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 82.

An Act to amend section one of the act, approved the thirtieth day of March, one thousand nine hundred and fifteen (P. L. 34), entitled "An act to promote the health and efficiency of firemen, in cities of the second class, by providing for a two-platoon system for firemen in the department of public safety of such cities," as amended, by changing the hours of the day and night shifts.

With the information that the Senate has passed the same without amendment.

BILL SIGNED BY THE SPEAKER

Bill numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the title was publicly read as follows:

HOUSE Bill No. 82.

An Act to amend section one of the act approved the thirtieth day of March one thousand nine hundred and fifteen (Pamphlet aws thirty-four) entitled "An act to promote the health and efficiency of firemen in cities of the second class by providing for a two-platoon system for firemen in the department of public safety of such cities" as amended by changing the hours of the day and night shifts

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

BILL ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 155 (Senate Bill No. 8), entitled:

A Joint Resolution proposing an amendment to section one article eighteen of the Constitution of the Commonwealth of Pennsylvania

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 129 (Senate Bill No. 17), entitled:

An act to amend sections seven and eight of the act approved the twenty-second day of June one thousand nine hundred and thirty-five (Pamphlet Laws four hundred and fourteen) entitled "An act to provide revenue for State purposes imposing taxes upon certain classes of personal property providing for the assessment collection and lien of the same and the distribution of the proceeds thereof imposing duties on executors administrators registers of wills recorders of deeds prothonotaries and court clerks and on persons copartnerships associations banks national banks trust companies and other corporations receiving deposits of money and on certain corporations and limited partnerships conferring powers and imposing duties on certain State officers and departments imposing penalties and making an appropriation" by changing certain penalties imposed by said act.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Mr. BURKE. Mr. Speaker, I ask that House Bill No. 160, Senate Bill No. 87, be passed over in its order.

The SPEAKER. The bill will be passed over in its order.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 161, as follows:

An Act making an appropriation to the Water and Power Resources Board for payment into the Flood Control Fund for flood control purposes

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of two million dollars ($2,000,000) or so much thereof as is necessary is hereby specifically appropriated out of the General Fund to the Water and Power Resources Board for payment into the Flood Control Fund in the State Treasury for the purpose of making the same available for the purposes for which such Flood Control Fund is appropriated by law

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

BILL ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 159, entitled:

An Act authorizing the Commonwealth to negotiate temporary emergency loans to defray the current and/or other expenses of the State government during the fiscal year ending the thirty-first day of May one thousand nine hundred thirty-seven evidenced by tax anticipation notes secured by and payable from current revenues levied assessed collectible and/or accruing during such fiscal year defining the powers and duties of the Governor the Auditor General and the State Treasurer in relation thereto providing for the payment of interest on and the repayment of such loans and making an appropriation

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—139

Achterman,	Diehl,	Long,	Schrock,
Allen,	Duffort,	Longaker,	Schrope,
Andrews,	Eberharter,	Lovett,	Shaw,
Anthony,	Eroe,	Male,	Shepard,
Arnold,	Falkenstein,	Mason,	Shortz,
Atkins,	Ferko,	McCreary,	Shreiner,
Aukerman,	Finnerty,	McDermott,	Shugarts,
Baine,	Fitch,	McDevitt,	Siegel,
Baker, J. J.,	Flanagan,	McElroy,	Simpson,
Baldi,	Flinchbaugh,	McHenry,	Sloan,
Barnhardt,	Forrest,	McKinney,	Smith, J. A.,
Blumberg,	Gates,	Melchiorre,	Smith, W. G.,
Boose,	Gerard,	Mentzer,	Sproul,
Boyd, R.,	Habbyshaw,	Moomaw,	Stank,
Boyer,	Haberlen,	Mooney,	Stevens,
Bradley,	Hagerty,	Moran,	Stockham,
Brancato,	Haluska,	Munley,	Surface,
Brennan,	Hamilton, F. P.,	Nagel,	Sweeney,
Brown, H. S.,	Hamilton, R. S.,	Nothnagle,	Tronzo,
Brown, J. E.,	Harkins,	O'Keefe,	Trout,
Brownfield,	Hartman,	Ominsky,	Tumelty,
Brumbaugh,	Hermansen,	O'Neill,	Turner,
Burke,	Hetrick,	Parks,	VanAllsburg,
Cannon,	Hirsch,	Patterson, C.,	VanSickle,
Caputo,	Holland,	Patterson, J. W.,	Weidemann,
Chervenak,	Holstrom,	Pearson,	Weiss,
Coakley,	Hoopes,	Pfaff,	Welliver,
Cochran,	Jones,	Piole,	Welsh,
Cohen,	Kenney,	Powers,	Wickersham,
Coleman,	Kilroy,	Reising,	Winner,
Coolahan,	Kinney,	Roan,	Woodside,
Cooper,	Klingler,	Royer	Yeakel,
Davies,	Kobelak,	Sarraf,	Yourishin,
Decker,	LaRue,	Scanlon,	Zappala,
Dent,	Linderman,	Schaeffer,	Furman,

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

RESOLUTION INTRODUCED AND REFERRED

Mr. WICKERSHAM (Concurrent) RESOLUTION No. 39.

In the House of Representatives, July 9, 1936.

Resolved (if the Senate concur), That the General Assembly hereby authorizes the Governor and the fiscal officers of the Commonwealth to transfer to the General Fund from the State Stores Fund, the sum of $1,500,000 for the purposes of making the same available for expenditure by the State Emergency Relief Board for unemployment relief purposes.

Resolved, That the General Assembly hereby pledges that it will pass at this session of the General Assembly appropriate legislation—(1) ratifying, validating and confirming the action of the Governor and the fiscal officers in making the transfer authorized by this resolution; (2) appropriating to the State Emergency Relief Board for unemployment relief purposes the sum of $1,500,000; and (3) authorizing the State to issue and sell tax anticipation notes not in excess of the amount of the estimates of the uncollected tax imposed on liquors by the Act of June 9, 1936, Act No. 4, in order to make available moneys to repay the sum so transferred, said notes and the interest thereon to be redeemable from said tax when collected.

Referred to the Committee on Rules.

ANNOUNCEMENT

There will be a meeting of the Committee on Judiciary General to consider House Bill No. 105, one hour before the House reconvenes today.

RECESS

Mr. COHEN. Mr. Speaker, I move that this House now take a recess until 12:30 P. M. today.

The motion was agreed to.

AFTER RECESS

The House reconvened at 12:30 o'clock P. M.

The SPEAKER (Roy E. Furman) in the Chair.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE BILL No. 46

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 9, 1936.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 46, Printer's No. 126, entitled "An Act making an appropriation to the Department of Forests and Waters for the purpose of repairing existing dikes and river bank protections and building

and constructing new dikes and river bank protections along the Delaware River at Matamoras and Milford Pike County."

GEORGE H. EARLE.

COMMUNICATIONS

The SPEAKER laid before the House the following communications which were read by the Clerk:

HOUSE BILL No. 138

A communication from the Pennsylvania Grocers Association protesting the passage of House Bill No. 138.

Referred to the Committee on Labor.

HIGHWAY FUNDS

A communication from the Pennsylvania Lincoln Highway Association protesting diversion of highway funds.

Referred to the Committee on Appropriations.

MOTOR VEHICLE JUNK-YARDS

A communication from the Civic Club of Allegheny County opposing the passage of House Bill No. 112.

Referred to the Committee on Ways and Means.

LEAVES OF ABSENCE

Mr. WEISS asked and obtained leave of absence for himself.

Mr. STOCKHAM asked and obtained leave of absence for himself for the remainder of the week after today's session.

BILL ON FINAL PASSAGE RECALLED FROM GOVERNOR

Mr. SHORTZ. Mr. Speaker, I desire to call up at this time House Bill No. 109, Printer's No. 175, on page 2 of today's calendar, bill on final passage recalled from the Governor.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 109, as follows:

An Act to authorize and empower municipalities and townships separately or jointly to provide for protection against floods by erecting and constructing certain works and improvements located within or without their territorial limits and within or without the county in which situate and to expend moneys and incur indebtedness to assess benefits against property benefited to issue improvement bonds imposing no municipal liability and to acquire take injure or destroy property for such purposes.

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the word "municipality" as used in this act shall be construed to include cities boroughs towns and townships.

Section 2 Any municipality may erect or construct dykes river bank protection and other flood control works and may widen deepen straighten and otherwise improve the channels and banks of creeks streams and rivers within or without its territorial limits and within or without the county in which such municipality is situated if such works and improvements will be of benefit to the municipality providing the same and to the inhabitants thereof.

Any two or more municipalities may jointly erect construct and provide such works and improvements within the territorial limits of any municipality joining or within the territorial limits of some other municipalty and within or without the county in which such municipality or municipalities are situate.

No such works or improvements shall be erected under the provisions of this act in any municipality not joining in the erection or construction thereof unless such municipality shall first consent thereto.

Nothing contained in this section or in this act shall be deemed to authorize any municipality to erect or construct any dam for flood control or other purposes.

Section 3 No such works or improvements involving an expenditure by any municipality or municipalities of more than three hundred dollars ($300) shall be erected constructed or provided except by contract let to the lowest responsible bidder after due advertisement once a week for two successive weeks in at least one newspaper of general circulation Provided however That no contract shall be required to be let for the performance of the work on any such work or improvement where the cost of the labor shall be paid by the Federal Government or any agency thereof without cost to the municipality or municipalities.

Section 4 Any municipality may expend public moneys and may in accordance with existing law incur or increase its indebtedness for the purpose of erecting constructing and providing such works and improvements in acordance with the provisions of this act.

Section 5 Any municipality shall have power to acquire any private property easements or rights of way deemed necessary for the erection or construction of any such works or improvements by purchase or by the right of eminent domain and shall have power to enter upon inijure and destroy any private property deemed necessary The proceedings for the condemnation of property and for the assessment of damages to property taken injured or destroyed shall be in accordance with existing law providing for the assessment of damages and benefits where property is taken injured or destroyed by such municipality for municipal purposes.

Section 6 Any municipality shall have power to provide for the assessment of benefits against private property located within its corporate limits benefited or to be benefited by such works or improvements No assessment of benefits shall be made against private property unless in the opinion of the board of viewers making the assessment such property will be benefited by the prevention or lessening of future flood damage The fact that private property has been damaged by flood arising directly or indirectly from the waters of the creek stream or river on which the work is being done or improvement provided shall be conclusive evidence that benefits will accrue to such property by reason of the works or improvements to be provided under the authority of this act No exemption from benefits shall exist for any private property by reason of the fact that the same does not abut on any such work or improvement or on the creek stream or river carrying the flood waters.

Section 7 The court of common pleas of any county shall upon the petition of any municipality located within such county appoint a board of three viewers from the county board of viewers whose duty it shall be to assess all benefits to private property to be occasioned by such works or improvements after the same are completed It shall be the duty of the authorities of any such municipality to furnish to each board of viewers so appointed a complete set of any official plans which it may have adopted showing the proposed works and improvements and the private property within its corporate limits which will be benefited by such proposed works or improvements.

Section 8 The viewers having been duly sworn or affirmed faithfully justly and impartially to decide and a true report to make concerning all matters before them or to be submitted to them and in relation to which they are authorized to inquire and having viewed each parcel of private property which it appears will be benefited shall hear all parties and their witnesses and shall determine the benefits if any to accrue to each such parcel of private property and shall prepare a schedule of such property showing the amount of benefits assessed against each parcel of property.

Section 9 The viewers shall give notice to all persons against whose property benefits have been assessed of a time and place when and where the viewers will meet and exhibit their schedule and hear all exceptions thereto

Such notice shall be given by registered mail addressed to the last known post office address of the owner or reputed owner of the property and by publication once a week for two weeks in at least two newspapers of general circulation in such municipality or in the county if so many be published therein The failure of an owner to receive the registered notice shall not be deemed to invalidate the proceedings but in such case the notice by publication shall be deemed sufficient.

Section 10 After hearing all parties and their witnesses and after making whatever changes in their schedule are deemed necessary the viewers shall prepare a revised schedule of benefits to private property and file a copy of the same in the court of common pleas of the county When the report of viewers is filed it shall be confirmed nisi and notice thereof shall immediately be given by the board of viewers by publication once in the newspapers in which the notice of the hearings before the viewers was published Such notice shall state the date of the filing of the report shall contain the schedule of property assessed and shall state that unless exceptions are filed thereto or an appeal to the court of common pleas is taken therefrom within thirty days from the filing of the report the same will be confirmed absolutely.

Section 11 Within thirty days after the filing of the report of viewers any person interested may file exceptions to the same or may appeal to the court of common pleas and demand a jury trial.

Each person filing exceptions or taking an appeal shall except to or appeal from so much of the report only as effects property in which he has an interest and the part of the report of the viewers not excepted to or appealed from shall be confirmed absolutely after said thirty day period.

Section 12 Where exceptions to a report of viewers are filed the court shall proceed to hear and determine the same in the manner exceptions to reports of viewers are generally proceeded with within the county Where an appeal is taken it shall state the grounds upon which it is taken and shall be accompanied by an affidavit that it is not taken for the purpose of delay but because the appellant believes that injustice has been done.

Upon the trial of any appeal or the hearing of any exceptions in case the appellant or party excepting does not obtain a verdict or decree more favorable than was the report of viewers he shall not recover any costs.

The court of common pleas shall order what notices shall be given in connection with such proceedings by exceptions or appeals and may by rule or otherwise prescribe the form of the pleadings.

The court may also in proper cases consolidate proceedings by exceptions or by appeals into a single proceeding.

Section 13 Any person aggrieved by an order of court upon exceptions filed or the determination of the case where a jury trial was demanded may within thirty days after such final order or determination and not thereafter appeal to the Supreme or Superior Court as the case may be.

Where an appeal is taken to the Supreme Court and an appeal is also taken to the Superior Court and the appeals in both cases are substantially the same or involve the same questions the Superior Court may certify such appeal to the Supreme Court to be heard with other appeals from the same report.

The Supreme or Superior Court shall consolidate all appeals coming before it from the same report and hear them as one case except that cases arising from exceptions shall not be consolidated with those arising from appeals.

Where an appeal is taken to the wrong court such court shall certify the same to the court to which it should have been taken.

Section 14 All assessments of benefits shall become due and payable to the municipality when the works and improvements have been completed which date shall be fixed by the official order of the corporate authorities of the municipality notice of which order shall be published by the board in the newspapers in which notice of the hearing before the viewers was published by one insertion.

Any person may pay any part or all of the benefits assessed against him to the municipality before the due date thereof If such payment is made within one month after the amount of the benefits have been finally ascertained a discount of ten per centum of the amount thereof paid shall be allowed All benefits or any part thereof paid after such one month period and before the date of the completion of the works and improvements shall be subject to a discount of five per centum of the amount paid All assessments of benefits or parts thereof remaining unpaid when the improvements are completed shall bear interest at the rate of six per centum per annum from the date of the completion of the works or improvements until paid.

The municipality shall send by registered mail addressed to the last known post office address a statement of the amount due by each person after the same has been finally ascertained together with a notice of the discounts allowed by this act for prompt payment and when or approximately when interest will be added to the amount due.

Section 15 All assessments for benefits against private property shall remain a lien thereon from the time the report of viewers is filed in court until paid unless the liens thereof be lost by failure to revive the same It shall be the duty of the municipality within six months after its order that the works and improvements have been completed to file in the office of the prothonotary of the proper county liens for all benefits assessed which remain unpaid But no such lien shall be filed unless the municipality shall first notify by mail addressed to the last known post office address of the owner or reputed owner of the property against which an assessment has been made of its intention to have said lien filed if payment of the amount due is not made before a time prescribed by the municipality Such lien shall be filed in the same manner as is provided by law for the filing of municipal claims and shall have priority over all other liens except taxes and other municipal claims and except also mortgages and judgments of record prior to the time the report of the viewers was filed in court.

Such liens shall be revived prosecuted to judgment executed and collected by the municipality in the same manner in all respects as is provided by law in the case of municipal claims.

Section 16 In order to enable municipalities to erect and construct the works and improvements authorized by this act if benefits are to be assessed against private property as herein provided the municipality may issue improvement bonds based solely upon the assessment of benefits made or to be made by reason of such works and improvements and imposing no municipal liability.

Section 17 Nothing contained in this act shall be construed to repeal the provisions of any law the enforcement of which is vested in the Department of Health or the Sanitary Water Board or the provisions of any law the enforcement of which is vested in the Department of Forests and Waters or the Water and Power Resources Board.

On the question,

Shall the bill pass finally?

RECONSIDERATION OF VOTE

Mr. SHORTZ. Mr. Speaker, I move that the vote by which this bill was agreed to on third reading be reconsidered.

The motion was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. SHORTZ. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend Sec. 5, page 3, line 16, by adding at the end thereof the following: "except property easements or rights of way already devoted to any public or quasi-public purposes"

Amend Sec. 5, page 3, line 20, by adding to the end thereof the following: "except any property already devoted to a public or quasi-public purpose."

The SPEAKER. Will the House give unanimous consent to the insertion of the amendments at this time? Is there objection? The Chair hears none and the amendments will be inserted in accordance with the instructions of the House?

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

RESOLUTION

CONGRATULATING HON. MARSHALL L. SHEPARD

Mr. HOMER S. BROWN asked and obtained unanimous consent to offer a resolution which was twice read, as follows:

In the House of Representatives, July 10, 1936.

Whereas, Thirty-seven years ago today there was born in the Tar Heel State of North Carolina a young man who later became an outstanding citizen of the City of Brotherly Love; and

Whereas, During the past regular session and of this Extraordinary Session of the General Assembly this young man has guided Members of the House of Representatives on numerous and various occasions in invoking divine blessings; and

Whereas, At the present moment when the strength of the Members of the House and of this young man has evaporated, due to the arduous task on behalf of the people of the Commonwealth of Pennsylvania, this young man had still left within him sufficient knowledge and intuition to again ask for strength from the Divine Master on this legislative day, without which strength our task would be in vain; therefore, be it

Resolved, That the Honorable Marshal L. Shepard be congratulated on his thirty-seventh birthday; and, be it further

Resolved, That this young man be granted a special leave of absence so that he may attend to his pastorial duties in the City of Brotherly Love, more particularly in the Eighteenth Legislative District; and, be it further

Resolved, That a copy of this resolution be sent to the Honorable Marshal L. Shepard by the Chief Clerk.

On the question,

Will the House adopt the resolution?

Mr. HOMER S. BROWN. Mr. Speaker and members of the House, I know it may not be wise at this time, since we have been here in session for so many days, to take the time to congratulate our brother member on this, his 37th birthday, but I would like the indulgence of the House just for about three or four minutes, so that you may know something of the history of him whose birthday we are celebrating to-day.

I recall just about twenty years ago when I was a student at a college in this country. There appeared on the campus a young man out of form in every respect. As I recall, his clothing was not the clothing of those on the college campus at that time, but his clothing was that of a man from the farm, and he was particularly singled out as being a human being from whom nothing good could come. He was considered somewhat as a joke on this particular campus. I say that for this reason, Mr. Speaker, that this young man has come a long distance, he has risen to the heights where he is considered not only as a leader of his people, but he is considered in the sacred duties of a clergyman as a leader of the clergymen in this country today, regardless of race, creed or color.

Mr. Speaker and members of the House, while it may not be good grace to pass encomiums of praise upon a person while he is alive and in being, for we do not know what he may do to-morrow, nevertheless, I feel that perhaps we should ask that Divine guidance be thrown around him. I personally have tried to keep him under the protection of my wings since we have been here together, so that he will not in the future possibly have to say that he has been unworthy of these statements.

Mr. Speaker and members of the House, I wish to say in conclusion that this young man has had a remarkable career. It bespeaks the praise, it bespeaks the sentiment of those who are toiling to meet the obstacles with which we are confronted to-day, and notwithstanding these obstacles of race, of prejudice, of greed and of avarice, he has come through them all successfully, and stands to-day a a shining example of a young man who knows not defeat.

Mr. Speaker and members of the House, I ask you to salute him on this day, not as those who saluted the Roman gladiators in the days when they went out to die, but to salute him that he may have a long life in the service of mankind, and be an outstanding exemplar of what can happen to those who strive and those who serve in this, our Commonwealth.

On the question recurring,

Will the House adopt the resolution?

It was unanimously adopted.

Mr. SHEPARD. Mr. Speaker and members of the House, this air cooling system has suddenly failed. I want to thank my colleague, Mr. Brown, and the members of the House for this very fine tribute. I know I am not worthy of it.

I was born thirty-seven years ago,—that's what they told me, down in North Carolina. My father was a slave, and yet, coming to Pennsylvania, I have been honored by the people of this State, both white and black, and by both parties, and I have endeavored at all times to maintain a measure of their respect. It comes as a tribute to the kind of democracy under which we live in America, and especially here in Pennsylvania, that the son of a slave should be elected to the House of Representatives in this Commonwalth, one of the greatest States in these whole United States.

I want to thank you for your kindness, your cheer and for the encouragement that you have so graciously given me. I shall continue to serve as best I can, as long as the people desire that I shall serve them. I had particularly enjoyed the association of my colleagues here in the House of all parties, and particularly the association and comradeship with the other two members from the 18th Legislative District, Representatives Ominsky and Finnerty.

I thank you for this time out, and I hope to be able to cool off.

STATEMENT BY MR. JOHN A. SMITH

Mr. JOHN A. SMITH asked and obtained unanimous consent to make the following statement:

Mr. Speaker and members of the House, I wish I were prepared fittingly to pay the respect of the white members of this House to the gentleman whose birthday we are to-day celebrating.

I have sat here in the location of these two colored gentlemen, and I feel that it would be a neglect upon my part and the part of those who have sat in this part of the House, if we did not fittingly pay some tribute of respect to these gentlemen.

Not only has the gentleman from Philadelphia come up from slavery, but in his associations and deliberations in this House of Representatives, he has acquitted himself with all dignity, with all propriety, and he has graced the post of Chaplain of this House with all ability.

I cannot say much at this time because I have not prepared myself to go into the logical development of this tribute, but I do feel that we, the white members of this House, should voice an expression of confidence, of esteem and of respect for these two colored gentlemen, one of whom is having his birthday celebrated to-day, and the other who has so amply and fittingly paid a tribute of respect to a member of his race.

VOTE OF THANKS TO HON. MARSHALL L. SHEPARD

Mr. COLEMAN. Mr. Speaker and members of the House, it is with some hesitancy and no little trepidation that I rise on my feet to augment what has already been said about the gentleman from Philadelphia.

Those of us who have been caught within the radius of the power of his splendid personality, can not let the occasion pass without giving consideration to our innermost feelings.

There are a lot of things we could say in praise of the gentleman from Philadelphia: his great sense of responsibility, seasoned with patience and good humor; his prayer before the assembly convenes, beseeching the blessing, as he does, of the Divine Master over the deliberations of this House; his great personality, charm, his capacity for making and holding friends. All of these attributes are true, but we overlook in him a certain quality that stands out, marks the man as thoroughly fitted for legislative duties. The Reverend Shepard has character. Man strives for wealth and fame and badges of distinction, but these are of little consequence in the scale of life, when a mans worth is being assayed. In the long years of history no man is remembered for his wealth, few men of genius have been remembered for their brilliancy, but myriads are remembered for their character, their unselfish devotion to their fellow men and to public duty. I am thoroughly convinced that I am expressing the sentiment rooted deeply in the hearts of all of us when I say that when Marshall Shepard leaves these legislative halls—and I hope, incidentally, that his career is a long one, that he will leave behind him a monument more enduring than granite, richer than gold, and that is the memory of a man who is conscious of his duties as a legislator.

This land is their's by right of birth,
This land is their's by right of toil,
They helped to spade the virgin earth,
Their sweat is in its fruitful soil.

Marshall Shepard is truly a representative of the colored race. He has by his conduct reflected great credit upon the members of this House, and I think that we ought to give a greater feeling of tribute here than the mere passing of a resolution.

Mr. Speaker, I make a motion at this time that we give a rising vote of thanks to a great personality, a remarkable individual, in the person of the Reverend Marshall Shepard.

The motion was unanimously agreed to by a rising vote.

RESOLUTION

Mr. CAPUTO offered a resolution which filed with the Clerk under the rules.

Mr. HOOPES asked and obtained unanimous consent to offer a resolution and that it be read for the information of the House.

The resolution was read by the Clerk as follows:

In the House of Representatives, July 10, 1935.

Whereas, The House and Senate appear to be in a hopeless deadlock on the unemployment relief problem; and

Whereas, Most Members of the General Assembly have a very slight understanding of the human problems of those who are compelled to exist on present relief allowances; and

Whereas, It is generally agreed that experience is the best teacher; and

Whereas, The official figures issued by the SERA for the month of May 1936 show that the average allowance per person for necessary items was as follows:

Fuel	$ .20
Clothing	1.01
Rent	.48
Water and Light	.05
Medical and Dental care	.21
Food	5.50

or a total average grant per person per month of $7.45; and

Whereas, It would be impracticable and inhuman to require the Members of the Legislature and their families to be evicted from their present comfortable homes, and to compel them to live in the sub-standard dwellings occupied by many of the unemployed, on the grants for items other than food listed above; and

Whereas, While it would be quite difficult, it would be possible and most enlightening, for the aforesaid Members to exist for a limited length of time, on the food allowance of $5.50 per month or 18 cents per day; and

Whereas, Such actual experience by those responsible for the disgraceful legislative snarl, which has stopped all direct relief in this State for the last several days, would undoubtedly result in a speedy solution of the problem in a manner more satisfactory to victims than now appears possible; now therefore

Be is Resolved, (if the Senate concur) That until such time as unemployment relief shall be established upon an adequate basis through the appropriation of the necessary funds and the levying of adequate taxes to raise the same each Member of the General Assembly is hereby directed to spend no more than 18 cents per day for food; and

Be it Further Resolved, That any Member violating this resolution by partaking of food furnished by his family, friends, Legislative lobbyists, or in any manner other than through the expenditure of the aforesaid 18 cents per day in the open market, shall be deemed guilty of contempt of the General Assembly, and shall be brought before the bar of the House of which he or she is a member and compelled to cook said food on the fuel allowance of two-thirds of one cent per day.

The SPEAKER. This is not a privileged resolution and will be filed with the Clerk under the rules.

STATEMENT BY MR. TRONZO

Mr. TRONZO asked and obtained unanimous consent to make the following statement:

Mr. Speaker and members of the House, with reference to the last resolution, presented by the Hon. Mr. Hoopes, I wish to add that if this session continues any longer, we won't need that resolution to go on those rations; we will have to do it and like it.

ANNOUNCEMENT

There will be a Republican caucus in the conference room immediately.

RECESS

The SPEAKER. If there are no objections, the Chair is about to declare a recess for fifteen minutes. Are there objections? The Chair hears none and declares a recess for fifteen minutes.

AFTER RECESS

The time of reces having expired the House reconvened. The SPEAKER (ROY E. FURMAN) in the Chair.

RESOLUTIONS INTRODUCED AND REFERRED

By Messrs. HARKINS, CAPUTO, EROE and TRONZO.

RESOLUTION No. 40.

In the House of Representatives, July 10, 1936.

The adoption of the unicameral system for legislative bodies in the State of Nebraska and in the Irish Free State indicates a trend away from the bicameral systems. Bills have also been introduced from time to time in the General Assembly of Pennsylvania proposing constitutional amendments to bring about a change to the unicameral system in this Commonwealth.

It is therefore fitting that the subject be carefully considered and studied so that this House may be well advised as to all of the benefits and detriments incident to a unicameral State legislature, before venturing to pass upon the adoption or rejection of so drastic a change in the legislative branch of the State Government; therefore be it

Resolved, That the Speaker of the House of Representatives appoint seven Members of this House to serve as a committee to study the unicameral system as applied to legislative bodies, and to report its findings and recommendations to the House of Representatives at its regular session in the year one thousand nine hundred and thirty-seven.

Referred to the Committee on Rules.

By Mr. HOOPES.

(Concurrent) RESOLUTION No. 41.

In the House of Representatives, July 10, 1935.

Whereas, The House and Senate appear to be in a hopeless deadlock on the unemployment relief problem; and

Whereas, Most Members of the General Assembly have a very slight understanding of the human problems of those who are compelled to exist on present relief allowances; and

Whereas, It is generally agreed that experience is the best teacher; and

Whereas, he official figures issued by the SERA for the month of May 1936 show that the average allowance per person for necessary items was as follows:

Fuel	$ .20
Clothing	1.01
Rent	.48
Water and Light	.05
Medical and Dental care	.21
Food	5.50

or a total average grant per person per month of $7.45; and

Whereas, It would be impracticable and inhuman to require the Members of the Legislature and their families to be evicted from their present comfortable homes, and to compel them to live in the sub-standard dwellings occupied by many of the unemployed, on the grants for items other than food listed above; and

Whereas, While it would be quite difficult, it would be possible and most enlightening, for the aforesaid Members to exist for a limited length of time, on the food allowance of $5.50 per month or 18 cents per day; and

Whereas, Such actual experience by those responsible for the disgraceful legislative snarl, which has stopped all direct relief in this State for the last several days, would undoubtedly result in a speedy solution of the problem in a manner more satisfactory to victims than now appears possible; now therefore

Be is Resolved, (if the Senate concur) That until such time as unemployment relief shall be established upon an adequate basis through the appropriation of the necessary funds and the levying of adequate taxes to raise the same, each Member of the General Assembly is hereby directed to spend no more than 18 cents per day for food; and

Be it Further Resolved, That any Member violating this resolution by partaking of food furnished by his family, friends, Legislative lobbyists, or in any manner other than through the expenditure of the aforesaid 18 cents per day in the open market, shall be deemed guilty of contempt of the General Assembly, and shall be brought before the bar of the House of which he or she is a member and compelled to cook said food on the fuel allowance of two-thirds of one cent per day.

BILL ON SECOND READING

Mr. BURKE asked and obtained unanimous consent to call up at this time House Bill No. 160, Senate Bill No. 87, Printer's No. 23, on page 1 of today's calendar, bills on second reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 160 (Senate Bill No. 87), entitled:

An Act abating under certain circumstances tax penalties and interest on certain city taxes in cities of the first class school districts of the first class and prohibiting the sale of real property for the non-payment of any such taxes for a certain period and preserving certain tax liens and providing for the extension thereof

The first section was read and agreed to as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That all penalties and interest imposed on delinquent taxes in cities of the first class and school districts of the first class for the tax year one thousand nine hundred and thirty-four and all previous years assessed and levied against any parcel or parcels of real estate are hereby abated without the necessity of further action by the authority levying the tax if said delinquent taxes are paid as hereinafter provided

In order to receive the benefits of this act the taxes for the year one thousand nine hundred and thirty-five and all penalties and accrued interest thereon and thirty-three and one-third per centum of the delinquent taxes due for the tax year one thousand nine hundred and thirty-four and for all previous years shall be paid on or before the first day of November one thousand nine hundred and thirty-six thirty-three and one-third per centum on or before the first day of November one thousand nine hundred and thirty-seven thirty-three and one-third per centum on or before the first day of November one thousand nine hundred and thirty-eight And provided That the respective current taxes on such parcel or parcels of real estate for the years subsequent to the year one thousand nine hundred and thirty-six during such installment periods assessed and levied by such taxing authority shall be paid during the then current year be-

fore they become delinquent if and whenever any of the said current taxes or any of the said installments are not paid when due and payable as herein provided then and in that event there shall become due and payable for such year a sum equal to one-third of what would have been the total amount of the abated penalties and interest had the payment in question been made on time this sum to be in addition to the other payments required to be paid under this Act during that year which said additional sum shall be payable and must be paid at the time the next succeeding installment payment becomes due under this Act. If such additional sum is not so paid then the total amount of the abated penalties and interest less the aggregate of any such additional sums theretofore paid shall be received and added to the unpaid taxes with the same force and effect as if such abated penalties and interest or portion thereof had never been abated and the tax payer shall not thereafter be entitled to any further benefits or privileges under this Act

The second section was read as follows:

Section 2 Any taxpayer may anticipate the payment of such delinquent taxes for the tax year one thousand nine hundred and thirty-four and previous years at any time on or before November first one thousand nine hundred and thirty-six or of the balance of said delinquent taxes then due at any time thereafter during the installment period herein if the taxpayer is not then in default in the provisions hereof by paying the entire amount or balance as the case may be of such delinquent taxes and receive the benefit of this act and in such cases payment of the taxes assessed and levied for the year one thousand nine hundred and thirty-six shall not be required at the time of such payment.

On the question,

Will the House agree to the section?

Mr. BURKE. Mr. Speaker, I desire to offer the following amendments.

The Speaker. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend Section 2, page 3, line 13, by striking out the word "such"

Amend Section 2, page 3 line 18 by inserting after the word "herein" the following: "provided for"

Amend Section 2, page 3, line 19 by striking out the word "in" and inserting in lieu thereof the word "under"

Amend Secton 2, page 3, line 19 by striking out the word "hereof" and inserting in lieu thereof the following: "of this act"

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The third section was read as follows:

Section 3 This act shall be construed to apply to all such taxes whether or not liens for such taxes have been returned for non-payment or have been filed in the office of the prothonotary of the country or proceedings for the collection of such taxes have been instituted in any court in said county or where real property has been sold to a county city borough town township school district or poor district at a tax sale or on a tax lien and the period of redemption has not expired but this act shall not be construed to apply to cases where real property has been sold other than to a county city borough town township school district or poor district at a tax sale or on a tax lien and where the period of redemption has not expired but if the taxpayer desires any tax lien or judgment entered of record to be satisfied it shall be so marked on order filed by the taxing authority or its solicitor upon payment of all costs actually expended by the taxing authority the taxpayer to be liable for the payment of such costs only

On the question,

Will the House agree to the section?

Mr. BURKE. Mr. Speaker, I desire to offer the following amendments.

The Speaker. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend Section 3, page 4, line 14 by inserting after the word "authority," the following: "and advertising costs actually expended by the sheriff"

Amend Section 3, page 4 line 15, by adding after the word "only" the following: "and no other costs to be demandable from him or the taxing authority"

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The fourth section was read as follows:

Section 4 The benefits of this act shall extend to and accrue to any successful bidder or purchaser at Sheriff's or other judicial sale grantee transferee mortgagee or other party in interest in the parcel or parcels of real estate against which the above mentioned taxes have been assessed and levied

For the purposes of this act a tax shall be deemed to become delinquent on the date of its registry as a delinquent tax or on or before the fifteenth day of January of the year following the current year for which the tax in question was levied

On the question,

Will the House agree to the section?

Mr. BURKE. Mr. Speaker, I desire to offer the following amendment.

The Speaker. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend Section 4, page 4, line 24 by striking out the words "or before"

On the question,

Will the House agree to the amendment?

It was agreed to,

On the question,

Will the House agree to the section as amended?

It was agreed to.

The fifth section was read and agreed to as follows:

Section 5 Any taxpayer shall have the right to pay the delinquent taxes assessed and levied against any percel or parcels of real estate without being required to pay the delinquent taxes assessed and levied against any other parcel or parcels of real estate in the same ward district or other municipal subdivision

The sixth section was read as follows:

Section 6 In all cases of delinquent taxes paid subsequent to June first one thousand nine hundred and thirty-five and on or before November first one thousand nine hundred and thirty-six where the payments were or are made and accepted on the basis of the allowance to the taxpayer of penalties interest and costs or on the basis of the allowance of any of them such allowance or allowances shall stand valid in all respects and shall be so viewed on the audit of the accounts by the tax collector

On the question,

Will the House agree to the section?

Mr. BURKE. Mr. Speaker, I desire to offer the following amendment.

The Speaker. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend Section 6, page 5 line 12 by striking out the word "by" and substituting in lieu thereof the word "of"

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The seventh to the eleventh sections were separately read and agreed to as follows:

Section 7 Upon application either in person or in writing by any taxpayer the tax levying authorities the tax collector the receiver or receivers of taxes or the person or persons charged with the collection of such delinquent taxes or the person or persons in whose custody the records of such delinquent taxes are kept shall furnish to such delinquent taxpayer a statement of the delinquent taxes owed by him to such municipal subdivision showing the face amount the penalty if any the interest if any and any costs or other charges in detail against such real property as shown by the records in his custody

Section 8 In order to enable the taxpayer to receive the full benefits of this act no real property shall be sold for non-payment of taxes before November first one thousand nine hundred and thirty-six and any tax sale shall be adjourned or readjourned as often as may be necessary for this purpose If any tax sale is adjourned or readjourned after advertisement no additional advertisement or notice shall be necessary for the adjourned or readjourned sale No such adjournment or readjournment failure to advertise or hold any such tax sale shall invalidate the lien of any tax due and unpaid by the lien of all such taxes shall be fully preserved during the entire installment period herein provided for if the taxpayer avails himself of the privileges or benefits of this Act provided however that in every case where a tax payer avails himself of the privileges or benefits of this Act the period during which payment of the said delinquent taxes are postponed or continued under this Act shall not be included in computing and determining whether or not any right of the tax assessing and levying authority has been barred or lost by reason of the provisions of any statute or statutes now existing or hereafter enacted limiting the right of the said tax levying and assessing authorities to file preserve or maintain the lien of the said taxes

Section 9 The provisions of this act are severable and if any of the provisions hereof are held to be unconstitutional the decision shall not be construed to impair any other provision of this act It is hereby declared as the legislative intent that this act would have been adopted had such unconstitutional provision not been included herein

Section 10 The Act approved the sixteenth day of May one thousand nine hundred thirty-five Pamphlet Laws one hundred sixty-six as amended by the Act approved the twenty-first day of June one thousand nine hundred thirty-five Pamphlet Laws four hundred ten shall continue in force and effect only as to those taxpayers who have heretofore taken advantage of that act by paying the first installment within the instalment period provided for in Section one paragraph (a) thereof and have not become in default and shall not become in default in meeting any subsequent instalments provided for in that act and who continue to liquidate their delinquent tax obligations under that act provided however That if said taxpayer desires any tax lien or judgment entered of record to be satisfied he shall be liable for costs as provided in section ten of this act All other acts and parts of acts general local and special inconsistent herewith be and the same are hereby suspended during the time this act shall be in effect

Section 11 This act shall become effective immediately upon final enactment

The title was read as follows:

An Act abating under certain circumstances tax penalties and interest on certain city taxes in cities of the first class school districts of the first class and prohibiting the sale of real property for the non-payment of any such taxes for a certain period and preserving certain tax liens and providing for the extension thereof

On the question,

Will the House agree to the title?

Mr. BURKE. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend Title page 1, line 7, by adding after the word "thereof" the following: "and for payment of costs in connection therewith"

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the title as amended?

It was agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

STATEMENT BY MR. WICKERSHAM

Mr. WICKERSHAM asked and obtained unanimous consent to make the following statement:

Mr. Speaker and members of the House, as I understand it, we are about to adjourn in a short time, and it must now be apparent to everyone that there is no break in the deadlock on the relief situation.

In the remarks that I am about to make, I shall not attempt to place the blame for that situation on either political party. The only thing I am concerned with is the issue which faces us now and immediately. You are all about to go home for the week end. Many of you may be asked what you are going to do about the immediate situation. Now, I say to you that whichever party is at fault on the permanent program that the issues have been clearly enough drawn, and which side is right can be decided in November, but we have a much different question before us now, and that is what are we going to do for the people right away. I submit that the only thing that we can do is to transfer some money.

The last time that I introduced a resolution it met with three chief objections. First, that the transfer was from the liquid fuel fund. I have attempted to meet that objection in a resolution providing for a transfer from the State Stores' fund instead. The second objection was that there would be no transfers unless we were assured of the funds being repaid. I have attempted to meet that objection by providing for tax anticipation notes directed against the tax bill on liquor, which it is

estimated will provide a revenue of seven and a half million dollars, so that the money can be returned as soon as the notes are sold.

That leaves the third objection, which, as Mr. Cohen has so ably stated, namely, opposition to any transfers until a relief program has been hit upon. That being so, the issue is clearly enough drawn, and it is up to us to lay that aside, and be content to go to the polls in November, defending our position, whether it be Republican or Democratic, but in the meantime we have to do something for the people that are on relief, and for the last time I am going to make another effort to meet the immediate situation, and I ask unanimous consent to offer a resolution and ask to have it read for the information of the House.

The SPEAKER. Will the House give its unanimous consent for the resolution to be read for the information of the House? Are there objections? The Chair hears none and consent is granted.

The resolution was read by the Clerk as follows:

RESOLUTION

TRANSFERRING STATE STORES FUND

In the House of Representatives, July 10, 1936.

Resolved (if the Senate concur), That the General Assembly hereby authorizes the Governor and the fiscal officers of the Commonwealth to transfer to the General Fund from the State Stores Fund, the sum of $1,500,000 for the purpose of making the same available for expenditure by the State Emergency Relief Board for unemployment relief purposes.

Resolved, That the General Assembly hereby pledges that it will pass at this session of the General Assembly appropriate legislation—(1) ratifying, valdating and confirming the action of the Governor and the fiscal officers in making the transfer authorized by this resolution; (2) appropriating to the State Emergency Relief Board for unemployment relief purposes the sum of $1,500,000; and (3) authorizing the State to issue and sell tax anticipation notes not in excess of the amount of the estimates of the uncollected tax imposed on liquors by the Act of June 9, 1936, Act No. 4, in order to make available moneys to repay the sum so transferred, said notes and the interest thereon to be redeemable from said tax when collected.

Mr. WICKERSHAM. Mr. Speaker, I ask unanimous consent for the immediate consideration of the resolution.

The SPEAKER. Will the House give its unanimous consent for the immediate consideration of the resolution? Are there objections?

QUESTION OF PARLIAMENTARY INQUIRY

Mr. DENT. Mr. Speaker I rise to a question of parliamentary inquiry.

The SPEAKER. The gentleman will state his question of parliamentary inquiry.

Mr. DENT. Mr. Speaker, is this resolution, without the sanction of the Senate, any good to us? Will it meet the emergency this week, if the Senate has already adjourned?

The SPEAKER. The Chair has been informed that the Senate has adjourned. This is a concurrent resolution, and, therefore, could not be effective.

Mr. DENT. Mr. Speaker, if that is an established fact, and knowing full that the resolution itself can not do any good whatsoever other than to bring up a more or less political issue, I object to the immediate consideration of this resolution.

The SPEAKER. The Chair hears objection, and consent is not granted.

INTERROGATION

Mr. WICKERSHAM. Mr. Speaker, I would like to interrogate the gentleman from Westmoreland, Mr. Dent.

The SPEAKER. Will the gentleman from Westmoreland permit himself to be interrogated?

Mr. DENT. I will, Mr. Speaker.

Mr. WICKERSHAM. Mr. Speaker, do I understand that the gentleman from Westmoreland's only objection to this resolution is because the Senate has now adjourned, and if it passes and the Senate concurs, it will be Monday before the first funds are available?

Mr. DENT. Mr. Speaker, I would not say that my objection is based entirely upon the fact that the Senate had adjourned, or that I would vote either way on the resolution. That is not the question. The question is that the resolution is absolutely no good at the present time. It does nothing, will do nothing and can do nothing.

Mr. WICKERSHAM. Mr. Speaker, does the gentleman realize that if it is the desire of this House to immediately transfer funds for the time being, that this resolution would do so, that this House, without the Senate, can do it by passing the Eberharter bill?

Mr. DENT. Mr. Speaker, the Eberharter bill is not before the House at the present time.

Mr. WICKERSHAM. Mr. Speaker, does the gentleman know it can be brought before the House if the majority will take it off the table?

Mr. DENT. Mr. Speaker, what authority has the gentleman to substantiate that statement, that we could do it by passing the Eberharter bill? Upon what is the gentleman basing that statement.

Mr. WICKERSHAM. Mr. Speaker, on the Eberharter bill.

Mr. DENT. In what respect, Mr. Speaker?

Mr. WICKERSHAM. Who is interrogating whom, Mr. Speaker.

Mr. DENT. Mr. Speaker, the only reason I did not answer the question directly was the fact that the Speaker of the House must sign the Eberharter bill, as well as the President Pro Tem. of the Senate.

REQUEST TO MAKE STATEMENT

Mr. WICKERSHAM. Mr. Speaker, I ask unanimous consent of the House to make a brief statement in reply to the suggestions that have been made.

The SPEAKER. Will the House give its unanimous consent to the gentleman from Dauphin to make a statement? Are there objections?

Mr. JOHN J. BAKER. I object, Mr. Speaker.

The SPEAKER. The Chair hears objection, and consent is not granted.

INTERROGATION

Mr. DENT. Mr. Speaker, I would like to interrogate the gentleman from Dauphin, Mr. Wickersham.

The SPEAKER. Will the gentleman from Dauphin permit himself to be interrogated?

Mr. WICKERSHAM. I will, Mr. Speaker.

Mr. DENT. Mr. Speaker, was the gentleman from Dau-

in aware of the fact that the Senate had adjourned nen he presented this resolution?

Mr. WICKERSHAM. Mr. Speaker, I had been informed others, but I was not present when they adjourned.

STATEMENT BY MR. GATES

Mr. GATES asked and obtained unanimous consent to ake the following statement:

Mr. Speaker and members of the House, the night be- e last we had up for consideration the transfer of funds m the motor fund. I strenuously opposed that resolu- n, because I knew that the seventeen million dollars t are now due and payable to the Highway Department s crippling that department and was causing them to off men, and thus increasing the relief load in the te of Pennsylvania. I further opposed that resolution ause that money came back into the small country nties, and I represent one of those small country nties. That money was to be used for the building of all secondary roads, which would permit the farmers my county to take their produce and their milk to rket. I oppose any resolution that will cripple the lding of that particular class of roads, but I think we e come to a serious condition in the State of Penn- vania. I am generally opposed to the transfer of any ds, but I do believe at this time that we should pass s resolution of Mr. Wickersham. While it is true that Senate has gone home and left us here by ourselves, rertheless, if this resolution passes this House today, an be taken up with the Senate on Monday night, and ile losing a day and while the suffering will suffer t much longer, why continue their suffering? Let us s this resolution and put it up to the Senate and see he Senate of the State of Pennsylvania will not go ng with us in granting this relief until something per- nent can be done. I hope you will reconsider and pass s resolution and put it up to the Senate next Monday ht, so that immediate relief can be given to those who unfortunately suffering in this state at the present e.

QUESTION OF PARLIAMENTARY INQUIRY

Ir. JOHN A. SMITH. Mr. Speaker, I arise to a question parliamentary inquiry.

he SPEAKER. The gentleman will state his question parliamentary inquiry.

Ir. JOHN A. SMITH. Mr. Speaker, if on Monday night Senate placed upon its calendar and properly passed quate revenues so that before the end of the night's sion the news of that action came to this side of the se, would it then be possible that this resolution, or Eberharter bill, would adequately cover the time ele- nt, which is not covered by this resolution, and that effect of this resolution would be as potential as if passed it today?

he SPEAKER. The Senate has already adjourned. re is nothing that this House can do today.

QUESTION OF PARLIAMENTARY INQUIRY

r. HOMER S. BROWN. Mr. Speaker, I rise to a ques- of parliamentary inquiry.

ne SPEAKER. The gentleman will state his question parliamentary inquiry.

r. HOMER S. BROWN. Mr. Speaker, I would like to s what is before the House at the present time.

The SPEAKER. There is nothing before the House except a motion to adjourn.

MOTION TO ADJOURN

Mr. HALUSKA. Mr. Speaker, I move that this House do now adjourn until Monday, July 13, 1936, at 9:00 P. M.

On the question.

Will the House agree to the motion?

The Speaker declared the noes appeared to have it.

Whereupon, a division was called for one member voting in the affirmative, and one hundred and six members voting in the negative, the question was determined in the negative and the motion was not agreed to.

INTERROGATION

Mr. JONES. Mr. Speaker I would like to interrogate the gentleman from Allegheny, Mr. Baker.

The SPEAKER. Will the gentleman from Allegheny permit himself to be interrogated.

Mr. JOHN J. BAKER. Mr. Speaker, I will.

Mr. JONES. Mr. Speaker, does the gentleman from Allegheny think that the Constitution of the United States is one of the greatest documents that was ever framed?

Mr. JOHN J. BAKER. Mr. Speaker, do I which?

Mr. JONES. Mr. Speaker, does the gentleman believe that the Constitution of the United States is one of the greatest documents that was ever framed?

Mr. JOHN J. BAKER. Mr. Speaker, I do because it was written by a Democrat.

Mr. JONES. Mr. Speaker, then, as the gentleman and I agree that it is one of the greatest documents in our whole history, does the gentleman believe in its provisions?

Mr. JOHN J. BAKER. Mr. Speaker, I surely do.

Mr. JONES. Mr. Speaker, does the gentleman believe in free speech?

Mr. JOHN J. BAKER. Mr. Speaer, I believe in free speech, and I also believe in sincere speeches, but not in ten weeks of Republic malingering, like we have had in this House.

Mr. JONES. Mr. Speaker, just a few moments ago the gentleman prohibited a member of this House, who was elected by the people of his district, from exercising the privilege of free speech which the Constitution of the United States gives him on this floor, when he wants to try to feed the hungry of this State.

Mr. JOHN J. BAKER. Mr. Speaker, I do believe in free speech, but I have heard the gentleman from Luzerne and the gentleman from Dauphin stand on the floor of this House and defy those hungry people back home by not voting for taxation upon the corporate rich of this State. Therefore, you are not sincere in your statements, and you are not sincere in any action for the purpose of feeding the starving and hungry back home.

Mr. JONES. Mr. Speaker, I yield the floor temporarily to the gentleman from Dauphin County, Mr. Wickersham.

QUESTION OF PERSONAL PRIVILEGE

Mr. WICKERSHAM. Mr. Speaker, I arise to a question of personal privilege.

The SPEAKER. The gentleman will state his question of personal privilege.

Mr. WICKERSHAM. Mr. Speaker and members of the House, assuming that the gentleman from Allegheny re-

ferred to me as the gentleman from Dauphin, I consider that my integrity as a member of this House has been questioned, and therefore, I wish to state my position on the tax program and on the present relief question that is before this House.

As I have said before, I am against any new taxes until the Democratic party and the Republican party agree on the amount that is necessary, and when that is done I am willing to go along on the tax program that is submitted. You will find in the final analysis of the record of the tax bills that have been passed by this House that I have voted in favor of them.

All that I am trying to do is this, I know that the Senate has adjourned, but if we do pass this resolution, and if it were passed by the Senate Monday night, the Relief Board could have the checks ready Monday, and as soon as it was passed, they could have them in the mail Monday night, and the people in need would have their relief Tuesday morning, and we could have that assurance because the Senate has approved exactly what this resolution proposes to do, in their amendments to the Eberharter bill, and, therefore, we can be assured that the Senate will go along with this resolution, if the House sends it to them. We can then assure the people of this State that the relief will be in the mails Monday night and that they will have their checks Tuesday morning.

QUESTION OF PERSONAL PRIVILEGE

Mr. JONES. Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER. The gentleman will state his question of personal privilege.

Mr. JONES. Mr. Speaker, I rise in my seat to-day to protest against the taking away of my constitutional right of free speech. I have been a member, as I have said before, of this House ten years. For eight years, when it was in control of the Republican party, any member of this House could get up and he could call the other side all he wanted to call them and there was never any objection. That was his constitutional right. Now, men, right is right. We have members on this floor here who have got things to explain to their constituents back home and they would like to be heard. The Democratic majority brought the New Deal into this House, and the very first thing they did was to take away the right of free speech from us and gag us. Do you think that is right, members of the Democratic side, when the Constitution says that we shall have the right of free speech? Do you think it is right to take that right from us to talk, on what we feel we should talk? Now, I was over in the Senate and I find out over there, where the Republicans are in control, that they get up and they call one another just what they want, and nobody objects. I am not afraid, you can get up and call me anything you want to call me, because everything I am doing here, I want the people back home to know. I have voted for every single transfer. I have made two speeches about feeding the needy. I am going back this week and tell them I am not big enough for this job, because I made a speech that I thought would touch every man's heart, and yet it wasn't big enough to touch the Democratic side. As I told you before, Luzerne County is one of the worst counties we have in unemployment, and those women and those children back there are hungry, and yet you get up and talk about the New Deal. That isn't a New Deal, that is a raw deal. The gentleman from Allegheny got up there and when I asked him in all sincerity to try and clear up the situation, he starts out in a very blatant voice and starts that old time gag stuff, you know, trying to make a big impression. I will vote for anything, and I will tell you why I haven't voted for some of those tax bills, because I didn't think they were the proper taxes. The taxes I am going to vote for are the income tax measures because they will take care of the unemployed, because they will take care of the property owners who are in danger of losing their properties—

POINT OF ORDER

Mr. TUMELTY. Mr. Speaker, I rise to a point of order.

The SPEAKER. The gentleman will state his point of order.

Mr. TUMELTY. Mr. Speaker, the gentleman from Luzerne arose on a question of personal privilege and he is now discussing legislation instead of sticking to the question of personal privilege.

The SPEAKER. The point of order is well taken. The gentleman will not discuss any pending legislation before this House, but discuss only matters pertaining to himself.

Mr. JONES. Mr. Speaker and members of the House when I arose, that was all I intended to do, to say that the Democrats have taken away my right of free speech and have abridged my right to talk. I just want to point out that evidently they can't take it, and the things that they are doing they do not like to hear about. I am through, I thank you.

QUESTION OF PERSONAL PRIVILEGE

Mr. JOHN J. BAKER. Mr. Speaker I arise to a question of personal privilege.

The SPEAKER. The gentleman will state his question of personal privilege.

Mr. JOHN J. BAKER. Mr. Speaker, the gentleman from Luzerne has stated that I made some remarks during the interrogation on the Constitution of the United States. Mr. Speaker and members of the House, I have heard the minority party of this House for the past ten weeks give us a song and dance every Monday night—

POINT OF ORDER

Mr. TURNER. Mr. Speaker, I arise to a point of order.

The SPEAKER. The gentleman will state his point of order.

Mr. TURNER. Mr. Speaker, the gentleman from Allegheny is not now speaking on a question of personal privilege.

The SPEAKER. The gentleman from Allegheny will confine his remarks to matters pertaining to himself.

Mr. JOHN J. BAKER. Mr. Speaker and members of the House, since the gentleman from Luzerne thinks that someone has taken away his right of free speech, I want to say to the gentleman from Luzerne that I have not been here for ten years as a member of this House, and I am

not going to brag about what I have done in the last session or this session, but I will say that I have spent about fifteen years around these halls, and I know what the gentlemen on the other side have done with the gag rule previously, and the time when the Democrats came in this House and voided the rule of 105, and gave them that right, the more so than they did in the previous sessions covering some forty years in this state, during their regime.

STATEMENT BY MR. COHEN

Mr. COHEN asked and obtained unanimous consent to make the following statement:

I just wish to clarify the issue, as the gentleman from Dauphin, Mr. Wickersham, apparently attempted to do. The problem with which this House is confronted at the present time is the problem of relief. The lines have been clearly drawn between the two schools of thought on that very problem. We have steadfastly maintained since the last transfer of two million dollars that we, the majority, would not go along any further unless complementary tax measures were passed. Those measures have not been passed. We have waited diligently for the presentation of a tax program which would enable us to take care of the relief situation over a long term period. We are now waiting and have kept diligently in session this entire week in the hope that a tax program would be presented to this House for final enactment. At the present time we have no tax program, we have no revenue bills, we have nothing to take care of past transfers. The house is completely without the power to act, because every measure before this House which could effectuate a transfer either by the enactment of the Eberharter bill or by the consideration of the Wickersham resolution would be null and void at the present time due to the fact that the Senate has adjourned and their concurrence in the resolution, or the signature on the Eberharter bill before the entire Senate could not be accomplished.

In view of the fact that I have been reliably informed that the action of the Senate was to the effect that the tax measures which had been defeated by the Senate early this morning had been reconsidered and that there is a conference in progress which is to continue over the week end, at which time a tax program will be presented by the Senate for final enactment by this House; in view of the fact that that was the understanding upon which the Senate adjourned, and further in view of the fact in order not to embarrass any of the conferees or individuals who are attempting to get together in formulating that tax program which will enable this House, the Senate, the Administration, the tax payers and everybody concerned in the welfare of the Commonwealth to fulfill their obligations to the people of the Commonwealth, and in view of the fact that those deliberations are in progress, I move that this House do now adjourn.

ADJOURNMENT

Mr. COHEN. Mr. Speaker, I move that this House do now adjourn until Monday, July 13, 1936, at 9:00 P. M.

On the question,

Will the House agree to the motion?

The following members indicated their desire to be recorded as voting "no" had a recorded vote been taken: Messrs. Wickersham, Haluska, Gates, Mason, Jones, Roan, Hoopes, Hermansen and Shortz.

The motion was agreed to, and (at 3:00 o'clock P. M.) the House adjourned until Monday, July 13, 1936, at 9:00 o'clock. P. M.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Extraordinary Session of 1936.

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SENATE

MONDAY, JULY 13, 1936

The Senate met at 9:00 o'clock P. M.

The PRESIDENT (Lieutenant Governor Thomas Kennedy) in the Chair.

PRAYER

The Chaplain, Rev. William E. Howard, D. D., offered the following prayer:

Our Father and our God, a great teacher has declared that every man is a thought of God. If this be true, the chief duty of each of us is to give vital expression to the thought that was in Thy mind when we came into being.

In Thy word Thou hast described the Divine ideal of a real man. He does not walk in the counsel of the ungodly nor stand in the way of sinners, nor sit in the seat of the scornful. He takes much delight in the law of the Lord that he meditates upon it by day and by night. Such careful living and serious thinking so transforms his life that he becomes like unto a tree planted by the rivers of water, bringing forth abundant fruit, with leaves ever green. Thou dost assure us that whatsoever such a man doeth shall prosper.

If we desire to live to a ripe old age and go down to our graves in honor, leaving behind us an oasis in the desert of life, which shall exude a fragance upon future generations, we must strive to measure up to this Thy standard of manhood. O God, inspire us so to do. We ask it in the name of the only perfect man known to man, who was both God and man. Amen.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. HUFFMAN, the further reading was dispensed with, and the Journal was approved.

LEAVE OF ABSENCE

Mr. HARVEY asked and obtained leave of absence for the Senator from Luzerne Mr. Sordoni.

COMMUNICATIONS RELATIVE TO IMMEDIATE ACTION ON RELIEF

The Chair cleared his table and laid before the Senate the following telegrams:

Wilkes-Barre, Pa., July 11, 1936.

Senate of Pennsylvania:

To the Senate assembled in session in the name of 50,657 starving persons in Luzerne County we demand immediate passage of a bill to provide $55,000,000 as an absolute minimum. We are not satisfied with temporary measures from week to week but desire the security of an adequate sum covering an extended period of time. Private agencies and local political divisions have no funds for this emergency, only state action can relieve our intense distress.

Malcolm Burnside, Retail Merchants Association
Charles N. Loveland, Mayor of Wilkes-Barre
Dr. Louis N. Levitsky, Rotary Club
Evelyn B. Crook, Council of Social Agencies
Rev. Jos. T. Hammon, Catholic Charities
Mrs. Cosmar P. Long, Jewish Welfare Agency
Mrs. Charles N. Loveland, Women's International League for Peace and Freedom
John B. Middleton, United Charities
John Muldowney, Workers Alliance
Robert J. Smalley, Luzerne County Unemployed League
Patrick Brennan, Penna. Security League
Dr. J. J. Kocyan, Advisory Medical Comm. LCERB.

Hazleton, Pa., July 13, 1936.

Senate of Pennsylvania:

Fifty thousand persons in Luzerne County and five thousand of the number in the lower end of the county are left destitute and starving because relief has been cut off and because of delay in passing needed relief appropriations at Harrisburg. We urge immediate passage of an appropriation of fifty-five million to care for the relief needs of the state to January 1, 1937, as recommended by State Emergency Relief Administrator Karl de Schweinitz. Only prompt action can relieve the distress which shutting off relief by the state is causing.

Adj. H. Swackhamer, Salvation Army
O. C. Whitaker, United Charities
Paul McNelis, Security League
James H. Powers, Welfare Federation
R. W. Bersch
Frank A. Allen.

RESOLUTION RELATIVE TO IMMEDIATE ENACTMENT OF RELIEF LEGISLATION

Mr. THOMPSON (Centre) presented resolution from the Co-operative Legislative Board of the Four Transportation Brotherhoods of Pennsylvania urging immediate enactment of relief legislation, which was read as follows:

Commonwealth of Pennsylvania,
State Senate,
Capitol Building,
Harrisburg, Pennsylvania.

Honorable Members of the State Senate:

The Corporate Legislative Board of the four Transportation Brotherhoods of Pennsylvania have this day adopted the folowing Resolution and ordered it sent to the Senate of Pennsylvania to be read into the Record at the convening of the Senate Monday evening, July 13, 1936:

RESOLUTION

Whereas, A crisis now exists in the relief situation in the Commonwealth of Pennsylvania because of the fail-

ure to provide funds for the barest necessities of life needed by more than a half million citizens of this Commonwealth, and

Whereas, The creators of this crisis are those who place pecuniary and property interests above human rights and the needs of humanity, and

Whereas, The present situation challenges the charitable attitude of every welfare and religious organization in this Commonwealth as well as the charitable instinct of each citizen.

Now, Therefore, Be It Resolved, That the dilatory tactics inspired by blind partisanship can no longer be condoned by fair minded citizens of this Commonwealth when more than a half million of their friends and neighbors are made the innocent victims of an economic condition aggravated by a selfish emphasis on property rights as against human rights.

That the alleged balancing of a tax burden as against Relief Needs is the lowest form of political trickery and if undertaken in sincerity is an insult to the instincts of humanity common to the unselfish and right thinking citizens of the Commonwealth.

That those members of the Senate who question the appropriations necessary for relief as submitted by the Governor of Pennsylvania based upon a non-partisan estimate of the Director of the State Emergency Relief Board are guilty of heartless hypocrisy and political pretense.

That immediate action by the Senate is imperative to meet the existing crisis in relief in accordance with the recommendations by His Excellency, The Governor of this Commonwealth.

Dated this 13th day of July, A. D. 1936.

B. G. WINEGARDEN,
Chairman, B. of L. E.

G. B. ROWAND,
Chairman, B. of R. T.

WM. A. MAJOR,
Chairman, O. R. C.

JAMES A. FOX,
Chairman, B. of L. F. & E.

REPORT FROM COMMITTEE

Mr. COYNE, from the Committee on Executive Nominations, reported with favorable recommendation the following appointments made by His Excellency, the Governor of the Commonwealth:

NOTARIES PUBLIC

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 10, 1936.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

ALLEGHENY COUNTY

John Caputo, Pittock.

DELAWARE COUNTY

William Taylor, Jr., Media.

LUZERNE COUNTY

S. N. Feidelman, Hazleton.

PHILADELPHIA COUNTY

Frank A. Cooper, 6116 Sansom St., Philadelphia.

WESTMORELAND COUNTY

Elliott L. Hibbs, Monessen.

GEORGE H. EARLE.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 10, 1936.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following person for reappointment as a Notary Public, for a term of four years to compute from the date set opposite her name:

BUCKS COUNTY

Mrs. Mildred M. Spielman, Perkasie, July 18, 1936.

GEORGE H. EARLE.

EXECUTIVE SESSION

By unanimous consent,

A motion was made by Mr. SONES,

That Rule 38, which requires nominations made by the Governor, to lie on the table one day be dispensed with, and the Senate do now resolve itself into Executive Session, for the purpose of acting upon the foregoing nominations:

Which was agreed to.

Whereupon,

A motion was made by Mr. SONES,

That the Senate do advise and consent to the nominations reported.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46

Aron,	Harvey,	Owlett,	Salus,
Batchelor,	Homsher,	Pierson,	Scott,
Baumer,	Howell,	Prince,	Shapiro,
Bean,	Huffman,	Pytko,	Sones,
Buckman,	Kahle,	Rankin,	Staudenmeier,
Cavalcante,	Lanius,	Reed,	Thompson,
Chapman,	Law,	(Dauphin)	(Centre)
Coyne,	Mallery,	Rice,	Thompson,
Ealy,	McClure,	Roberts,	(Westmoreland)
Frey,	McCreesh,	Rodgers,	Trainer,
Gelder,	McGinnis,	Rupp,	Woodward,
Graff,	Miller,	Ruth,	Ziesenheim,
Harris,			

NAYS—0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

Mr. SONES. Mr. President, I move that the Executive Session do now rise.

Mr. RICE. Mr. President, I second the motion.

The motion was agreed to.

QUESTION OF PERSONAL PRIVILEGE

Mr. HARRIS. Mr. President, I rise to a question of personal privilege.

The PRESIDENT. The Senator from Allegheny, Mr. Harris, will state his question of personal privilege.

Mr. HARRIS. Mr. President, the Governor of Pennsylvania sent a telegram yesterday to Messrs. Pew, Grundy, Mellon and Weir in which he said in part:

"The Republican Senators are controlled by you, body and soul, because they know they cannot win the election this year without campaign funds you give them"

This paragraph would give the impression that all the Republican members of this body are controlled by these men.

I want to make my position clear.

I want to tell the Governor and I want to tell the

people of Pennsylvania that I am not controlled by Pew, Grundy, Mellon or Weir, or by any other man or group of men.

My record in this Senate on questions of humane and social legislation is well-known to the older members of this body. They know I fought for this type of legislation in the days when it was not so popular.

My record is well-known to my constituents, and to the people of this State, and it should be known to the Governor of Pennsylvania.

Mr. President, for 10 weeks the members of this body have been struggling with the problem of relief. From both Republican and Democratic members we have had much oratory and a mass of figures. The speeches have been at times intemperate and passionate. Charges and counter-charges have been made and the attacks on occasion have been vicious.

I do not speak now to criticize severely either of these two groups. Strong men will differ. Men who have the courage of their convictions should be perfectly willing to express them. But let us analyze what has happened and see just where we are now.

The Democratic group have fixed as their conception of the amount necessary for relief, 55 million dollars, claiming that this sum is absolutely necessary to take care of the relief situation until January 31st, and further claiming that they are prompted only by a real desire to assist suffering humanity.

On the other hand, the Republican group, fixing the amount at 38 million dollars, claim that this sum will adequately take care of the situation. They claim that to appropriate in excess of this amount would be a waste of the taxpayers' money, and that their opponents, the Democrats, want this additional money to use for political advantage. They claim it is their duty to protect the already overburdened taxpayer from any unnecessary expenditures.

Perhaps both parties are absolutely sincere in the stand they are taking, but regardless of who is at fault, the fact remains that there has been no definite accomplishment and the underprivileged are the sufferers.

I regret to say that unfortunately all the bickerings and all the charges and countercharges which have been made, have given the impression that both sides are prompted by a desire for political advantage.

I think that everybody here knows that I have refrained from attending caucuses of either party. (Only once, for a few minutes, I attended a Republican caucus.) By adopting this policy, I am satisfied that I have maintained a strict neutrality between these warring parties. I have at times voted with the Democratic party when I thought they were right, and against them when I thought they were wrong,—and I have adopted the same policy with my own party. I believe that relief is neither Democratic nor Republican. I have contended from the start that it should not be put on a political basis, and as an evidence of this I have voted my convictions on every piece of legislation that has been before us this Session.

I might say, with pardonable pride, that this has been my policy during my whole course as a member of the Senate of Pennsylvania and since 1927, when I first took the oath of office, and during all the 10 sessions, regular and special, I have placed myself on record for or against every bill presented.

Let us for a moment leave the eventual solution of this relief problem and discuss the immediate situation. The two parties now differ sharply on what has been termed "stop-gap" relief legislation, meaning of course, as we all know, the taking care of relief temporarily by transfers from other funds.

Several of these transfers were made by agreement between the two parties, although at times the amount was in dispute. After the last transfer of this sort was made, the Democratic party announced that they would vote for no further transfers of funds as a temporary relief appropriation. Last week, when we were faced with a complete breakdown of relief, the Republicans in the Senate amended a bill which had already passed the House, so that it would provide for a transfer of funds to take care of immediate relief needs. This bill passed the Senate on a strictly party vote, with the Democrats voting against the transfer, and proclaiming loudly that this method is wrong in principle and is delaying the final solution of the problem. The Democratic majority in the House, standing by their decision to vote no more transfers, refused to accept this provision for immediate relief needs. The defeat of this measure is responsible for the present tragic situation. Direct relief has stopped. No funds are available, and no checks are being sent out.

Can't we, for the sake of suffering men, women and children, come to an agreement and permit this transfer to pass? I voted for the transfer of these funds as I did for the others, and personally, I do not believe that if this transfer is made, it will delay the final solution of this problem.

I can fully understand that in the heat of passion and anger, men will make strong statements and take definite action, but I hope that now, since everyone has expressed himself fully, since every phase of the relief question has been discussed, since men have given vent to their feelings, that this week will bring the calm after the storm, and that we may be temperate in our remarks.

Charges have been made that outside influence on both parties has been the cause of our failure to agree. I feel confident that if there could be some arrangement whereby the members could sit down in conference together, without outside interference, that we could settle this matter.

Recently I said in a statement that I issued that I feared a deadlock would result, and I expressed the thought that the people should take a part in trying to solve this most important problem. I made an attempt to form a citizen's group, but failed, and it is most encouraging to see the Mayor of the City of Philadelphia, S. Davis Wilson, now come forward and offer his services in leading a Citizens' Committee in an attempt to bring order out of chaos.

The difference between the estimates of the two parties in so far as the appropriation for relief is concerned is about 17 million dollars. In arriving at a final amount, neither side can hope to fix accurately the amount that is required. If the amount appropriated is too low, the money will be exhausted before next January. Unfortunate as it might be, and expensive as it will be, it would certainly be necessary to call another session. If the amount appropriated is more than necessary, and if the

Republican contention is true that this sum will be used for political purposes, can we not in some way, either by law or agreement, work out a plan to check this expenditure? Could not a group of public-spirited citizens with knowledge and experience in matters of relief, meet weekly with the Executive Director of Emergency Relief, assist in fixing policies, and keep constantly in touch with, and advise with the State Emergency Relief Board? In other words, citizens in whom everyone would have confidence, to act as the representatives of the people.

If, by law, we could give them certain powers, well and good; if not, nevertheless, they could disclose any waste of the taxpayers money; they could detect any inefficiency in administration; they could determine whether any of this money is being used for political purposes. Exposure of such conditions would cause the wrath of the people to descend upon the perpetrators of such crimes, and any political advantage they hoped to gain would act as a boomerang.

Mr. President, let it be definitely understood that I speak only for myself. As I stated before, I have maintained a neutral position. I have listened to the arguments from both sides of this Senate, and I have definitely fixed my course. Taxes are, of course, unpopular. No individual and no corporation likes to have taxes imposed on them. No Senator likes to vote for them. I would like to vote against the whole tax program. I would prefer to go before my constituents this fall and say, "I voted against the imposition of all new taxes," but that is impossible. There must be a tax program if there is to be a relief program. I have no patience with the man who declares for a relief program, but at the same time tries to dodge voting for the tax program. From my examination of the tax bills, I feel certain that no one affected by them will go hungry because these taxes are imposed. I am ready and willing to vote for a tax program that will fully, justly and adequately take care of the relief program.

Let us not be afraid of the political consequences. To my mind that is of the least importance. It is of outmost concern that when this session adjourns and we leave for our homes, that we leave with conscience satisfied that we have done our best to provide for those in distress.

As for myself, when I go home and look into the faces of my five children, cared for as best I know how to provide for them, and when I also look into the faces of other children less fortunate, my conscience will be satisfied that by no vote of mine have I deprived these unfortunates of a morsel of food or any of the other necessities of life.

If I am going to err in my vote, I am going to err on the human side, and whatever criticism may come, either from my colleagues in this body or from any intolerant reactionaries, I am willing to take it.

RECESS

Mr. BUCKMAN. Mr. President, I move that the Senate do now take a recess for thirty minutes.

Mr. GELDER. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS

The PRESIDENT. The time of recess having elapsed, the Senate will be in order.

REPORTS FROM COMMITTEE.

Mr. McCLURE, from the Committee on Finance, re-reported as committed, Senate Bill No. 28 (House Bill No. 19), entitled:

An Act to amend sections two and three of the act approved the sixteenth day of May one thousand nine hundred thirty-five (Pamphlet Laws two hundred eight) entitled "An act to provide revenue for State purposes by imposing an excise tax for a limited period of time on the net incomes of certain corporations joint-stock associations and limited partnerships providing for the assessment and collection of the tax and appeals to courts conferring powers and imposing duties on certain persons corporations joint-stock associations limited partnerships State and county officers boards and departments making an appropriation and providing penalties" by further defining net income and increasing the rate of tax for limited period of time.

Also, from the Committee on Finance, reported as committed, Senate Bill No. 43 (House Bill No. 26), entitled:

An Act to further amend section one of the act, approved the thirteenth day of June, one thousand nine hundred seven (Pamphlet Laws, six hundred forty), entitled "An act to provide revenue by levying a tax upon the shares of stock of companies incorporated under the provisions of section twenty-nine of an act, entitled 'An act to provide for the incorporation and regulation of certain corporations,' approved April twenty-ninth, one thousand eight hundred and seventy-four, and the supplements thereto; for the insurance of owners of real estate, mortgages, and others interested in real estate, from loss by reason of defective titles, liens, and encumbrances; and of companies entitled to the benefits of, and of companies having any of the powers of, companies entitled to the benefits of an act, entitled 'An act conferring upon certain fidelity, insurance, safety deposit, trust, and savings companies, the powers and privileges of companies incorporated under the provision of section twenty-nine of an act, entitled "An act to provide for the incorporation and regulation of certain corporations," approved April twenty-ninth, Anno Domini one thousand eight hundred and seventy-four, and of the supplements thereto,' approved June twenty-seventh, one thousand eight hundred and ninety-five, commonly known as title insurance or trust companies," by increasing the rate of tax for a limited period of time, and by further modifying the method of computing the tax.

Also, from the Committee on Finance, reported as committed. Senate Bill No. 44 (House Bill No. 28), entitled:

An Act to further amend section one of the act approved hte fifteenth day of July one thousand eight hundred and ninety-seven (Pamphlet Laws two hundred ninety-two) entitled "An act to provide revenue by taxation" by increasing the rate of tax.

Mr. Aron, from the Committee on Finance, re-reported as amended, Senate Bill No. 30 (House Bill No. 27), entitled:

An Act to amend the act approved the twenty-second day of June one thousand nine hundred thirty-five (Pamphlet Laws four hundred fourteen) entitled "An act to provide revenue for State purposes imposing taxes upon certain classes of personal property providing for the assessment collection and lien of the same and the distribution of the proceeds thereof imposing duties on executors administrators registers of wills recorders of deeds prothonotaries and court clerks and on persons copartnerships associations banks national banks trust companies and other corporations receiving deposits of money and on certain corporations and limited partnerships conferring powers and imposing duties on certain State officers and departments imposing penalties and making an appropriation" by increasing the rate of tax imposing

said tax on additional shares of stock and on the value of certain equitable interests changing the listing date of filing reports and the date and manner of payment of the tax providing for certain exemptions from said tax and making further provision with regard to penalties.

Mr. GELDER, from the Committee on Appropriations, reported as amended, Senate Bill No. 108 (House Bill No. 18), entitled:

An Act making an appropriation to the State Emergency Relief Board for direct relief work relief and expenses defining the purposes for which such moneys may be expended and prescribing the powers and duties of the State Emergency Relief Board and certain State Departments.

MOTION TO READ BILLS THE FIRST TIME

Mr. BUCKMAN. Mr. President, I move that all bills reported from committees at today's session be read the first time.

Mr. RANKIN. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON FIRST READING

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 43 (House Bill No. 26), entitled:

An Act to further amend section one of the act, approved the thirteenth day of June one thousand nine hundred seven (Pamphlet Laws six hundred forty) entitled "An act to provide revenue by levying a tax upon the shares of stock the companies incorporated under the provisions of section twenty-nine of an act entitled 'An act to provide for the incorporation and regulation of certain corporations' approved April twenty-ninth one thousand eight hundred and seventy-four and the supplements thereto for the insurance of owners of real estate mortgages and others interested in real estate from loss by reason of defective titles liens and encumbrances and of companies entitled to the benefits of and of companies having any of the powers of companies entitled to the benefits of an act entitled 'An act conferring upon certain fidelity insurance safety deposit trust and savings companies the powers and privileges of companies incorporated under the provision of section twenty-nine of an act entitled "An act to provide for the incorporation and regulation of certain corporations" approved the April twenty-ninth Anno Domini one thousand eight hundred and seventy-four and of the supplements thereto' approved June twenty-seventh one thousand eight hundred and ninety-five commonly known as title insurance or trust companies" by increasing the rate of tax for a limited period of time and further modifying the method of computing the tax.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 44 (House Bill No. 28), entitled:

An Act to further amend section one of the act approved the fifteenth day of July one thousand eight hundred and ninety-seven (Pamphlet Laws two hundred ninety-two) entitled "An act to provide revenue by taxation" by increasing the rate of tax.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 108 (House Bill No. 18), entitled:

An Act making an appropriation to the State Emergency Relief Board for direct relief, work relief, and expenses; defining the purposes for which such moneys may be expended; and prescribing the powers and duties of the State Emergency Relief Board and certain State Departments.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

NOMINATIONS BY THE GOVERNOR

The Secretary to the Governor being introduced, presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows, and referred to the Committee on Executive Nominations.

NOTARIES PUBLIC

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 13, 1936.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

ALLEGHENY COUNTY

Daniel A. Mortiz, McKeesport.

DELAWARE COUNTY

Howard M. Kerry, Media.

LEHIGH COUNTY

Harold R. Fatzinger, Allentown.

GEORGE H. EARLE.

HOUSE MESSAGE

REDUCTION OF STREET RAILWAY TICKETS TO SCHOOL PUPILS IN PHILADELPHIA

The Clerk of the House of Representatives being introduced informed the Senate that the House has concurred in Resolution from the Senate as follows:

In the Senate, June 29, 1936.

Whereas, The cost of transportation of pupils to the school districts in Philadelphia County is a matter of grave concern to its citizens, and it is believed that it is far greater than the circumstances require, therefore be it

Resolved (if the Senate concur), That the Public Service Commission of Pennsylvania is hereby requested to make an investigation, through its existing facilities with the view of ascertaining whether, on the basis of valuation and income or on any other basis, the street railway companies operating in Philadelphia County may be required to issue tickets for school pupils only, at a rate not to exceed twenty-five cents (25c) per week.

ADJOURNMENT

Mr. BUCKMAN. Mr. President, I move that the Senate do now adjourn until tomorrow at twelve o'clock noon.

Mr. WOODWARD. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 11:59 P. M. until tomorrow, Tuesday, July 14, 1936, at 12 o'clock noon.

HOUSE OF REPRESENTATIVES

MONDAY, JULY 13, 1936

The House met at 9:00 P. M.

The SPEAKER (Roy E. Furman) in the Chair.

PRAYER

Reverend E. L. LEISEY, Pastor of the Trinity Lutheran Church, Danville, Pa., offered the following prayer:

Eternal God, our Father, we invoke Thy blessing upon this session and the causes for which we are met.

Make us conscious of the fact that we are stewards of a spiritual Kingdom and also of a political Commonwealth with a duty to both.

Give us clarity of vision and firmness of conviction to do that which is well pleasing to Thee. In His Great Name we ask it. Amen.

JOURNAL APPROVED

The SPEAKER. The Clerk will read the Journal of Friday, July 10, 1936.

The Clerk proceeded to read the Journal of Friday, July 10, 1936, when, on motion of Mr. CARSON the further reading was dispensed with and the Journal approved.

COMMUNICATION

The SPEAKER laid before the House the following communication which was read by the Clerk.

RELIEF

A telegram from charitable organizations of Luzerne County urging passage of relief appropriations.

A telegram from officials of Berks County urging passage of relief appropriations.

A telegram from Wyoming Valley Chamber of Commerce urging passage of relief appropriations.

A telegram from service clubs of Luzerne County urging passage of relief appropriations.

A telegram from the Mayor and Council of the City of Erie, urging passage of relief appropriations.

Referred to the Committee on Appropriations.

LEAVES OF ABSENCE

Mr. Van Sickle asked and obtained leave of absence for Mr. SINWELL for the remainder of the week on account of illness.

Mr. JAMES L. SNYDER asked and obtained leave of absence for himself for tomorrow's session.

REPORT FROM COMMITTEE

Mr. COHEN from the Committee on Rules reported as committed Senate Concurrent Resolution Serial No. 107.

The report was read by the Clerk as follows:

SENATE MESSAGE

RESOLUTION FOR CONCURRENCE

The Clerk of the Senate being introduced presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, June 29, 1936.

Whereas, The cost of transportation of pupils to the school districts in the City of Philadelphia is a matter of grave concern to its citizens and it is believed that it is far greater than the circumstances require, therefore, be it

Resolved (if the House of Representatives concur), That the Public Service Commission of Pennsylvania is hereby requested to make an investigation through its existing facilities with the view of ascertaining whether on the basis of valuation and income or on any other basis the street railway companies operating in the City of Philadelphia may be required to issue tickets for school pupils only at a rate not to exceed twenty-five cents (25c) per week.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

RESOLUTION INTRODUCED AND REFERRED

By Mr. WICKERSHAM.

(Concurrent) RESOLUTION No. 42.

In the House of Representatives, July 10, 1936.

Resolved (if the Senate concur), That the General Assembly hereby authorizes the Governor and the fiscal officers of the Commonwealth to transfer to the General Fund from the State Stores Fund, the sum of $1,500,000 for the purposes of making the same available for expenditure by the State Emergency Relief Board for unemployment relief purposes.

Resolved, That the General Assembly hereby pledges that it will pass at this session of the General Assembly appropriate legislation—(1) ratifying, validating and confirming the action of the Governor and the fiscal officers in making the transfer authorized by this resolution; (2) appropriating to the State Emergency Relief Board for unemployment relief purposes the sum of $1,500,000; and (3) authorizing the State to issue and sell tax anticipation notes not in excess of the amount of the estimates of the uncollected tax imposed on liquors by the Act of June 9, 1936, Act No. 4, in order to make available moneys to repay the sum so transferred, said notes and the interest thereon to be redeemable from said tax when collected.

Referred to the Committee on Rules.

MOTION TO TAKE BILL FROM TABLE

Mr. WITKIN. Mr. Speaker, I move that House Bill No. 153, Printer's No. 176, entitled:

"An Act making an appropriation to the State Emergency Relief Board for direct relief work relief and expenses defining the purposes for which such monies may be expended and prescribing the powers and duties of the State Emergency Relief Board and certain State Departments and ratifying confirming and validating the action of the Governor and the fiscal officers in making monies available for unemployment relief prior to the adoption of this act."

which was laid on the table July 9, 1936, be taken from the table.

On the question,

Will the House agree to the motion?

STATEMENT BY MR. WITKIN

Mr. WITKIN. Mr. Speaker, I ask the consent of the House to make a statement upon this motion.

The SPEAKER. The Chair wishes to inform the gentleman from Philadelphia, Mr. Witkin, that a motion to take a bill from the table is not debatable.

Mr. WITKIN. Mr. Speaker, it is because of the fact that I am familiar with that rule, that I ask leave of the House, and may I suggest to the Speaker that if the House gives me permission, I may make the statement despite the rule,

and I take it that I cannot make the statement if the House refuses to give me permission so to do.

The SPEAKER. Will the House give its unanimous consent to the gentleman from Philadelphia to make a statement? Are there objections? The Chair hears none and consent is granted.

Mr. WITKIN. May I first, Mr. Speaker, thank my Democratic friends for the privilege of making a statement.

Mr. Speaker and members of the House, I know of no occasion during the many years I have spent in this House when I arose to make a statement which was of more serious import to the people of this Commonwealth than the one I am about to make now.

It is true that the House is composed mainly of two political parties, but tonight, as has existed for the past seven days, we have a situation in Pennsylvania where people are starving, where the bread lines have increased, where the hungry must go to the station houses, particularly in the City of Philadelphia, and seek help, and while it is true that in our city a most generous Mayor has seen to it that those people are fed, nevertheless even his resources are limited and the resources of private charity are likewise limited.

It is true and I know it full well that we are not in accord upon the question of the proper and necessary appropriation for relief in the Commonwealth of Pennsylvania, but tonight that is not the question. The ultimate solution of the question of feeding the hungry and the starving is one that must be ironed out and it should be ironed out expeditiously, but for the purpose of political capital no one should dare open their mouths in opposition to feeding the hungry tomorrow. There is not a single way in which we can feed the hungry tomorrow and stop the starvation that has existed for the past seven days except by passing House Bills 153 and 154. True, some of you are opposed to the transfer of funds, and true some of us are opposed to the transfer of funds, but, members of the House, the situation is such that that opposition must be put into our pockets and concealed. We must not let people starve, we must feed those hungry, and there is no way of doing it even if the Senate and the House tonight were to reach an accord upon the whole question of relief until next year; the hungry cannot get their checks tomorrow. The only way of doing it is by passing these two bills, and I implore and beg of you, and I admit that I am a rabid Republican, and I admit that I am partisan, but of all the times in the world when I am willing to meet and discard that partisanship, it is tonight.

I have opposed transfer resolutions, and I have opposed them when I thought they were out of proportion for a particular period of time. I frankly admit it, and I frankly admit that I have disagreed with certain figures, but there is one thing that God Almighty and no power upon this earth can ever get me to do and no power, whether it is over there or elsewhere, can ever get me to vote against a bill or measure when I know that children are walking the streets hungry and when people are in dire distress. I am frank to say that it is for that reason and that reason alone that I beg of you, particularly my friends of the Democratic party, to vote to take this bill off the table.

I am not going to go back and criticize the failure to do this last week, because the seven days are gone. Some of the people on relief were able to get credit from their grocers in the hope that this Legislature tonight would see to it that the moneys which are owed to them would be given to them. I want to see tonight, before we close down our doors, moneys provided for the poor and the unemployed, and then let us go into battle again if we must and get a compromise promptly.

No one is perfect, no one has the right to set himself up as an omnipotent power and say, "My figure is the only figure I will take." There must be compromise and there must be a solution of the problem, but while we are endeavoring to solve it, vote from your conscience, vote from your heart, because those of you who have been hungry, and I am frank to say that I have, ought to know that the greatest curse in the world is hunger for themselves but more so for those dear to their hearts, and that is your home and your children. So, let us tonight forget all differences and take this bill off the table. A million dollars will be provided by tomorrow morning to stem the tide of starvation and the people who are hungry will be fed. No other means can feed them, and I ask you members, particularly of the Democratic party, to vote in favor of taking this bill from the table in order that we may pass it, and, Mr. Speaker, I ask for a roll call.

STATEMENT BY MR. COHEN

Mr. COHEN asked and obtained unanimous consent to make the following statement:

Mr. Speaker and members of the House, I also thank the minority.

"No satisfactory settlement was provided in the scheme to drain $3,000,000 more out of special funds. Members of both parties know to what extent that practice has already hampered or crippled important State functions. Highway work, under the State and in the counties, is endangered; in some cases halted. Orderly payments by the Commonwealth, especially to institutions, have been dislocated. The proper, businesslike conduct of the State liquor stores has been interrupted.

"Drains upon the special funds cannot go on. Sums withdrawn should be swiftly replaced. That could have been done last week by the passage of sufficient tax legislation to cover the amounts taken and to permit relief to go on.

"The Senate majority had tax measures on its calendar up to the moment of passage that would have done this. Democratic tax bills had been amended downward from $45,000,000 to $30,000,000. If that meant further battling the struggle would not have involved hungry people.

"But having whipped the bills into the shape they wanted, a number of Republican Senators turned against them at the last minute. If it was personal pique at Mr. Earle it was not the time to act upon it. If it was, as alleged, due to jockeying efforts to get some Democratic Senators to go along on the reduced amounts, it was politics. Whatever was behind it, refusal of action was a grave error. The error must not be repeated."

Members of the House, those are not my words. Those are the words of the Republican "Evening Ledger" of Philadelphia. Those are the words of ——— in the Republican party admonishing this House, the Republican side of this House and the Democratic side of this House, not to resort to further transfers.

However, if they were my words, I would go a step further and I would say that in addition to the fact that the transfer of trustee funds is crippling the functions of the Commonwealth, the method of solving the relief problem by transfer of funds is unfair to those whom we seek to help, and I would say that by resorting to daily, weekly or monthly transfers we are not bringing to the unemployed the security that they want in their unemployment. I would say that the only way to meet the problem is not

by resorting to past accumulations, but I would say that we, as elected representatives of the people, should stand upon our two feet, with the knowledge that we were sent here to perform a duty, a duty to raise the money necessary to take care of the unemployed, and that implies the duty of raising that money, not resorting to past accumulations, not resorting to the efficiencies of past taxes, not resorting to any other method except the method of passing taxation. When that taxation passed, when that program is presented to this House, when we know that the Republican Senate is honest and sincere in their efforts to aid the unemployed, then and only then will a stop gap program be resorted to, and only after an honest indication is made by the Senate to the effect that the unemployed will not be put upon starvation rations; only then will this Democratic House agree to those transfers.

REQUEST TO MAKE STATEMENT

Mr. LARUE. Mr. Speaker, I ask unanimous consent to make a statement.

The SPEAKER. Will the House give its unanimous consent to the gentleman from Berks to make a statement? Are there objections?

Mr. ANDREWS. I object to further discussion at this time.

The SPEAKER. The Chair hears objections and consent is not granted.

The yeas and nays were required by Mr. WITKIN and Mr. NOTHNAGLE and were as follows:

YEAS—83

Altenburg,	Gillette,	Muir,	Stewart,
Atkins,	Greenstein,	Nothnagle,	Stockham,
Baker, F. T.,	Habbyshaw,	Parks,	Stott,
Baldi,	Haluska,	Perry,	Surface,
Barnhardt,	Hamilton, R. S.,	Peters,	Sweeney,
Beadman,	Hermansen,	Phillips,	Tahl,
Bernhard,	Hoffner,	Reynolds,	Terry,
Blumberg,	Horst,	Roan,	Trout,
Boose,	Jackson,	Rooney,	Turner,
Boyd, R.,	Jones,	Root,	VanAllsburg,
Boyer,	Kelder,	Royer,	Wall,
Brennan,	Kenney,	Schrock,	Wasserman,
Cannon,	Linderman,	Serrill,	White,
Castor,	Longaker,	Shortz,	Wickersham,
Condon,	Mallen,	Shreiner,	Winner,
Cooper	Mason,	Simpson,	Witkin,
Cordier,	McCreary,	Sloan,	Wood,
Davies,	McDevitt,	Snyder, F. E.,	Woodside,
Duffort,	McKinney,	Snyder, J. L.,	Yeakel,
Forrest,	Merrell,	Sowers,	Zimmerman,
Gates,	Moore,	Sproul,	

NAYS—110

Achterman,	Downey, G. E.,	Long,	Ruffennach,
Alexander,	Eberharter,	Lovett,	Sarraf,
Allen,	Eroe,	Lynch,	Scanlon,
Andrews,	Falkenstein,	Male,	Schaeffer,
Anthony,	Ferko,	McDermott,	Schrope,
Arnold,	Finnerty,	McElroy,	Schwab,
Aukerman,	Fitch,	Melchiorre,	Shaw,
Baine,	Flanagan,	Mentzer,	Shepard,
Baker, J. J.,	Flinchbaugh,	Moomaw,	Shugarts,
Bradley,	Gerard,	Mooney,	Siegel,
Brancato,	Haberlen,	Moran,	Simon,
Brown, H. S.,	Hagerty,	Moul,	Smith, J. A.,
Brown, J. E.,	Hamilton, F. P.,	Munley,	Smith, W. G.,
Brownfield,	Harkins,	Murrin,	Stank,
Brumbaugh,	Harmuth,	Nagel,	Stevens,
Burke,	Hartman,	O'Keefe,	Stone,
Caputo,	Hetrick,	Ominsky,	Sumney,
Carson,	Hindman,	O'Neill,	Tronzo,
Chervenak,	Hirsch,	Patterson, C.,	Tumelty,
Coakley,	Holland,	Patterson, J. W.,	VanSickle,
Cochran,	Holstrom,	Pearson,	Weiss,
Cohen,	Hoopes,	Pfaff,	Welliver,
Coleman,	Kelso,	Piole,	Welsh,
Coolahan,	Kilroy,	Powers,	Westrick,
Decker,	Kinney,	Reising,	Yourishin,
Dent,	Klingler,	Rinn,	Zappala,
Diehl,	Kobelak,	Robinson,	Furman,
Dilley,	LaRue,		

So the question was determined in the negative and the motion was not agreed to.

REASONS FOR VOTE

Mr. CANNON filed the following reason for his vote:

My reason for voting yes is that money is still a medium of exchange and such therefore is for the needy.

Mr. HALUSKA filed the following reason for his vote:

Inasmuch as I do not believe in the diversion of special funds I vote yes on this measure because I realize that the hungry must be fed, and I cannot and will not play politics at the expense of human misery.

Mr. TAHL filed the following reasons for his vote:

I vote in favor of this motion because I feel even though there has been no final program for relief agreed to, the needy people in Pennsylvania must be fed now and immediately, regardless of the difference of opinion as to how much money should be appropriated for direct relief until the first of the year. The problem is pressing how to feed the people now.

The only way to do it is to appropriate right now immediate money. The taking off the table of this bill will give the needy money right now.

STATEMENT BY MR. WITKIN

Mr. WITKIN asked and obtained unanimous consent to make the following statement:

Mr. Speaker and members of the House, my purpose in arising at this time is merely to state that it was my intention to follow the motion to take from the table House Bill No. 153 by a similar motion with respect to House Bill No. 154 which would have placed in operation the mechanics for carrying out the purposes of House Bill 153. The motion, however, having been defeated there is no purpose in moving to take House Bill 154 from the table, and for that reason I am not making the motion at this time.

STATEMENT BY MR. WICKERSHAM

Mr. WICKERSHAM asked and obtained unanimous consent to make the following statement:

Mr. Speaker and members of the House, the last three legislative days of last week, when it became apparent that this House was not going to take House Bills 153 and 154 from the table in order that the relief situation insofar as the immediate needs were concerned, could be met, on each of those days I introduced a resolution to appropriate $1,500,000 from the State Liquor Fund so that the relief situation could be met. On each of those days my resolution met with rejection from this House.

Now, I realize that there is a pressing relief problem and I realize that there is also a pressing tax problem. I recall the gentleman from York, Mr. Cohen, saying that his side of the House would approve of no more transfers until a tax program was passed. What the gentleman from York overlooks is that he should have said that there will be no relief until our tax program is adopted. They do not seem to realize that there is an honest difference of opinion among the people of Pennsylvania as to what the tax program should be.

I call the attention of this House to the fact that if we had done as the Governor of this Commonwealth asked us to do and had a short session and passed his program we would have put $30,000,000 of new taxes on the people of Pennsylvania. A few weeks after he gave us that message, he again sent us another message stating it was wrong, that under the circumstances that then

existed that not $70,000,000 but approximately $55,000,000 was now needed.

The Democratic majority of this House seems to think that there can be no difference of opinion with that statement. I say to you, in all fairness, that there are many who differ with you and I am one of them. I believe that if the relief situation had been properly handled by the Democratic administration in Pennsylvania and in Washington that nowhere near $55,000,000 would be needed for relief today and every person in need of relief would be taken care of. I point out to you the statement made by Mr. Jones, head of the WPA in Pennsylvania, which was placed on our desks, it says, "Direct relief rolls in Pennsylvania can be substantially reduced and even cleared of all except the unemployables within a very short time if there was some State organization that would conscientiously cooperate with WPA." I also point out to you that the State organization is under the control of the Democratic Governor of this State who can hire or fire the head of that organization at will.

It is also remarkable to note that the Federal government appropriated for Pennsylvania for the period from the first of the year to July 1, a total of $320,000,000 to be used in WPA.

Hundreds, yes, thousands of people on relief needing WPA jobs, I would like the Democratic administration to explain why only $105,000,000, not $320,000,000 was used. I would like the Democratic administration to explain why Mr. F. H. Dryden, the Regional Director of WPA for the region in which Pennsylvania is a part, stated on June 15 that there were one thousand projects being held in reserve in Pennsylvania. Held in reserve for what? If the WPA had done its job, if as Mr. Jones has suggested, the State Emergency Relief Board had cooperated with WPA, he would not be faced with the unpleasant task of imposing forty, or fifty, or fifty-five million dollars of new taxes. But it is very obvious that such cooperation is not going to come, at least it is not going to come immediately.

Therefore, we get down to what I consider the relief problem, and it is my position and the position of many of my Republican friends that regardless of whether or not the Democratic Administration is going to put on WPA the people that they say, all those of us on this side of the House are going to see to it, if we can, that nobody in Pennsylvania goes hungry, and that is the reason why I suggest that since this deadlock exists and since you will not appropriate $3,000,000 that you should appropriate $1,500,000 for immediate needs.

So far as I am concerned, since there is almost $50,000,000 in the various funds of the Commonwealth of Pennsylvania, no fund is so sacred that we cannot transfer money from it to meet the needs of the unemployed, and for that reason I suggest to you that you reconsider your action on the $3,000,00.

After all, if you are right in the political position that you have taken, you have amply made your point and you will have plenty of chance to argue it in November, and we will be very happy to argue it on the other side, but I submit to you that apart from all of that, we must take care of now, today, tonight, the people of Pennsylvania that need relief.

RESOLUTION

Mr. WICKERSHAM. Mr. Speaker, I offer the following resolution and ask unanimous consent for its immediate consideration.

The SPEAKER. Will the House give its unanimous consent for the immediate consideration of the resolution.

Mr. MELCHIORRE. Mr. Speaker, I object.

The SPEAKER. The Chair hears objections, and consent is not granted.

Mr. WICKERSHAM. Mr. Speaker, I ask unanimous consent for the resolution to be read for the information of the House.

Mr. ANDREWS. Mr. Speaker, I object.

The SPEAKER. This is not a privileged resolution. Will the House give its unanimous consent for the resolution to be read for the information of the House? Are there objections?

MOTION TO SUSPEND RULE

Mr. WICKERSHAM. Mr. Speaker, I move that Rules 84 and 14 be suspended so that this House may immediately consider the resolution, and Mr. Speaker, I ask for a roll call.

On the question,

Will the House agree to the motion?

Mr. WITKIN. Mr. Speaker and members of the House, I am asking you to vote for the suspension of a rule in order that this resolution may be read and considered at this time, the remarks that I made concerning the $3,000,000 appropriation govern, except that there is a reduction of one-half.

Members of the House, I ask you to vote to suspend this rule because like the gentleman from Dauphin, I disagree with the gentleman from York that any fund in the whole wide world can be so sacred and so holy that it can't be touched in order to feed the hungry—

POINT OF ORDER

Mr. HOMER S. BROWN. Mr. Speaker, I rise to a point of order.

The SPEAKER. The gentleman will state his point of order.

Mr. HOMER S. BROWN. The gentleman from Philadelphia is not speaking on the motion.

The SPEAKER. The question before the House is on the motion to suspend Rules 84 and 14. The gentleman from Philadelphia will confine his remarks to the motion before the House.

Mr. WITKIN. Mr. Speaker and members of the House, when one asks you to vote to suspend a rule, there ought to be a logical reason behind it. The logical reason that I have behind it is that I don't care where, how, when or why this money may be, in what particular part of the Commonwealth it may be concealed. There is but one paramount question, and that is that we use that money to stop starvation in Pennsylvania.

POINT OF ORDER

Mr. HOMER S. BROWN. Mr. Speaker, I rise to a point of order.

The SPEAKER. The gentleman will state his point of order.

Mr. HOMER S. BROWN. Mr. Speaker, I renew my point of order.

Mr. WITKIN. Mr. Speaker, I am finished.

On the question recurring,

Will the House agree to the motion?

The yeas and nays were required by Mr. WICKERSHAM and Mr. WOOD and were as follows,

YEAS—85

Altenburg,	Gates,	Moore,	Sproul,
Atkins,	Gillette,	Muir,	Stewart,
Baker, F. T.,	Greenstein,	Nothnagle,	Stockham,
Baldi,	Habbyshaw,	Parks,	Stott,
Barnhardt,	Haberlen,	Perry,	Surface,
Beadman,	Hamilton, R. S.,	Peters,	Sweeney,
Bernhard,	Hermansen,	Phillips,	Tahl,
Blumberg,	Hoffner,	Reynolds,	Terry,
Boose,	Horst,	Roan,	Trout,
Boyd, R.,	Jackson,	Rooney,	Turner,
Boyer,	Jones,	Root,	VanAllsburg,
Brennan,	Kelder,	Royer,	Wall,
Cannon,	Kenney,	Schrock,	Wasserman,
Castor,	Linderman,	Serrill,	White,
Condon,	Longaker,	Shortz,	Wickersham,
Cooper,	Mallen,	Shreiner,	Winner,
Cordier,	Mason,	Simpson,	Witkin,
Davies,	McCreary,	Sloan,	Wood,
Denning,	McDevitt,	Snyder, F. E.,	Woodside,
Duffort,	McKinney,	Snyder, J. L.,	Yeakel,
Flynn,	Merrell,	Sowers,	Zimmerman,
Forrest,			

NAYS—110

Achterman,	Downey, G. E.,	Lovett,	Ruffennach,
Alexander,	Eberharter,	Lynch,	Sarraf,
Allen,	Eroe,	Male,	Scanlon,
Andrews,	Falkenstein,	McDermott,	Schaeffer,
Anthony,	Ferko,	McElroy,	Schrope,
Arnold,	Finnerty,	Melchiorre,	Schwab,
Aukerman,	Fitch,	Mentzer,	Shaw,
Baine,	Flanagan,	Moomaw,	Shepard,
Baker, J. J.,	Flinchbaugh,	Mooney,	Shugarts,
Bradley,	Gerard,	Moran,	Siegel,
Brancato,	Hagerty,	Moul,	Simon,
Brown, H. S.,	Hamilton, F. P.,	Munley,	Smith, J. A.,
Brown, J. E.,	Harkins,	Murrin,	Smith, W. G.,
Brownfield,	Harmuth,	Nagel,	Stank,
Brumbaugh,	Hartman,	O'Keefe,	Stevens,
Burke,	Hetrick,	Ominsky,	Stone,
Caputo,	Hindman,	O'Neill,	Sumney,
Carson,	Hirsch,	Panton,	Tronzo,
Chervenak,	Holland,	Patterson, C.,	Tumelty,
Coakley,	Holstrom,	Patterson, J. W.,	VanSickle,
Cochran,	Hoopes,	Pearson,	Weiss,
Cohen,	Kelso,	Pfaff,	Welliver,
Coleman,	Kilroy,	Piole,	Welsh,
Coolahan,	Kinney,	Powers,	Westrick,
Decker,	Klinger,	Reising,	Yourishin,
Dent,	Kobelak,	Rinn,	Zappala,
Diehl,	LaRue,	Robinson,	Furman,
Dilley,	Long,		

So the question was determined in the negative and the motion was not agreed to.

STATEMENT BY MR. LaRUE

Mr. LaRUE asked and obtained unanimous consent to make the following statement:

Mr. Speaker, every member of this House knows that the State's resources are limited. Time after time the Democratic party have put through transfers in this House. Time after time they have come back from the Senate, each and every time cut down to the bone, with one thought in mind, the appeal to the average taxpayer that the Senate was trying to save money for them.

Now, we have reached a point where they are willing to transfer funds for the simple reason that they have had the last four weeks to consider a tax program which this House sent over there with a fair and decent majority. Anyone should consider the State's business the same as he would consider his own personal business. He must conduct it within his resources. Today th State's resources are lacking. They have been robbe every single fund has been robbed to the extent that w do not know just how long those special funds are goi to keep up. The Highway Department has had to curta work, the old age, the blind pension and our hospita have been wanting for appropriations. Our school di tricts are in a depressed condition. Ladies and gentl men, I am asking you just how long you are going to g along with a program of this kind. I have heard a l of information floating around the House in the last tw or three weeks asking one another, "Do you expect come back next fall?" Or, "How is your chance?" want to say right now, I do not care how my chanc are. I am here to legislate and to help my party. was born a Democrat and I am going to stay a Democra I am not going to revert to the policies of the Republica party, one time that I will sanction one thing and a other I will vote against it. Three or four weeks ag the gentlemen on the other side of the House oppose every transfer that we made. Today they are beggi us for transfers. I for one am going to stand again transfers because I believe it is absolutely wrong. It against the principles of conduct of fair and square bus ness. What would a bank do if you issued a check a you had no money in the bank? It would probably pr secute you for that procedure, and that is exactly wh every member of this House is going to do if we co tinue to transfer funds where there are no funds a break down our State agencies.

My own home county, Berks County, is caring for t unemployed in a very humble way. It may not be suf cient, but it is tiding those people over this crisis, and officially congratulate the Mayor of the city of Readin our County Commissioners and the various other welfa agencies who have devoted so much time and energ in going out and collecting funds for those who a hungry and needy.

If the Senate did not have a program, we would ha nothing to speak about, but we have sent over there program which this House passed, and legally passe If they have any program that is more favorable to t general public than this program, that they have in the minds, then let them come to the minority of the Hous on the other side, and produce that plan of theirs. If is a decent program, if it will provide enough funds meet the situation, I assure you that I as a Democr will go along with you, but until you produce somethi that is logical and has foundation, I am going to be o Democrat who is going to stand one hundred perce against any more transfers and robbing of funds th will break down the State treasury and the vario agencies of the Commonwealth of Pennsylvania.

STATEMENT BY MR. HOLLAND

Mr. HOLLAND asked and obtained unanimous conse to make the following statement:

Mr. Speaker, In the crisis that Pennsylvania is n facing it might be well for the members of this Hous as well as the members of the Senate, to go back into t past especially eighteen years ago this very month. the month of July eighteen years ago hundreds of tho

ands of the flower of manhood of Pennsylvania were ngaged in a bloody conflict on the battle fields of France o make the world safe for democracy. The high ideals f these boys to relieve suffering humanity were unquestionable. Their sincerity of purpose was not expressed in idle words for the benefit of the press and ublicity. They were there because they believed in their ellowman. They believed that their sacrifice would assure future generations that human rights would always e placed above property rights.

If tonight these heroic dead could leave their graves nd bring with them their white crosses that dot the raveyards of France and join with the march of the unmployed, what would they think and say? Have they ccomplished their purposes by giving up their very ives? Have they driven out avarice and the love of gold rom the hearts of men? No, their giving all has not attered to that select few of this State. That select ew who during the war amassed millions of dollars at he cost of American lives. That select few whose only esire is money, more money, even if it is blood money. hat select few who refuse to give up a few paltry dollars in taxes so that the hungry can be fed. That select ew who meet in secret conferences with elected members of the Senate and dictate the policies of the Senate f Pennsylvania. Oh, what a rude awakening for our ero dead to find that they have given up their lives in ain! To find that hunger, avarice and lust of gold still talk the streets of Pennsylvania. To find that the special interests merely scoff and laugh at their patriotism. o find that this great Commonwealth of Pennsylvania, hrough the Senate, is controlled by special interests. To nd that the people have nothing to say. To find that rundy, Mellon, Pew and that scab-herder Weir still rack the whip and their spineless puppets dance to the ine of their master's voice.

Are the ideals of democracy to be pushed aside and be eplaced with greed? Are we going to stand idly by nd see the unemployed of Pennsylvania go hungry hile hundreds of millions of dollars are controlled by he selected few of Pennsylvania? You all know the nswer to the story in history. Of the hungry clamoring the gates of King Louis XVI of France asking for read and the Queen merely laughed and said "Why on't they eat cake?" The hungry answered by overrowing the kingdom and beheading Louis XVI and the ueen.

For the benefit of those select few, let me tell you what appened to Louis XVI and the Queen. They overthrew he Kingdom and beheaded both the King and Queen.

It is not the unemployed's fault that they are without ork. Modern machinery has replaced man-power. If achinery is to replace the worker, then machinery will ive to pay to feed the unemployed. The ability to pay ould be the basis of all taxes and in the Senate at this me tax bills based on ability to pay are in the Republan controlled committees. The Chairman of these committees do not represent the people of Pennsylvania but epresent the special interests of Pennsylvania.

POINT OF ORDER

Mr. WITKIN. Mr. Speaker, I arise to a point of order.

The SPEAKER. The gentleman from Philadelphia, Mr. Witkin, will state his point of order.

Mr. WITKIN. The gentleman has no right to attack the integrity of the members of the Senate.

The SPEAKER. The point of order of the gentleman from Philadelphia is well taken. The gentleman will not make any remarks attacking the integrity of any member of the House or Senate in his remarks.

Mr. HOLLAND. Mr. Speaker, on the walls of this House is a motto. I would like to have certain members of this House to look at this motto and read it: "And ye shall know the truth and the truth shall make you free."

As far as this House is concerned, I urge every member, regardless of party, to demand that these tax bills be passed, and passed immediately.

Let us again turn back the pages of time and again stir up that patriotism which won the World War. We need that patriotism today in the greatest war of all times,—the war on depression. Instead of drafting manhood, this time draft wealth and compel the wealth of this Commonwealth to pay its just share of the millions of dollars received by them through the sweat and blood of the laborers of Pennsylvania.

REQUEST TO MAKE STATEMENT

Mr. WITKIN. Mr. Speaker, I ask consent of the House to reply to the two gentlemen who have just spoken.

The SPEAKER. Will the House give its unanimous consent to the gentleman from Philadelphia to make a statement? Are there objections?

Mr. TUMELTY. Mr. Speaker, I object.

The SPEAKER. The Chair hears objection and consent is not granted.

QUESTION OF PERSONAL PRIVILEGE

Mr. WITKIN. Mr. Speaker, I arise to a question of personal privilege.

The SPEAKER. The gentleman from Philadelphia will state his question of personal privilege.

Mr. WITKIN. Mr. Speaker and members of the House, as I entered the Legislative Hall tonight I saw a gathering of people, and one of the men in that gathering said to me, "Why don't we get our relief checks so that we can eat. If you did your duty we could eat." I said, "That is a proper question, young man, and there is a proper place to answer it. You have insinuated that I am remiss in my duty, and if you come into the House tonight, I shall answer it to you."

I do not know whether the gentleman is here tonight, but I want to point out to him that I am not remiss in my duty. The gentleman who has just spoken said that the inscription on that wall read, "Ye shall know the truth; and the truth shall make you free." No nobler inscription was ever placed upon any wall of any Congress or Legislature. The truth is that tonight there lies in the Treasury of the Commonwealth of Pennsylvania in special funds $47,949,416.20,and I say to that young man, my duty, as I see it, is to take from those $47,000,000 of the people's money $3,000,000 or $1,500,000 to feed—— —

POINT OF ORDER

Mr. TUMELTY. Mr. Speaker, I arise to a point of order.

The SPEAKER. The gentleman from Philadelphia, Mr. Tumelty, will state his point of order.

Mr. TUMELTY. Mr. Speaker, the gentleman is speaking about a resolution that we had up a while ago, a bill to

transfer funds, which I do not believe is a question of personal privilege.

The SPEAKER. The gentleman from Philadelphia will confine his remarks to matters pertaining to himself under his question of personal privilege.

Mr. WITKIN. Mr. Speaker and members of the House, I say to this gentleman in defense of myself, I want to take out of that $47,000,000—

POINT OF ORDER

Mr. TUMELTY. Mr. Speaker, I arise to a point of order.

The Speaker. The gentleman from Philadelphia, Mr. Tumelty, will state his point of order.

Mr. TUMELTY. Mr. Speaker, I insist upon my point of order, and that the gentleman refer only to matters of personal privilege and not to the transfer of funds.

The SPEAKER. The Chair will read House Rule No. 67, for the information of the gentleman from Philadelphia:

"Personal privilege. Any member may rise and explain a matter personal to himself by leave of the Speaker, but he shall not discuss any pending question in such explanation."

The gentleman will kindly confine his remarks to personal matters.

Mr. WITKIN. Mr. Speaker and members of the House, I want to also say to that gentleman that the reason you are not getting your relief checks tomorrow is because there is one man in this Commonwealth who has issued orders that you shall not get them. There is one man in this Commonwealth, and it is not me, who has said—

POINT OF ORDER

Mr. ANDREWS. Mr. Speaker, I arise to a point of order.

The SPEAKER. The gentleman from Cambria, Mr. Andrews, will state his point of order.

Mr. ANDREWS. The gentleman is not sticking to the question, and the one man he is talking of does not figure in the present discussion.

The SPEAKER. The Chair wishes again to read the rule dealing with personal privilege:

"Personal privilege. Any member may rise and explain a matter personal to himself by leave of the Speaker, but he shall not discuss any pending question in such explanation."

The Chair wishes further to read the definition of personal privilege: "Personal privilege questions are, first, those affecting the rights of the House collectively, its safety, dignity and the integrity of its proceedings. Second, the rights, reputation and conduct of its members individually in their representative capacity only." (Legislative Journal, 1933, p. 1251; also January 23, 1933, p. 247.) "Personal privilege questions must be confined to the integrity of a member of either House." (Legislative Journal, May 20, 1931, p. 46, 177.)

The Chair will ask the gentleman to confine his remarks to matters pertaining to himself.

Mr. WITKIN. Mr. Speaker and members of the House, I refer to that portion of the rule wherein I have the right to discuss matters that refer to me as an individual representative of this Commonwealth, and I want to say that I am performing my duty, and if everyone performed his duty in this House in the same manner as I believe is right, we would have relief in Pennsylvania tomorrow morning. I say that it is not myself who is stopping relief, but it is the Governor of the Commonwealth of Pennsylvania, who, while he goes about making politic speeches—

POINT OF ORDER

Mr. ANDREWS. Mr. Speaker, I arise to a point of orde

The SPEAKER. The gentleman from Cambria, M Andrews, will state his point of order.

Mr. ANDREWS. Mr. Speaker, the gentleman is no lon er speaking under a question of personal privilege. make the further point that the gentleman in speakin under a question of personal privilege must refer to so matter of record either in the proceedings of this Hou or in some other public record, wherein his integrity h been impugned.

The SPEAKER. The point of order of the gentlem from Cambria is well taken. The gentleman from Phil delphia will confine his remarks to matters pertaining on to himself.

QUESTION OF PARLIAMENTARY INQUIRY

Mr. JONES. Mr. Speaker, I arise to a question of pa liamentary inquiry.

The SPEAKER. The gentleman from Luzerne, M Jones, will state his question of parliamentary inquiry.

Mr. JONES. Mr. Speaker, has the Democratic majori of this House the right to take away from us what t Constitution of the United States gives us, the right of fr speech on the floor of this House, when we are elected b the people to represent them? I would like to know they can do that, especially when we are trying to get r lief for the poor people who are starving today.

The SPEAKER. In reply to the question of parliame tary inquiry raised by the gentleman from Luzerne, M Jones, the Chair wishes to state that this House has ce tain definite rules governing its conduct and procedu Those rules are made or suspended by a majority of t House. Any member has the right to ask for unanimo consent to make a speech or a statement, and if object to he can ask the privilege of speaking on a question personal privilege, but there are certain rules governi this House that must be adhered to, whether the gentl man is speaking under unanimous consent or person privilege. It is with the consent of the House that a member is entitled to the privilege of the floor, and must confine himself to the rules when he is extended t privilege of the floor, especially when there is no questi before the House. Otherwise it would be impossible conduct the business of the House.

QUESTION OF PARLIAMENTARY INQUIRY

Mr. WITKIN. Mr. Speaker, I rise to a question of pa liamentary inquiry.

The SPEAKER. The gentleman from Philadelphia, M Witkin, will state his question of parliamentary inquiry.

Mr. WITKIN. Mr. Speaker, when I have been giv the opportunity of speaking upon personal privilege, a whereupon a matter that I feel attacks my integrity, becomes necessary to answer that attack by reference other persons in a most respectful manner, do I not ha the right to make those references provided I make derogatory personal attacks upon the person to wh I allude?

Mr. SPEAKER. In answer to the parliamentary i quiry of the gentleman from Philadelphia, the Chair wish to state that the gentleman does have the right to menti any public official in his remarks, provided he does n

sort to personal abuse. However, if the gentleman ishes to make a statement on some question of public terest, he should get the consent of the House to make a atement. When that is objected to, the recourse would e a suspension of the rules for the purpose of making a atement. Under the question of personal privilege re- arks are limited to the gentleman personally.

QUESTION OF PARLIAMENTARY INQUIRY

Mr WITKIN. Mr. Speaker, I rise to a question of par- amentary inquiry

The SPEAKER. The gentleman will state his question parliamentary inquiry.

Mr. WITKIN. Mr. Speaker, I rise to repeat my ques- on of parliamentary inquiry. I am now under personal ivilege, and the Speaker has not made clear to me hether in defense of my integrity, which I believe has en attacked, I have the right under personal privilege allude respectfully to other public officers in this Com- onwealth? I do not want to violate the ruling of the peaker.

The SPEAKER. The Chair intended to make that clear. he gentleman does have the right to refer to any public ficial. The Chair wishes to read the ruling: "Execu- ve officers, official acts may be criticized in debate, but rsonal abuse is not permitted." (Legislative Journal ebruary 4, 1933, Page 583.)

Mr. WITKIN. Mr. Speaker and members of the House, ank you.

CALL FOR ORDER OF THE DAY

Mr. O'KEEFE. Mr. Speaker, I call for the order of the ay.

POINT OF ORDER

Mr. WITKIN. Mr. Speaker, I rise to a point of order.

The SPEAKER. Will the gentleman yield for just a oment? The Chair would like to be as liberal as possible a debate and would ask the indulgence of the gentle- an from Allegheny, until the gentleman from Philadel- ia has completed his remarks. He was granted the or under a question of personal privilege, and the Chair els that he should be permitted to continue.

Mr. O'KEEFE. Mr. Speaker, under Rule 66 of the ouse, when a member is permitted to speak under a rtain rule, he is not to transgress that right.

The SPEAKER. The gentleman from Allegheny is cor- ct, and the Chair has repeatedly asked the gentleman om Philadelphia to confine his remarks to matters per- ining to himself only.

POINT OF ORDER

Mr. BROWNFIELD. Mr. Speaker, I rise to a point of der.

The SPEAKER. The gentleman from Fayette will state s point of order.

Mr. BROWNFIELD. Mr. Speaker, I would inquire if e gentleman is speaking on personal privilege when he ses that right to speak on personal privilege upon a fense of his integrity. He talked to this one man, un- own man, down here in front of the building. If he d never mentioned that to us none of us would have er known, and he would never have had to defend his tegrity. No one knowing it but himself, I can not see hy he brings it in here and brings it before a thousand people, when he would not have needed to do it. I see no reason for any defense.

The SPEAKER. The Chair feels that the ruling has already been made upon the point of order raised by the gentleman from Fayette. The Chair recognizes the gentleman from Philadelphia, Mr. Witkin.

POINT OF ORDER

Mr. ANDREWS. Mr. Speaker, I arise to a point of order.

The SPEAKER. The gentleman from Cambria will state his point of order.

Mr. ANDREWS. Mr. Speaker, I make the point of order that the gentleman from Philadelphia, in order to speak upon a question of personal privilege involving an attack upon his personal integrity must base his remarks upon a record that can be produced in this Hall.

The SPEAKER. The Chair feels that the point of order is not well taken for the reason that a member might be assaulted or verbal attacks made upon him and he would have the right to arise to a question of personal privilege. However, there would be no chance of an attack or the verbal remarks to be made a matter of record.

Mr. WITKIN. Mr. Speaker and members of the House, what makes me laugh in this serious time is that I was almost finished, I just had one more sentence to make about twenty-five minutes ago. What also makes me laugh is when a member gets up and says, "You shall know the truth and the truth shall make you free," and then when you try to tell him the truth, he will try to stop you. The final remark that I want to make is this, I personally have done everything tonight that is humanly possible to do to get relief tomorrow, so that any imputation to the contrary is unfounded.

I moved to take House Bill 153 off the table, which would have provided relief. I moved to suspend the rules, and I joined in the movement to consider a resolution that would have provided relief. I merely want to say that it is not I who is stopping relief, but if one person in this Commonwealth, to-wit the Governor of the State of Pennsylvania, instead of making political speeches against the Senators of Pennsylvania, would lift the order from this shackled Democratic House, and let them go through with the $3,000,000 or $1,500,000 worth of relief tonight, tomorrow morning the people would not go hungry.

I conclude by saying that every man, woman and child in the State of Pennsylvania who is either starving tonight or will starve tomorrow morning can thank His Excellency, the Governor of the State of Pennsylvania, who wont let you men on that side of the House vote for immediate relief—

MOTION TO EXPUNGE REMARKS

Mr. EROE. Mr. Speaker, I move that the remarks of the gentleman from Philadelphia referring to the Governor of this State and attacking the integrity of the members of this side of the House be stricken from the records.

The SPEAKER. The motion to expunge from the records must be in writing, in order to protect the record of the House, and, therefore, at this time the motion to expunge is out of order.

INTERROGATION

Mr. EBERHARTER. Mr. Speaker, I desire to interrogate the gentleman from Philadelphia, Mr. Witkin.

The SPEAKER. Will the gentleman from Philadelphia permit himself to be interrogated?

Mr. WITKIN. I will, Mr. Speaker.

Mr. EBERHARTER. Mr. Speaker, am I correct in stating that it is the opinion of the gentleman from Philadelphia, speaking in behalf of himself and his Republican colleagues that the estimate of the State Emergency Relief Board of the amount necessary to feed the unemployed is entirely too high?

Mr. WITKIN. Mr. Speaker, first, I must ask the gentleman what he means by the word "entirely."

Mr. EBERHARTER. Mr. Speaker, I will change the question and I will omit the word "entirely,"—whether or not it is his opinion that the estimate of the State Emergency Relief Board, and it is also the opinion of his Republican colleagues, that the estimate is too high?

Mr. WITKIN. Mr. Speaker, my answer to that question is this, that when the Governor asked for $70,000,000 for unemployment relief, we thought it was more than was necessary for unemployment relief. We found out we were right, because the Governor admitted the error of his ways, and voluntarily came before the House and reduced it to $55,000,000. I say this, that if the Democratic Administration at Washington will attempt to properly administer all the WPA funds and instead of giving jobs to political hangers-on—

POINT OF ORDER

Mr. MELCHIORRE. Mr. Speaker, I rise to a point of order.

The SPEAKER. The gentleman from Philadelphia will state his point of order.

Mr. MELCHIORRE. Mr. Speaker, the gentleman from Philadelphia is not answering the interrogation, but is making a speech.

The SPEAKER. The gentleman from Philadelphia will answer the question of the gentleman from Allegheny.

Mr. WITKIN. Mr. Speaker, may I say to the gentleman from Philadelphia, Mr. Melchiorre, that I am answering the question to the best of my intelligence and I am sorry that my intelligence does not meet with his approval.

However, my answer to the gentleman from Allegheny, is this that any figure is too high if a lesser figure, properly administered, is the correct one. For example, I say to you that if the Federal Government at Washington and if the Governor of Pennsylvania will cooperate and endeavor to bring about a system where the only people that get WPA jobs are those taken from the relief rolls, so that instead of giving the jobs of WPA to a political worker in a division who is single and does not need a job, and who is not in dire need, they will take that WPA job and give it to a recipient of relief who has a family and children, then I say that by cooperation with the Federal Government, we can properly administer the amount of direct relief in Pennsylvania. Just as the Governor reduced the $70,000,000 to $55,000,000 because we wouldn't give it to him, because we thought and so did Jones that direct relief was not cooperating with WPA, I say that more than 30,000 families can be taken off the direct relief rolls and placed upon the WPA rolls in jobs that are now held by Democratic politicians in order to build up a Democratic machine. I say that a figure of even $55,000,000 is too high, but if you abolish the WPA and if it was properly administered and it was properly done you would not need $55,000,000. The only reason you need $55,000,000 is because of the corrupt and debauched political machine that is endeavored to be built up on the taxpayers' money.

Mr. EBERHARTER. Mr. Speaker, does the gentleman care to answer categorically the question I previously propounded to him or does he prefer, for the purpose of the record, to evade that question.

Mr. WITKIN. Mr. Speaker, I do not propose to evade any question. I never have—

Mr. EBERHARTER. Mr. Speaker, I desire to further interrogate the gentleman from Philadelphia.

Mr. WITKIN. Mr. Speaker, I haven't finished my answer. I will permit myself to be interrogated further when I have finished my first answer. I will not have the gentleman ask me a further question before I have finished my answer to the first question. I haven't finished my answer. Shall I proceed?

The SPEAKER. Is the gentleman from Allegheny satisfied with the answer of the gentleman from Philadelphia?

Mr. EBERHARTER. I am satisfied with the answer as given.

Mr. WITKIN. Mr. Speaker, I haven't finished my answer. The fact that he is satisfied does not make a particle of difference to me. I am going to finish my own answer to his question, he's not going to answer it for me.

My answer to the gentleman is this, I do not evade his question, I never have in my life and I have never refused to be interrogated. My answer to the gentleman is that the sum of $55,000,000 in my judgment at the present time is higher than it should be because of corruption and debauchery that exists by and with the consent of the Democratic chieftains of Pennsylvania, beginning at the bottom up to and including the Governor of the Commonwealth of Pennsylvania, in the administration of WPA funds. If you take the people off direct relief,—they don't want relief, they want jobs, they want to work, they want to work on WPA if they cannot get any other jobs. Then, if you do that, you do not need $55,000,000. If you don't do it you need $100,000,000.

Mr. EBERHARTER. Mr. Speaker, has the gentleman from Philadelphia arrived at an estimate of the amount of money necessary to take care of the needs of the unemployed for the period from May 1, 1936, to February 28 or 29, 1937.

Mr. WITKIN. Mr. Speaker, I have, and with the gentleman's indulgence I will read him my answer.

My answer is, that Dr. deSchweinitz, the State Emergency Relief Director, appeared before the Committee on Finance in the Senate. He presented certain figures, and Dr. deSchweinitz admitted that the figures he presented were only subject to change provided that there

as a possibility of 30,000 people being taken off the direct relief rolls and taken by WPA. These figures are based upon Dr. deSchweinitz's estimate, and according to Governor Earle's statement, showed 30,000 people could be taken off relief. Dr. deSchweinitz informed the Senate committee upon his estimates of it, and the figures he submitted to the General Assembly, that they contemplated a reduction of the personnel on the relief rolls to WPA from 173,000 for this month to an average of 140,000 for the month of September.

Now, for the enlightenment of the gentleman from Allegheny, when we take the figures for the week ending May 30, 1936, as a basis for computation, there were 174,209 cases on direct relief, but if you take 30,000 cases off, you deduct 17 percent of that particular figure. During the last week of May, 1936, there was expended upon direct relief in Pennsylvania $1,248,305. If you take the 17 percent off that was promised of the 30,000 jobs, or families, or cases, that has not yet been fulfilled, that gives you $212,211.85. This represents a reduction per week of 17 percent per week over to WPA rolls. If you deduct the $212,212 from the money expended during the last week in May, to wit, $1,248,305, it gives you a figure of $1,036,093 per week. If you multiply that figure by thirty and one-half weeks, which is from July 1 to January 31, which I take is the time the gentleman has in his computation, that would mean that the proper amount to be appropriated would be $31,600,687, not based upon the figures of the Republican Finance Committee of the Senate, but based solely upon Dr. deSchweinitz's figures to the Committee on Finance of the Senate,—based upon the actual records, the records that are available to us, and there aren't many that are available. It is further shown that five percent of the persons on relief are not eligible for relief. This is based upon the investigation made by the Department of the Auditor General of the Commonwealth of Pennsylvania. I want to correct that figure from five percent to eight percent. Of the air, but it is based upon names and addresses of This figure of eight percent is not a figure that comes out people on relief, and in every instance when any of these names,—practically every instance—when these names were called to the attention of the State Emergency Relief Board, these people were removed from the relief rolls. Therefore, if you deduct only five percent and not eight percent, you get a further reduction of $1,580,043, and if you deduct from the figure thirty one and a half times the amount of money appropriated in May, to wit, $31,000,000, it gives you the amount necessary, $30,020,824. Then you have got to add the overhead, add eight percent for that. We think that overhead is too high. The people ought to know that you are spending $900,000 a month for overhead. In other words, there are paid workers on the State Emergency Relief Board who get each month $900,000 just to administer the relief. We think that is too much money. We think that ought to go to feed the people instead of feeding the people that administer the funds. Adding that eight percent which I believe is fair, and I do not believe anybody will dispute it, Doctor deSchweinitz agreed it was a fair amount when he appeared before the Finance Committee, you add that, and that gives you the figure I have just mentioned, plus the amount already appropriated of $7,716,211 for the months of May and June, so that you have to add the $7,000,000 or almost $8,000,000 that we appropriated for the month of June, the amount of money you need from July 1st, that will give you a figure of $40,138,700. That is the figure that is necessary for relief. I am willing to go a step further. I am willing to say that instead of the $40,000,000 that you add a couple of million dollars in case more people get on relief, I am willing to say that my estimate for relief including the months of May and June would be about $42,000,000. That is based upon one assumption, and it may be the wrong assumption, because that is based upon the assumption that WPA will keep its promise, and it is based upon the assumption that the Governor's promise will be kept, that 30,000 cases will be taken off relief. I say to you we will have a surplus left out of that money, if WPA and the State Emergency Relief Board will cooperate, because, as you remember, Edward Jones, the Federal Emergency Relief Director, said that direct relief in Pennsylvania was being administered all wrong, that there was something probably wrong with our whole system because Dr. deSchweinitz refused to take people off direct relief and give them jobs. That indictment was never pressed because in a certain magical manner or the flashing of a wand, Director Jones subsequently said, "Let us forget all about it," and it was forgotten.

POINT OF ORDER

Mr. O'KEEFE. Mr. Speaker, I arise to a point of order.

The SPEAKER. The gentleman from Allegheny, Mr. O'Keefe, will state his point of order.

Mr. O'KEEFE. Mr. Speaker, is the gentleman answering the interrogation or making a statement?

The SPEAKER. The Chair is unable to decide.

Mr. EBERHARTER. Mr. Speaker, is the gentleman from Philadelphia willing to state that the estimate of $42,000,000 is the amount or the estimate that he arrives at on behalf of himself and his Republican colleagues? In other words the sum of $42,000,000 is the entire amount that they are willing to appropriate for unemployment relief purposes up to and including January 31st, 1937?

Mr. WITKIN. Mr. Speaker, no I did not say that. I said that when we reach a state in this House where the WPA will give us some information, when we can get some facts, when the Governor will ask the WPA to give the facts, I may increase my figure $20,000,000 or I may reduce it, but I cannot do it, I am doing the best job, I say, and the Republican Senate is doing the best job that they can out of the information that they have received. You people voted down every opportunity to give us the information. When you give us facts we can answer the question. The only reason—

POINT OF ORDER

Mr. TRONZO. Mr. Speaker, I arise to a point of order.

The SPEAKER. The gentleman from Allegheny, Mr. Tronzo, will state his point of order.

Mr. TRONZO. Mr. Speaker I do not call this an answer to an interrogation. This is a long winded discussion.

The SPEAKER. The point of order is well taken.

Mr. EBERHARTER. Mr. Speaker, assuming that the amount of $42,000,000 is the amount that the gentleman from Philadelphia and his colleagues are willing to appropriate for relief, assuming that it will be found that before the end of the period that that amount is insufficient, further assuming that there are only two alternatives, the first being to strike from the relief rolls those persons who are classed as unemployables, and the second alternative being to cut down the standard of relief, may I ask the gentleman from Philadelphia which of those alternatives he will favor.

Mr. WITKIN. Mr. Speaker, the gentleman is trying to give me two alternatives, and asking for a quick answer. I am against both, I am against taking the unemployables off relief and I am against cutting down the standard of relief. It is a trick question and you have got your answer. I say this, you do not have to cut down the standard of relief, you can increase the standard of relief if you will get an honest administration of the taxpayers' money that goes into the crooked WPA administration.

Mr. EBERHARTER. Mr. Speaker, I desire to ask the gentleman from Philadelphia if he has in any single instance been able to ascertain any crookedness of any kind in the administration of the State Emergency Relief Board in the direct relief funds, aside from the Works Progress Administration, but solely in the administration of the State Emergency Relief Board. I am only asking this question insofar as it concerns direct relief, which is the matter with which this State is confronted.

Mr. WITKIN. Mr. Speaker, for the benefit of the gentleman from Allegheny, if he had listened to my answer, he would have heard that the crookedness that I charged was in the WPA, that the WPA Federal Administrator charged crookedness and debauchery and charged maladministration of direct relief. That charge was never investigated. I stated on the floor of this House that I did not believe Mr. Jones. I stated on the floor of this House that any man who refused to give information has no right to charge an indictment, and I say for Dr. de Schweinitz and you can send it through the lengths and breadths of this Commonwealth, I do not charge him with crookeded administration of direct relief, —the Federal Administration at Washington of the Democratic party charged him with it. I did not. I think he is entitled to be heard. I do not charge him with that. I say that that charge was withdrawn in secrecy and because of political purposes and because they did not want the Federal Democratic Administrator fighting with the State Emergency Relief Administrator. I say there is something crooked in Denmark, when you preach the doctrine of "Ye shall know the truth and the truth shall make you free". If we would get the truth, we would have been able properly,—the Republican Senate would have been able,—to determine the proper amount of money that should be appropriated for direct relief, because I do not want, as true as there is a God above me, any man or woman or child in this Commonwealth to starve for a single day because I remember when I had no food.

Mr. EBERHARTER. Mr. Speaker, has the gentleman any tax program or has he voted upon any tax program?

QUESTION OF PARLIAMENTARY INQUIRY

Mr. TUMELTY. Mr. Speaker, I arise to a question of parliamentary inquiry.

The SPEAKER. The gentleman will state his question of parliamentary inquiry.

Mr. TUMELTY. Mr. Speaker, Can I at this time call for the order of the day?

RESOLUTION

UNIONZATION OF STEEL EMPLOYES

Mr. FITCH offered a resolution and asked and obtained unanimous consent that it be read.

The resolution was read by the Clerk as follows:

In the House of Representatives, July 13, 1936.

Whereas, There has been launched a drive to unionize the steel employes of the United States; and

Whereas, Many steel employes are employed in the steel plants located within the Commonwealth of Pennsylvania; and

Whereas, The public of the Commonwealth of Pennsylvania have an interest in the safety and well being of all of its citizens including those employed in the steel industry; and

Whereas, Those in authority of the Commonwealth of Pennsylvania have declared that the civil rights, liberties and freedom of the employes will be as vigorously protected as has been property interests heretofore so that there shall be no undue advantages taken by one side over the other in the unionization plans; and

Whereas, Under the broad and sweeping liberties and freedom of America, it has always been regarded as elementary, that employers and employes possessed the right to form their own respective organization for their mutual and individual advantage; and

Whereas, The steel industry itself organized all the steel employers into the American Iron & Steel Institute and this was done for the employer's own advantage and without interference from the employes; and

Whereas, it is equally important to the employes of the steel industry to organize themselves into their own form of unionization without interference from the employers; and

Whereas, So that no one would have any further doubts on the right of employes to unionize, the Congress of the United States in 1935 passed the "National Labor Relations Act", sometimes referred to as the "Wagner Labor Act"; therefore, be it

Resolved, (if the Senate concur), That the General Assembly of the Commonwealth of Pennsylvania request the directors and officers of the American Iron and Steel Institute and the officers of the individual corporations engaged in the steel industry in Pennsylvania to read sections seven and eight of the National Labor Relations Act, Public Law No. 198, 74th Congress; and, be it further

Resolved, That for the convenience of the aforesaid persons, sections seven and eight of the aforesaid act are as follows:

"Employes shall have the right to self-organization, to form, join, or assist labor organizations, to bargain collectively through representatives of their own choosing, and to engage in concerted activities, for the purpose of collective bargaining or other mutual aid or protection.

"It shall be an unfair labor practice for an employer—

(1) To interfere with, restrain, or coerce employes in the exercise of the rights guaranteed in section 157 of this title.

(2) To dominate or interfere with the formation or administration of any labor organization or contribute financial or other support to it: Provided, That subject to rules and regulations made and published by the Board pursuant to section 156 of this title, an employer shall not be prohibited from permitting employes to confer with him during working hours without loss of time or pay.

(3) By discrimination in regard to hire or tenure of employment or any term or condition of employment to encourage or discourage membership in any labor organization: Provided, That nothing in this chapter, or in sections 701 to 712 of Title 15, or in any

code or agreement approved or prescribed thereunder, or in any other statute of the United States, shall preclude an employer from making an agreement with a labor organization (not established, maintained, or assisted by any action defined in this chapter as an unfair labor practice) to require as a condition of employment membership therein, if such labor organization is the representative of the employes as provided in section 159 (a) of this title, in the appropriate collective bargaining unit covered by such agreement when made.

(4) To discharge or otherwise discriminate against an employe because he has filed charges or given testimony under this chapter.

(5) To refuse to bargain collectively with the representatives of his employes, subject to the provisions of section 159 (a) of this title."

(July 5, 1935, c. 372, Secs. 7 and 8, 49 Stat. 452.); and, be it further

Resolved, That a copy of this resolution be sent to each of the officers of the American Iron & Steel Institute and to the president of each of the following corporations exercising the privilege of doing business in Pennsylvania: Jones & Laughlin Steel Co., Pittsburgh, Pa.; Carnegie Steel Co., Pittsburgh, Pa.; Republic Steel Co., Pittsburgh, Pa.; Bethlehem Steel Co., Bethlehem, Pa.; Crucible Steel Co. of America, 405 Lexington Ave., New York City; Pressed Steel Car Co., Pittsburgh, Pa.; McClintic Marshall Corp., Bethlehem, Pa.; Allegheny Steel Co., Pittsburgh, Pa.; National Tube Co., Pittsburgh, Pa.

The SPEAKER. The resolution will be filed with the Clerk under the rules.

STATEMENT BY MR. HOOPES

Mr. HOOPES asked and obtained unanimous consent to made the following statement:

Mr. Speaker and members of the House, we have been in session here now for nearly eleven weeks. I believe the great majority of the people of Pennsylvania are of the opinion that we have not accomplished what we should have, that the responsible leadership, not to say statesmanship on the part of the two major political parties have not accomplished any more in the eleven weeks than they should have accomplished in three weeks. We have been boondoggling for over ten weeks and the unemployed are now shouting at our door and demanding that we do something. During the past week a group on one side of this House has been shouting for a transfer of funds. During the period we have been here we have already made, I believe, four transfers. The first one covered the balance of the month of May. The second one extended a certain distance in June, the third one to finish June and a little bit more to go into July, but all of it was used up early last week. Each time we made a transfer we made it for a shorter period. Those who are now shouting in the name of humanity to save the starving, that we should transfer funds, voted against the transfer of larger amounts only about ten days ago. They have been cutting the period of the transfer each time, first, for a month, then down to two weeks, then down to one week, and it began to look as though we were getting it down to a portion of a day. For a while I was wondering whether we would not get it down to a cafeteria basis, where we would require the unemployed to come to Harrisburg, and state to each one of the 258 members of the House and the Senate that he or she was hungry and then we would hand out a sandwich and a cup of coffee, and tell them to come back again. I do not think that the people of Pennsylvania want to carry on with such a program. The Governor called a special session, as I understand it, of course I am not in position to say what his reasons were but as I understand it, for the purpose of solving the problem of relief for the balance of the biennium, which would be to the end of May 1937, which would give the next regular session a chance to consider the problem and to pass new tax legislation to take care of it by the time they needed it. As the program stands now, on the Democratic side, if I understand it, they propose to appropriate $55,000,000, that we should levy a tax program of $55,000,000, but the tax program is to be for a year, to extend into the end of the biennium, but the relief program is only to be to the end of January. So that we will spend in seven months all of the money that will be raised by taxes in a year. I do not believe that that is going to solve the problem, but it is merely postponing it and leaving it over for the next regular session of the Legislature, which has been the policy of every session of the Legislature since I have been a member.

It is awful peculiar that those members who shed the most tears tonight over the desire to save the unemployed have consistently voted against all tax measures which have been introduced to deal with the problem, and a number of them have stated that they will not vote for any tax measures at all. It seems to me under these circumstances we have got to have a showdown instead of merely postponing it from week to week and having it all over again. In the meantime prolonging the agony of the unemployed is not getting us anywhere. I believe that we should consider the position of the unemployed. Why should they be compelled every week to wonder whether or not they are going to get relief tomorrow or the next day or the next week? It is bad enough to accept relief and have to live on the standards that are provided by the very paltry grants which are allowed, without being uncertain as to whether you are going to get the relief the next week or tomorrow or the next day. I could understand the purpose of transferring the funds the first time or two to give the leaders of the two major groups time to get together, but certainly if they cannot get together in eleven weeks it certainly does not appear that there is much promise of their getting together at all.

During the period we have been here the spokesmen for this group which has spoken against taxes have said "Let us shift the relief back to the local communities." Well, you have got it back on the local communities now. How do you like it? You have got a complaint, I believe, from every county in Pennsylvania, from the community chest, and other relief agencies, from the poor boards, and from the city administrations and from the county commissioners of many of the counties, who have been telegraphing to this Legislature telling them what they certainly know, or what practically every member of this House should know, before it happened, namely, the local communities do not have the funds and are not in a position to take care of the relief situation. I hope that the question which has been raised in the course of these last eleven weeks has been sufficiently answered by the experience we have had during the past week. I hope that no substantial group of legislators desires to do as they have done in a neighboring state, of abolishing all such relief and shifting it back to the local communities, forcing the unemployed to be finger printed, forcing them to take a pauper's oath. Of course, they

have to take a pauper's oath in Pennsylvania now, before they are permitted to accept relief allowances or relief grants.

I do not believe that you want to reach the point where on every relief order you will have, you are going to have to stamp the words, "I have declared myself a pauper." I do not believe that you want to make relief so disagreeable that every self-respecting person is going to refuse to take it, but that is what you are doing when you are postponing the solution of this problem.

As I understand the position of the minority leader in the House, he thinks that approximately $42,000,000 will be enough, if, if, if. The ifs are pretty large, among others, he says, if WPA is efficiently and properly administered. I think we can all agree that that is a pretty large if. I think that even my friends on the other side who have walked out will agree to that. We have already spent, as I understand it, nearly ten million of that $42,000,000. Nine million seven hundred and sixteen thousand dollars, I believe, is the figure, which leaves something over $32,000,000 to carry relief from last Tuesday to January 31st. They do not tell us how that can be done. Oh, yes; they go through a long rigamarole, to take off a certain percentage, take off so much percentage here, eight percent there, and expect the WPA to take off the unemployables. But there is no reason to think it will happen because they are asking more than WPA has promised. WPA has promised, according to the statement that has been made to us by the Governor and Dr. de Schweinitz, that they will take off 30,000. Mr. Jones says that it is going to take some time to do it, and the relief figure which stood practically still during June—there being as many cases on relief on July 4th as there were on June 6th, it appears that they are not accomplishing that very fast. Even if they do take off that 30,000, even if all the persons in Pennsylvania who have received casual employment during the past two months, even if they keep those jobs from now until next January, even under those conditions, allowing for everything favorable to lower expenditure; allowing for no possible increase, then there would be no possible increase in the relief grant.

Now, members of the House, thus far I have dealt with the same line of argument that has been used by the other members, talking in terms of millons of dollars. I submit that those figures do not mean anything to us. The only way that you can really understand what it means to the people on relief is to get down to the grant to each family for the various items of relief, and when you get down to those figures, then I do not believe that any member of this House is going to have the gall to stand up here and tell them that these people on relief can get along on less.

I have before me a letter dated June 30, 1936, from the director of research and statistics of the State Emergency Relief Board, which contains figures showing the number of persons on relief in Pennsylvania, outside of Allegheny and Philadelphia, where the grants are in cash, and which shows the average grants for each of the necessary items to those families during the month of May, 1936. I have given these figures to the House before, but I feel that they are so important that they are worth repeating, and I propose to give them to you again in an effort to impress upon you what these figures mean to the people.

The average grant for fuel in Pennsylvania for the month of May to a family on relief, a family on nearly four persons, was seventy-six cents, or an average of twenty cents per person, per month, for fuel. I ask, members of the House, how many of you can cook your meals for your family upon the basis of seventy-six cents worth of gas or electricity or even coal oil. You know it cannot be done.

For clothing and shoes, they allow for a family of only four persons the sum of $3.76, or $1.01 per person per month.

For water and light they allow twenty cents per family. or five cents per person per month.

For medical care, and I submit that those who live on such standards, who will have to live in the kind of houses that the unemployed are compelled to live in on the rent allowances which I have given, are found to have more than the average amount of sickness, and yet the medical grant is only seventy-nine cents per month per family, or twenty-one cents per person.

Mr. Speaker, there are some things that I do not like to call attention to, but I think it is well for the unemployed who are here tonight to observe the attention that is being paid to a statement of facts of the relief setups. Apparently some members of the House are not interested, and their actions would indicate that was a fact.

The average grant for rent during the month of May $1.77 per family. Then, they wonder why the landlords are evicting the unemployed. How can they pay their taxes or any kind of an upkeep of their houses on a grant of $1.77 per month? You know it can not be done.

Then, when it comes to that item which is considered the most important, the grant for food per family was $20.45 for a month of 31 days, or $5.50 per person. If you divide that into 31 days you get less than eighteen cents. In the face of those figures, I submit to the majority of this House that if they want to bring a speedy solution of this relief problem, it might be well to pass and enforce the resolution that I introduced here last week, suggesting and directing that the members of this House, pending the time that an agreement is reached on this relief problem, that they live upon food which can be purchased at the rate of eighteen cents a day. It is my humble opinion that if each and every member of this Legislature had to live upon eighteen cents per day for food, that it wouldn't have taken eleven weeks to reach an agreement upon the relief problem.

I realize that that would be pretty strong medicine, but in view of the length of time that we have been here, and the amount that we have accomplished, perhaps we need strong medicine. Having been here all this time, we are still listening to the people who say, "Let us cut down on the appropriation." Now, I do believe we do not want to waste any money, but I havent't heard anyone seriously charge that the SERB was not being administered efficiently, at least as efficiently as can be expected dealing with a problem such as this does. If that is so, if it is being administered properly, and the amounts granted are as meager as these official figures which I have submitted shows that they are, then I submit that anyone who proposes to cut down those grants should show us definitely how it can be done. It is not sufficient that the charge that if this, that, or the other thing was done, then we could do so. It is very easy for the press to call the kettle black. It is very easy to play up to politics and to try to gain advantage for the presidential campaign that is coming on, for one side or the other, but I think we

have been here long enough, and I think it is time for us to consider solely the problem of how much relief we are going to grant and how we are going to get the money, and we must consider those questions seriously and continuously until we have solved the problem. I do not believe that anyone wants to stay here until election time. If we do, I am pretty sure that we won't come back again, because the people by that time will be so thoroughly disgusted with us that we will all be defeated, and perhaps that might not be such a bad event after all. I appeal, Mr. Speaker, to the members of this House to stop talking about millions, and hundreds of thousands of dollars, to get down to what it means to the average person, and then if you can bring it within the bounds of your conscience, to vote for reduced rations and reduced grants, it is up to you to be responsible for that. Personally I am convinced that not only is $42,000,000 inadequate, but that $55,000,000 is wholly inadequate. I believe it is absolutely necessary, if the unemployed in Pennsylvania are to be treated anything like decently during the coming seven months that the appropriation should be at least $100,000,000. Mr. Speaker, I say that for a number of reasons which I want to state briefly.

In the first place I do not believe that the WPA is going to take 30,000 people off the direct relief of Pennsylvania, in addition to ones it already has. I hope they will but I submit that this Legislature cannot take a chance on it. We have already had five special sessions in the past five years. I do not believe it desirable to have another one before our terms are up. We had much better use that one-half million dollars for relief, and then if we are going to take a chance on WPA fulfilling its promise and then it does not,—and the figures for the past month show that they have not increased any yet, and if they do not, you are going to be short right there.

Relief figures are at the lowest right now,—that is direct relief figures,—that they have been in many months. Every year has shown an increase during the Fall and Winter, the only exception being last Winter when WPA increased starting with nothing in the Fall and increasing gradually through the Winter. Many of the projects which are now going full speed on WPA cannot be operated in the Winter months. As soon as we have snow they will have to be closed down, and when that happens a lot of people who are on WPA will be back on direct relief, and that will increase the number.

In addition the number of persons employed in private industry, many of them at casual employment which will last only a few weeks, has not increased very much in the last few months. That number is certain to be increased during the Summer and the Fall and still more in the Winter time, and that will mean that the number on relief because of not going into private industry is certain to increase the direct relief rolls. With that increase you are going to find that the number of cases on direct relief, instead of being 172,000 now and dropping down to 140,000, as our optimistic Director of SERB has suggested it is possible, in order to meet the requirements of the Democratic Administration to cut it as low as he could, and the Republican minority to cut it even lower, that if that doesn't work out, your average is going to go up to over 200,000 and your appropriation is going to prove entirely insufficient.

A further point which I wish to raise on this subject is this, I haven't heard a direct statement from either group of this House,—and this is an important point, I believe, Mr. Speaker,—I haven't heard a direct statement either from the minority or the majority as to whether or not the appropriation which each one presents is to be tied up in such a way that it can only be expended at that average amount each month until next January, or whether it is merely to be a flat appropriation, with the Relief Board given the power to expend it as needed. Now, if it is to be the former, if the Relief Board is going to be tied down to an expenditure of so many millions per month and that amount is substantially less than the amount which they were spending up until the time relief was stopped entirely last week, then we are going to have to slash a lot of people arbitrarily off relief. I do not know how it is going to be done, whether you are going to start with the a's and go down the alphabet or whether you are going to pick them out according to their political affiliation or how you are going to do it, but you will have to cut a lot of people off relief for no reason except you wont have any money to keep them, and that is to be done in the name of saving money for the taxpayers. Saving money for what taxpayers? If they the people are cut off of direct relief, where are they going? You have had a pretty good example of where they are going during the past week. They are going right back on your poor boards, on your home relief agencies, which get their support from taxation on real estate, upon the small home owner and the small business man, and if you are going to shift that burden back to them, then you are going to violate every pledge that you made in the last election, and that includes both the majority and the minority parties in this House, which was to reduce the burden of taxation on the small home owner. You cannot do that by cutting the people off direct relief, where the funds would be raised by a tax upon those who have rather than by direct real estate taxes upon the little fellow at home. So, I submit, Mr. Speaker, that if the majority or the minority of this Legislature, one being in the majority in each House, really want to solve this problem, the time is now for them to get down and consider these matters, which have to deal with the human problem of the unemployed, and your burden upon your local real estate taxpayers, and unless we consider those problems and stop talking in terms of millions of dollars which mean very little to the average citizen we are not going to get anywhere.

Therefore, Mr. Speaker, I hope that we will get down to that consideration and devote our time to this problem. I do not believe that any member of this House, if he is confronted concerned with the problem in terms that he cannot misunderstand is going to openly vote to cut relief out entirely, or to reduce those meager standards of which we have received the figures from the Relief Board. I believe if we go about it in that manner we will soon reach a solution and I think that is something that we all want to do.

In closing, I appeal to every member of the House to try to put himself in the place of those who have to live on relief, and to stop for a moment considering everything else but that, and when you consider that, then I believe you will agree with me that the problem for this Assembly is to raise those funds. If the minority say that the particular tax measures which have been presented and passed by this House are not satisfactory, let them come up with tax measures that will do it, and then let us con-

sider those, but let us stop this dilly dallying and boondoggling. Let us get down to work and solve this problem. Let us be able to go back home and look our constituents in the face, which is more than some of us feel like doing with the situation as it is at the present time. I thank you.

STATEMENT BY MR. AUKERMAN

Mr. AUKERMAN asked and obtained unanimous consent to make the following statement:

Mr. Speaker and members of the House, I have taken it upon myself to answer the statements which were made by my colleague, the gentleman from Philadelphia, Mr. Witkin, in his point of personal privilege a while ago, and the subsequent interrogation thereupon.

In the first place, Mr. Witkin has stated on the floor of this House that his estimate on the necessary relief funds to carry on the State emergency relief program for the rest of this year and January of next year is $42,000,000. I want to call attention to the fact that the unemployed, when they spoke to us at the beginning of this session, stated that their estimate of the necessary relief funds was $120,000,000. This would provide about six dollars a week for each person on relief. I also want to call your attention to the fact that the Governor's original program called for $70,000,000, which more nearly approximated the figure of $120,000,000 which the unemployed spokesmen stated in this House was necessary. Due to subsequent events this amount has been reduced to $55,000,000, but I would like to call your attention to the fact that in both cases the funds provided would go to carry on relief that is necessary or such portion thereof as was necessary would go to carry on relief in the Commonwealth, not stating that we had to spend $70,000,000, not stating that $70,000,000 was the correct amount, but assuming that that was somewhere near the correct amount, then the rest was to be left to the discretion of the State Emergency Relief Board.

I want to call your attention to what I believe is a fallacy in Mr. Witkin's remarks. He said that he was determined that no one in this Commonwealth would starve. I say to him and I say to his Republican colleagues that if he is sincere and if you are sincere in this belief, why then do you not prevail upon your Republican colleagues in the Senate to pass this $42,000,000 which he deems necessary to carry on relief, and let them carry it on as long as it is possible to be carried on in that amount. Why accept any situation whereby anyone may starve in the interim while we are dickering or while we are dealing with the estimate of the funds necessary. I believe that we ought to place the blame entirely on the Senate, because this House has gone along, the Democratic majority has gone along and I want to call your attention to the fact that the gentleman from Philadelphia, Mr. Witkin, has voted against every major tax measure that was proposed in this House, such as the Chain Store Tax, Personal Property Tax, the Fuel Oil Tax, the Corporate Net Income Tax. Where then does he propose to raise these funds? These taxes will be imposed certainly upon those best able to pay. They are not a tax upon the poor.

I would like to call attention to the fact that the gentleman from Philadelphia, Mr. Witkin, has offered no counter proposal. He has torn apart the Governor's program, he has voted against it. The Republican Senate has refused to report these measures out of the Senate committees, and the ones that they have reported out have been so emasculated that they are practically worth nothing, yet they refused to pass any legislation even towards the $42,000,000 which they estimate is necessary. I, therefore, feel that we should, as members of this House, prevail upon everyone in the Senate, whether they be Republicans or Democrats to appropriate funds, to pass tax measures, which will appropriate funds which will approximate $42,000,000 at least, which Mr. Witkin has estimated.

STATEMENT BY MR. SHEPARD

Mr. SHEPARD asked and obtained unanimous consent to make the following statement:

Mr. Speaker and members of the House, in the last regular session of the Legislature I introduced in this House a bill to prevent lynchings and mob violence. That bill passed the House of Representatives, but of course it died in the Senate committee. The need for such legislation has become especially apparent at this time when we find that a judge of the County of Lancaster advocates such mob action.

I want to read in your hearing this article that appeared in one of our daily papers:

"PENNSYLVANI'S JUDGE LYNCH"

Is lynching a product of 'mob hysteria?' Is it a sudden and inexplicable thing that seizes only the most ignorant and embittered members of the most backward communities?

It is not. If it were, it would be easier to combat.

The worst aspect of lyching is that it is privately—and sometimes publicly—condemned and tolerated by many community leaders in every part of the country.

The nation will not soon forget that the late Governor Rolfe of California publicly approved a particularly brutal lynching.

And just the other day, herein Pennsylvania, in the prosperous and enlightened town of Lancaster, Judge B. C. Atlee said to a negro prisoner standing before him:

'This is one of the most despicable offenses ever brought before the local court. It is no credit to the people of Columbia that they allowed you to be here in court today.

Had they lynched you they would have been justified. I say that although I am sitting here to administer justice. It is most fortunate for you that this offense occurred North of the Mason and Dixon line. No court has to bother with cases of your kind South of that line.'

We know of no instance in this State where a Judge has gone so far to undermine law and order and decent government as Judge Atlee has in that statement.

When the people of a community are told by a Judge that they should have taken the law into their own hands, the inference is clear. The Judge appears to mean that the next time they get a similar case (or one a mob imagines is similar) they should administer lynch law and that his court will not punish them.

Because courts in this part of the country 'bother' with cases which Judge Atlee would turn over to lynchers, the lawabiding citizens hereabouts are considerably more secure than in those sections where lynch law has a firmer grip.

Ordinary persons who are misguided enough to condone lynching sometimes do not realize that there is more to a lynching than the issue between the mob and an individual victim. Every lynching degrades its participants and lowers the morals of the whole community.

It usually leads to further lawlessness in which the most innocent and respectable citizens may suffer. A layman may be forgiven for not knowing this. A Judge should not be forgiven.

The Record does not believe a man who made the remarks Judge Atlee made should be allowed to remain on the bench of this or any other state.

If incitement to lynching is not an impeachable offense in a judicial officer sworn to uphold the State Constitution, then what is impeachable?

Pennsylvania in recent years has been free from lynching. The proper authorities should see that the bench—of all institutions—does not encourage mob rule."

Therefore, Mr. Speaker, in the interest of law and order in this Commonwealth, and in order to inspire a larger amount of faith in the essential soundness of our judicial system, I offer the following petition. May I ask unanimous consent to have it read for the information of the House?

PETITION

INVESTIGATION OF OFFICIAL CONDUCT OF JUDGE B. C. ATLEE

Mr. SHEPARD offered a petition and asked and obtained unanimous consent that it be read for the information of House.

The petition was read by the Clerk as follows:

To the Honorable, The Speaker and Members of the House of Representatives of the Commonwealth of Pennsylvania:

The Petition of Marshall L. Shepard and Homer S. Brown respectfully represents:

That your petitioners as citizens, residents and taxpayers of the Cities of Philadelphia and Pittsburgh Counties of Philadelphia and Allegheny respectively and State of Pennsylvania:

That Benjamin Champneys Atlee is a judge of the Court of Common Pleas of the Second Judicial District, composed of the County of Lancaster, having been appointed to said office November 6th, 1930, and elected to a full term of ten years at the municipal election in the year 1931, his elected term having commenced on the first Monday of January, 1932.

That while serving as a Judge of the Court of Common Pleas of the Second Judicial District the said Benjamin Champneys Atlee did knowingly and wilfully commit and was guilty of misdemeanor in office, to wit:

That on or about July 10, 1936, it is alleged the said Benjamin Champneys Atlee while acting in his capacity as Judge of said District made the following remarks in passing sentence on a prisoner in his Court:

"This is one of the most despicable offenses ever brought before the local court. It is no credit to the people of Columbia that they allowed you to be here in court today.

Had they lynched you they would have been justified. I say that although I am sitting here to administer justice. It is most fortunate for you that this offense occurred North of the Mason Dixon line. No court has to bother with cases of your kind South of that line."

That said remarks were in violation of the prisoners constitutional rights and outside of the scope of the judicial duties of said Judge. That said remarks are in direct disregard of the laws of this Commonwealth, the same being well known to said Judge.

Wheretofore your petitioner prays your honorable body to authorize a proper committee to inquire into and concerning the official conduct of the said Benjamin Champneys Atlee and touching his conduct in respect to the matters and things in the foregoing petition set forth, and especially to inquire whether the said Benjamin Champneys Atlee has been guilty of an impeachable offense, and to report to the House of Representatives the conclusion of the committee in respect thereto, with appropriate recommendations.

The SPEAKER. The petition will be filed with the Clerk under the rules.

INTERROGATION

Mr. PFAFF. Mr. Speaker, I desire to interrogate the gentleman from Berks, Mr. Hoopes.

The SPEAKER. Will the gentleman from Berks permit himself to be interrogated?

Mr. HOOPES. I will, Mr. Speaker.

Mr. PFAFF. Mr. Speaker, will the gentleman from Berks, Mr. Hoopes, say that in this extraordinary session the Democratic majority in this House has ever tried to pare down the appropriations which we considered adequate to administer direct relief in Pennsylvania?

Mr. HOOPES. Mr. Speaker, in reply to the gentleman I would say that so far as I have been able to discover, the Democratic majority of this House have not gone into the question of the necessary increases to make relief adequate, they have not studied the question of the grants for each necessary relief item to maintain an American standard of living, and until they have done that and until they recommend appropriations somewhere near enough to do that—we have had presented to us at the very beginning of this session by a delegation of the unemployed what they considered necessary; they gave as facts and figures. Certainly the Democratic majority of this House have torn down those figures tremendously and the appropriation which they propose is only about half of the amount that the unemployed delegates stated was necessary.

Mr. PFAFF. Mr. Speaker, will the gentleman from Berks, Mr. Hoopes, not admit that this is the fact: that the Democratic majority in this House have supported tax measures which are generally considered adequate to administer relief on past standards?

Mr. HOOPES. Mr. Speaker, I will say that the Democratic majority of this House have supported tax measures which they proposed and which are designed, they said, to be adequate for relief, but as I said. in answer to the first question, I submit that the measures which they proposed and the appropriations which they passed are inadequate as shown by the facts and figures presented to us by those who know the facts of the problem—the delegates of the unemployed themselves.

Mr. PFAFF. Mr. Speaker, will the gentleman from Berks, Mr. Hoopes, admit that the program supported by the Democratic majority of this House would at least not have lowered the standards of relief as administered in the past in Pennsylvania?

Mr. HOOPES. Mr. Speaker, I will not admit that for the reason that the program which they propose depends upon, first, the taking of thirty thousand off of direct relief and putting them on WPA and it depends upon, second, no decrease in the number employed in private industry and, therefore, there may be an increase from either or both of these sources of the number upon the relief rolls and such an increase would necessarily mean a reduction in relief standards if their appropriation is to last for the period for which it is supposed to provide. Also, they do not provide for any increase in the cost of living, whereas the figures submitted by the State Emergency Relief Board show that the cost of living has increased seventeen per cent during the last year and, naturally, that involves the fact that relief standards have decreased seventeen per cent during that time because they have not increasd.

ORDER OF THE DAY CALLED

Mr. MOOMAW. Mr. Speaker, I call for the order of the day.

The SPEAKER. The order of the day has been called by the gentleman from Franklin. The order of the day is Resolutions.

RESOLUTION

THANKING PENNSYLVANIA STATE POLICE

Mr. EBERHARTER offered a resolution and asked and obtained unanimous consent for its immediate consideration.

The resolution was twice read, considered and adopted as follows:

In the House of Representatives, July 13, 1936.

On Tuesday afternoon of last week the members of the General Assembly were thrilled and delighted by the display of horsemanship and other feats of agility on the part of members of the Pennsylvania State Police, at a rodeo and entertainment given by the State Police at its barracks at Hershey; therefore be it

Resolved (if the Senate concur), That the General Assembly, in appreciation of the splendid showing and pleasing entertainment of the State Police on this occasion, take this opportunity to thank the Pennsylvania State Police, and in particular the participants in the rodeo and their commanding officers for a most enjoyable and enlightening afternoon; and be it further

Resolved, That the Chief Clerk of the House of Representatives be instructed to forward copies of these resolutions to the Superintendent of the Pennsylvania State Police and to the officer in command at the Barracks at Hershey.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 155 (Senate Bill No. 8), as follows:

A Joint Resolution proposing an amendment to section one article eighteen of the Constitution of the Commonwealth of Pennsylvania

Section 1 Be it resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met That the following amendment t the Constitution of the Commonwealth of Pennsylvani be and the same is hereby proposed in accordance wit the eighteenth article thereof

That section one article eighteen of the Constitution o Pennsylvania is hereby amended to read as follows

Section 1 (a) Any amendment or amendments to thi Constitution may be proposed in the Senate or House o Representatives and if the same shall be agreed to b at least two-thirds of the members elected to each Hous such proposed amendment or amendments shall be en tered on their journals with the yeas and nays take thereon and the Secretary of the Commonwealth sha cause the same to be published three months before th next general or municipal election in at least two news papers in every county in which such newspapers sha be published and such proposed amendment or amend ments shall be submitted to the qualified electors of th State in such manner and at such time at least thre months after being so agreed to by the two Houses a the General Assembly shall prescribe and if such amend ment or amendments shall be approved by at least majority of those voting thereon such amendment o amendments shall become a part of the Constitutio

(b) Any amendment or amendments that shall b agreed to by less than two-thirds but by at least majority of the members elected to each house shall b entered on their journals with the yeas and nays take thereon and the Secretary of the Commonwealth sha cause the same to be published three months before th next general or municipal election in at least two news papers in every county in which such newspapers sha be published and if in the next session of the Genera Assembly such proposed amendment or amendment shall be agreed to by at least a majority of the member elected to each house the Secretary of the Commonwealt shall cause the same again to be published in the manne aforesaid and such proposed amendment or amendment shall be submitted to the qualified electors of the Stat in such manner and at such time at least three month after being so agreed to by the two houses as the Gen eral Assembly shall prescribe and if such amendmer or amendments shall be approved by at least a majorit of those voting thereon such amendment or amendment shall become a part of the Constitution.

(c) When two or more amendments shall be submitte they shall be voted upon separately.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL ON FINAL PASSAGE RECALLED FROM THE GOVERNOR

Agreeably to order,

The House proceeded to the Consideration on final pas sage of House Bill No. 109, as follows:

An Act to authorize and empower municipalities an townships se parately or jointly to provide for protec tion against floods by erecting and constructing certai works and improvements located within or without thei territorial limits and within or without the county i which situate and to expend moneys and incur in debtedness to assess benefits against property benefite to issue improvement bonds imposing no municipa liability and to acquire take injure or destroy propert for such purposes.

Section 1 Be is enacted by the Senate and House o Representatives of the Commonwealth of Pennsylvani in General Assembly met and it is hereby enacted b the authority of the same That the word "municipality as used in this act shall be construed to include citie boroughs towns and townships.

Section 2 Any municipality may erect or construc dykes river bank protection and other flood control work and may widen deepen straighten and otherwise improv the channels and banks of creeks streams and rivers with in or without its territorial limits and within or withou

he county in which such municipality is situated if such orks and improvements will be of benefit to the municiality providing the same and to the inhabitants thereof.

Any two or more municipalities may jointly erect, contruct and provide such works and improvements within ne territorial limits of any municipality joining or within ne territorial limits of some other municipality and with- or without the county in which such municipality or unicipalities are situate.

No such works or improvements shall be erected under ne provisions of this act in any municipality not joining the erection or construction thereof, unless such municiality shall first consent thereto.

Nothing contained in this section or in this act shall be eemed to authorize any municipality to erect or construct ny dam for flood control or other purposes.

Section 3. No such works or improvements involving n expenditure by any municipality or municipalities of nore than three hundred dollars ($300) shall be erected, onstructed or provided, except by contract let to the lowst responsible bidder after due advertisement once a week r two successive weeks in at least one newspaper of genral circulation: Provided, however, That no contract hall be required to be let for the performance of the ork on any such work or improvement wher the cost f the labor shall be paid by the Federal Government or ny agency thereof, without cost to the municipality or unicipalities.

Section 4. Any municipality may expend public moneys nd may in accordance with existing law, incur or inrease its indebtedness for the purpose of erecting, contructing and providing such works and improvements n accordance with the provisions of this act.

Section 5. Any municipality shall have power to acquire any private property, easements or rights of way leemed necessary for the erection or construction of any uch works or improvements by purchase or by the right f eminent domain, and shall have power to enter upon, njure and destroy any private property deemed necesary. The proceedings for the condemnation of property nd for the assessment of damages to property taken, inured or destroyed shall be in accordance with existing law roviding for the assessment of damages and benefits where property is taken, injured or destroyed by such unicipality for municipal purposes.

Section 6. Any municipality shall have power to proide for the assessment of benefits against private propty located within its corporate limits, benefited or to be enefited by such works or improvements. No assessnent of benefits shall be made against private property nless, in the opinion of the board of viewers making the ssessment, such property will be benefited by the prevenion or lessening of future flood damage. The fact that rivate property has been damaged by flood, arising diectly or indirectly from the waters of the creek, stream r river on which the work is being done or improvement rovided, shall be conclusive evidence that benefit will ccrue to such property by reason of the works or imrovements to be provided under the authority of this act. No exemption from benefits shall exist for any private roperty by reason of the fact that the same does not abut n any such work or improvement or on the creek, stream r river carrying the flood waters.

Section 7. The court of common pleas of any county hall, upon the petition of any municipality located within uch county, appoint a board of three viewers from the ounty board of viewers, whose duty it shall be to assess ll benefits to private property to be occasioned by such orks or improvements after the same are completed. It hall be the duty of the authorities of any such municiality to furnish to each board of viewers so appointed, a omplete set of any official plans which it may have dopted, showing the proposed works and improvements nd the private property within its corporate limits which ill be benefited by such proposed works or improvements.

Section 8. The viewers having been duly sworn or afmed, faithfully, justly and impartially to decide and a rue report to make concerning all matters before them or o be submitted to them, and in relation to which they are uthorized to inquire, and having viewed each parcel of rivate property which it appears will be benefited, shall hear all parties and their witnesses, and shall determine the benefits, if any, to accrue to each such parcel of private property, and shall prepare a schedule of such property, showing the amount of benefits assessed against each parcel of property.

Section 9. The viewers shall give notice to all persons against whose property benefits have been assessed of a time and place when and where the viewers will meet and exhibit their schedule, and hear all exceptions thereto. Such notice shall be given by registered mail, addressed to the last known post office address of the owner or reputed owner of the property, and by publication once a week for two weeks in at least two newspapers of general circulation in such municipality or in the county, if so many be published therein. The failure of an owner to receive the registered notice shall not be deemed to invalidate the proceedings, but in such cases the notice by publication shall be deemed sufficient.

Section 10. After hearing all parties and their witnesses and after making whatever changes in their schedule are deemed necessary, the viewers shall prepare a revised schedule of benefits to private property and file a copy of the same in the court of common pleas of the county. When the report of viewers is filed, it shall be confirmed nisi, and notice thereof shall immediately be given by the board of viewers by publication once in the newspapers in which the notice of the hearings before the viewers was published. Such notice shall state the date of the filing of the report, shall contain the schedule of property assessed, and shall state that unless exceptions are filed thereto, or an appeal to the court of common pleas is taken therefrom, within thirty days from the filing of the report, the same will be confirmed absolutely.

Section 11. Within thirty days after the filing of the report of viewers, any person interested may file exceptions to the same or may appeal to the court of common pleas and demand a jury trial.

Each person filing exceptions or taking an appeal, shall except to or appeal from so much of the report only as affects property in which he has an interest, and the part of the report of the viewers not excepted to or appealed from, shall be confirmed absolutely after said thirty day period.

Section 12. Where exceptions to a report of viewers are filed, the court shall proceed to hear and determine the same in the manner exceptions to reports of viewers are generally proceeded with within the county. Where an appeal is taken, it shall state the grounds upon which it is taken and shall be accompanied by an affidavit that it is not taken for the purpose of delay, but because the appellant believes that injustice has been done.

Upon the trial of any appeal, or the hearing of any exceptions, in case the appellant or party excepting does not obtain a verdict or decree more favorable than was the report of viewers, he shall not recover any costs.

The court of common pleas shall order what notices shall be given in connection with such proceedings, by exceptions or appeals, and may by rule or otherwise, prescribe the form of the pleadings.

The court may also, in proper cases, consolidate proceedings by exceptions or by appeals, into a single proceeding.

Section 13. Any person aggrieved by an order of court upon exceptions filed or the determination of the case where a jury trial was demanded, may, within thirty days after such final order or determination and not thereafter, appeal to the Supreme or Superior Court, as the case may be.

Where an appeal is taken to the Supreme Court and an appeal is also taken to the Superior Court, and the appeals in both cases are substantially the same or involve the same questions, the Superior Court may certify such appeal to the Supreme Court to be heard with other appeals from the same report.

The Supreme or Superior Court shall consolidate all appeals coming before it from the same report and hear them as one case except that cases arising from exceptions shall not be consolidated with those arising from appeals.

Where an appeal is taken to the wrong court, such

court shall certify the same to the court to which it should have been taken.

Section 14. All assessments of benefits shall become due and payable to the municipality when the works and improvements have been completed, which date shall be fixed by the official order of the corporate authorities of the municipality, notice of which order shall be published by the board in the newspapers in which notice of the hearing before the viewers was published, by one insertion.

Any person may pay any part or all of the benefits assessed against him to the municipality before the due date thereof. If such payment is made within one month after the amount of the benefits have been finally ascertained, a discount of ten per centum of the amount thereof paid shall be allowed. All benefits or any part thereof, paid after such one month period and before the date of the completion of the works and improvements, shall be subject to a discount of five per centum of the amount paid. All assessments of benefits or parts thereof, remaining unpaid when the improvements are completed, shall bear interest at the rate of six per centum per annum from the date of the completion of the works or improvements until paid.

The municipality shall send by registered mail, addressed to the last known post office address, a statement of the amount due by each person, after the same has been finally ascertained, together with a notice of the discounts allowed by this act for prompt payment, and when, or approximately when, interest will be added to the amount due.

Section 15. All assessments for benefits against private property shall remain a lien thereon from the time the report of viewers is filed in court until paid, unless the liens thereof be lost by failure to revive the same. It shall be the duty of the municipality within six months after its order that the works and improvements have been completed, to file in the office of the prothonotary of the proper county, liens for all benefits assessd which remain unpaid. But no such lien shall be filed unless the municipality shall first notify by mail, addressed to the last known post office address of the owner or reputed owner of the property against which an assessment has been made, of its intention to have said lien filed if payment of the amount due is not made before a time prescribed by the municipality. Such lien shall be filed in the same manner as is provided by law for the filing of municipal claims and shall have priority over all other liens, except taxes and other municipal claims, and except also mortgages and judgments of record prior to the time the report of the viewers was filed in court.

Such liens shall be revived, prosecuted to judgment, executed and collected by the municipality in the same manner in all respects as is provided by law in the case of municipal claims.

Section 16. In order to enable municipalities to erect and construct the works and improvements authorized by this act, if benefits are to be assessed against private property as herein provided, the municipality may issue improvement bonds based solely upon the assessment of benefits made or to be made by reason of such works and improvements and imposing no municipal liability.

Section 17. Nothing contained in this act shall be construed to repeal the provisions of any law, the enforcement of which is vested in the Department of Health or the Sanitary Water Board, or the provisions of any law, the enforcement of which is vested in the Department of Forests and Waters or the Water and Power Resources Board.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—197

Achterman,	Eroe,	Mason,	Shaw,
Alexander,	Falkenstein,	McCreary,	Shepard,
Allen,	Ferko,	McDermott,	Shortz,
Altenburg,	Finnerty,	McDevitt,	Shreiner,
Andrews,	Fitch,	McElroy,	Shugarts,
Anthony,	Flanagan,	McKinney,	Siegel,
Arnold,	Flinchbaugh,	Melchiorre,	Simon,
Atkins,	Flynn,	Mentzer,	Simpson,
Aukerman,	Forrest,	Merrell,	Sloan,
Baine,	Gates,	Moomaw,	Smith, J. A.,
Baker, F. T.,	Gerard,	Mooney,	Smith, W. G.,
Baker, J. J.,	Gillette,	Moore,	Snyder, F. E.,
Baldi,	Greenstein,	Moran,	Snyder, J. L.,
Barnhardt,	Habbyshaw,	Moul,	Sowers,
Beadman,	Haberlen,	Muir,	Sproul,
Bernhard,	Hagerty,	Munley,	Stank,
Blumberg,	Haluska,	Murrin,	Stevens,
Boose,	Hamilton, F. P.,	Nagel,	Stewart,
Boyd, R.,	Hamilton, R. S.,	Nothnagle,	Stockham,
Boyer,	Harkins,	O'Keefe,	Stone,
Bradley,	Harmuth,	Ominsky,	Stott,
Brancato,	Hartman,	O'Neill,	Sumney,
Brennan,	Hermansen,	Panton,	Surface,
Brown, H. S.,	Hetrick,	Parks,	Sweeney,
Brown, J. E.,	Hindman,	Patterson, C.,	Tahl,
Brownfield,	Hirsch,	Patterson, J. W.,	Terry,
Brumbaugh,	Hoffner,	Pearson,	Tronzo,
Burke,	Holland,	Perry,	Trout,
Cannon,	Holstrom,	Peters,	Tumelty,
Caputo,	Hoopes,	Pfaff,	Turner,
Carson,	Horst,	Phillips,	Van Allsburg,
Castor,	Jackson,	Piole,	VanSickle,
Chervenak,	Jones,	Powers,	Wall,
Coakley,	Kane,	Reising,	Wasserman,
Cochran,	Kelder,	Reynolds,	Weiss,
Cohen,	Kelso,	Rinn,	Welliver,
Coleman,	Kenney,	Roan,	Welsh,
Condon,	Klingler,	Robinson,	Westrick,
Coolahan,	Kilroy,	Rooney,	White,
Cooper,	Kinney,	Root,	Wickersham,
Cordier,	Kobelak,	Royer,	Winner,
Davies,	LaRue,	Ruffennach	Witkin,
Decker,	Linderman,	Sarraf,	Wood,
Denning,	Long,	Scanlon,	Woodside,
Dent,	Longaker,	Schaeffer,	Yeakel,
Diehl,	Lovett,	Schrock,	Yourishin,
Dilley,	Lynch,	Schrope,	Zappala,
Downey, G. E.,	Male,	Schwab,	Zimmerman,
Duffort,	Mallen,	Serrill,	Furman,
Eberharter,			

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 129 (Senate Bill No. 17), entitled:

An Act to amend sections seven and eight of the act approved the twenty-second day of June one thousand nine hundred and thirty-five (Pamphlet Laws four hundred and fourteen) entitled "An act to provide revenue for State purposes imposing taxes upon certain classes of personal property providing for the assessment collection and lien of the same and the distribution of the proceeds thereof imposing duties on executors administrators registers of wills recorders of deeds prothonotaries and court clerks and on persons copartnerships associations banks national banks trust companies and other corporations receiving deposits of money and on certain corporations and limited partnerships conferring powers and imposing duties on certain State officers and departments imposing penalties and making an appropriation" by changing certain penalties imposed by said act

On the question,

Will the House agree to the bill on third reading?

BILL POSTPONED

Mr. HARKINS. Mr. Speaker, in view of the fact that Senate Bill No. 17 covers the same subject in a certain manner—covers in part, I should say, the same subject covered in House Bill No. 27, the personal property tax bill which I introduced in this House and which is now in the Senate, I move that this bill be placed on the postponed calendar. The bill was reported out of committee for the purpose and with the understanding that it be held over until the receipt of advice of the disposition of the bill in the Senate.

The motion was agreed to.

BILL ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 160 (Senate Bill No. 87), as follows:

An Act abating under certain circumstances tax penalties and interest on certain city taxes in cities of the first class school districts of the first class and prohibiting the sale of real property for the non-payment of any such taxes for a certain period and preserving certain tax liens and providing for the extension thereof and for payment of costs in connection therewith

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That all penalties and interest imposed on delinquent taxes in cities of the first class and school districts of the first class for the tax year one thousand nine hundred and thirty-four and all previous years assessed and levied against any parcel or parcels of real estate are hereby abated without the necessity of further action by the authority levying the tax if said delinquent taxes are paid as hereinafter provided

In order to receive the benefits of this act the taxes for the year one thousand nine hundred and thirty-five and all penalties and accrued interest thereon and thirty-three and one-third per centum of the delinquent taxes due for the tax year one thousand nine hundred and thirty-four and for all previous years shall be paid on or before the first day of November one thousand nine hundred and thirty-six thirty-three and one-third per centum on or before the first day of November one thousand nine hundred and thirty-seven thirty-three and one-third per centum on or before the first day of November one thousand nine hundred and thirty-eight And provided That the respective current taxes on such parcel or parcels of real estate for the years subsequent to the year one thousand nine hundred and thirty-six during such installment periods assessed and levied by such taxing authority shall be paid during the then current year before they become delinquent if and whenever any of the said current taxes or any of the said installments are not paid when due and payable as herein provided then and in that event there shall become due and payable for such year a sum equal to one-third of what would have been the total amount of the abated penalties and interest had the payment in question been made on time this sum to be in addition to the other payments required to be paid under this Act during that year which said additional sum shall be payable and must be paid at the time the next succeeding installment payment becomes due under this Act. If such additional sum is not so paid then the total amount of the abated penalties and interest less the aggregate of any such additional sums theretofore paid shall be received and added to the unpaid taxes with the same force and effect as if such abated penalties and interest or portion thereof had never been abated and the tax payer shall not thereafter be entitled to any further benefits or privileges under this Act

Section 2 Any taxpayer may anticipate the payment of delinquent taxes for the tax year one thousand nine hundred and thirty-four and previous years at any time on or before November first one thousand nine hundred and thirty-six or of the balance of said delinquent taxes then due at any time thereafter during the installment period herein provided for if the taxpayer is not then in default under the provisions of this act by paying the entire amount or balance as the case may be of such delinquent taxes and receive the benefit of this act and in such cases payment of the taxes assessed and levied for the year one thousand nine hundred and thirty-six shall not be required at the time of such payment.

Section 3 This act shall be construed to apply to all such taxes whether or not liens for such taxes have been returned for non-payment or have been filed in the office of the prothonotary of the country or proceedings for the collection of such taxes have been instituted in any court in said county or where real property has been sold to a county city borough town township school district or poor district at a tax sale or on a tax lien and the period of redemption has not expired but this act shall not be construed to apply to cases where real property has been sold other than to a county city borough town township school district or poor district at a tax sale or on a tax lien and where the period of redemption has not expired but if the taxpayer desires any tax lien or judgment entered of record to be satisfied it shall be so marked on order filed by the taxing authority or its solicitor upon payment of all costs actually expended by the taxing authority and advertising costs actually expended by the sheriff the taxpayer to be liable for the payment of such costs only and no other costs to be demandable from him or the taxing authority

Section 4 The benefits of this act shall extend to and accrue to any successful bidder or purchaser at Sheriff's or other judicial sale grantee transferee mortgagee or other party in interest in the parcel or parcels of real estate against which the above mentioned taxes have been assessed and levied

For the purposes of this act a tax shall be deemed to become delinquent on the date of its registry as a delinquent tax or on the fifteenth day of January of the year following the current year for which the tax in question was levied

Section 5 Any taxpayer shall have the right to pay the delinquent taxes assessed and levied against any percel or parcels of real estate without being required to pay the delinquent taxes assessed and levied against any other parcel or parcels of real estate in the same ward district or other municipal subdivision

Section 6 In all cases of delinquent taxes paid subsequent to June first one thousand nine hundred and thirty-five and on or before November first one thousand nine hundred and thirty-six where the payments were or are made and accepted on the basis of the allowance to the taxpayer of penalties interest and costs or on the basis of the allowance of any of them such allowance or allowances shall stand valid in all respects and shall be so viewed on the audit of the accounts of the tax collector

Section 7 Upon application either in person or in writing by any taxpayer the tax levying authorities the tax collector the receiver or receivers of taxes or the person or persons charged with the collection of such delinquent taxes or the person or persons in whose custody the records of such delinquent taxes are kept shall furnish to such delinquent taxpayer a statement of the delinquent taxes owed by him to such municipal subdivision showing the face amount the penalty if any the interest if any and any costs or other charges in detail against such real property as shown by the records in his custody

Section 8 In order to enable the taxpayer to receive the full benefits of this act no real property shall be sold for non-payment of taxes before November first one thousand nine hundred and thirty-six and any tax sale shall be adjourned or readjourned as often as may be necessary for this purpose If any tax sale is adjourned or readjourned after advertisement no additional advertisement or notice shall be necessary for the adjourned or

readjourned sale No such adjournment or readjournment failure to advertise or hold any such tax sale shall invalidate the lien of any tax due and unpaid by the lien of all such taxes shall be fully preserved during the entire installment period herein provided for if the taxpayer avails himself of the privileges or benefits of this Act provided however that in every case where a tax payer avails himself of the privileges or benefits of this Act the period during which payment of the said delinquent taxes are postponed or continued under this Act shall not be included in computing and determining whether or not anv right of the tax assessing and levying authority has been barred or lost by reason of the provisions of any statute or statutes now existing or hereafter enacted limiting the right of the said tax levying and assessing authorities to file preserve or maintain the lien of the said taxes

Section 9 The provisions of this act are severable and if any of the provisions hereof are held to be unconstitutional the decision shall not be construed to impair any other provision of this act It is hereby declared as the legislative intent that this act would have been adopted had such unconstitutional provision not been included herein

Section 10 The Act approved the sixteenth day of May one thousand nine hundred thirty-five Pamphlet Laws one hundred sixty-six as amended by the Act approved the twenty-first day of June one thousand nine hundred thirty-five Pamphlet Laws four hundred ten shall continue in force and effect only as to those taxpayers who have heretofore taken advantage of that act by paying the first installment within the installment period provided for in Section one paragraph (a) thereof and have not become in default and shall not become in default in meeting any subsequent installments provided for in that act and who continue to liquidate their delinquent tax obligations under that act provided however That if said taxpayer desires any tax lien or judgment entered of record to be satisfied he shall be liable for costs as provided in section ten of this act All other acts and parts of acts general local and special inconsistent herewith be and the same are hereby suspended during the time this act shall be in effect

Section 11 This act shall become effective immediately upon final enactment

On the question,

Will the House agree to the bill on third reading?

BILL POSTPONED

Mr. EBERHARTER. Mr. Speaker, I move that this bill be placed upon the postponed calendar.

The motion was agreed to.

BILL ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 161, entitled:

An Act making an appropriation to the Water and Power Resources Board for payment into the Flood Control Fund for flood control purposes

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. TURNER. Mr. Speaker and members of the House, this bill, I believe is the one that was introduced by the gentleman from Allegheny to take the place of the amount appropriated under his original bill, either No. 70 or 71—I have forgotten the number—which went to the Senate, and at the request of the Senate the amount appropriated in the bill, two million dollars, was taken out and the gentleman from Allegheny was requested to file a new bill with an appropriation in it, so that the two matters might be settled.

I argued at length on this question on two different occasions in the House. I do not intend to take the time of the House any further tonight than I can possibly do so, but I believe that the appropriation of two million dollars if it is passed at this time under the conditions is an improper appropriation.

I think that we are all interested in this great question of water supply, in the question of flood control, in conservation, in reforestation, in soil erosion and the many allied questions that are tied into this matter. As proof of my personal interest, I am serving at the present time on a joint commission between the states of New York, New Jersey, Pennsylvania and Maryland on the Delaware River, with which this question is intimately allied. In the course of my work on that commission I have been in contact with the National Resources Board, which has been set up by the President under the Department of the Interior in Washington, and I know that it is the plan of that board at the present time to complete a survey for the President by December of this year. To appropriate money in this special session for this purpose when the plan is not developed, when the report of the board has not been made to the President, and when we are but a few months away from a regular session in which this question can be properly approached, seems to me to be highly improper, because it means an increase in the amount that we will have to raise by taxation because there are no further funds in the Treasury from which this amount can be taken, and I, therefore, ask you to vote "no" on this bill.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—172

Achterman,	Dilley,	Longaker,	Schaeffer,
Alexander,	Downey, G. E.,	Lovett,	Schrock,
Allen,	Downey, J. J.,	Lynch,	Schrope,
Andrews,	Duffort,	Male,	Schwab,
Anthony,	Eberharter,	Mallen,	Serrill,
Arnold,	Eroe,	Mason,	Shaw,
Aukerman,	Falkenstein,	McDermott,	Shepard,
Baine,	Ferko,	McElroy,	Shortz,
Baker, F. T.,	Finnerty,	McKinney,	Shugarts,
Baker, J. J.,	Fitch,	Melchiorre,	Siegel,
Baldi,	Flanagan,	Mentzer,	Simon,
Barber,	Flinchbaugh,	Merrell,	Simpson,
Barnhardt,	Gates,	Moomaw,	Sinwell,
Beadman,	Gerard,	Mooney,	Sloan,
Bernhard,	Greenstein,	Moore,	Smith, J. A.,
Blumberg,	Haberlen,	Moran,	Smith, W. G.,
Boose,	Hagerty,	Moul,	Snyder, F. E.,
Boyd, R.,	Haluska,	Munley,	Snyder, J. L.,
Boyer,	Hamilton, F. P.,	Murrin,	Sowers,
Bradley,	Harkins,	Nagel,	Stank,
Brancato,	Harmuth,	O'Keefe,	Stevens,
Brennan,	Hartman,	Ominsky,	Stewart,
Brown, H. S.,	Hermansen,	O'Neill,	Stockham,
Brown, J. E.,	Hetrick,	Panton,	Stone,
Brownfield,	Hindman,	Parks,	Sumney,
Brumbaugh,	Hirsch,	Patterson, Cliff,	Surface,
Burke,	Hoffner,	Patterson, J. W.,	Sweeney,
Cannon,	Holland,	Pearson,	Tahl,
Caputo,	Holstrom,	Pfaff,	Tronzo,
Carr,	Horst,	Phillips,	Trout,
Carson,	Jackson,	Piole,	Tumelty,
Chervenak,	Jones,	Powers,	VanAllsburg,
Coakley,	Kane,	Reising,	VanSickle,
Cochran,	Kelder,	Reynolds,	Wall,
Cohen,	Kelso,	Rinn,	Weiss,

Coleman,	Kenney,	Roan,	Welliver,
Condon,	Kilroy,	Robinson,	Welsh,
Coolahan,	Kinney,	Rooney,	Westrick,
Cooper,	Klingler,	Root,	Witkin,
Cordier,	Kobelak,	Royer,	Yeakel,
Davies,	LaRue,	Ruffennach,	Yourishin,
Decker,	Linderman,	Sarraf,	Zappala,
Dent,	Long,	Scanlon,	Furman,
Diehl,			

NAYS—15

Altenburg,	Muir,	Turner,	Winner,
Habbyshaw,	Nothnagle,	Wasserman,	Wood,
Hoopes,	Shreiner,	Weidemann,	Woodside,
McCreary,	Sproul,	White,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

STATEMENT BY MR. WITKIN.

Mr. WITKIN asked and obtained unanimous consent to make the following statement:

Mr. Speaker and members of the House, I have just been advised by the Senate as follows:

"The Finance Committee of the Senate has reported to the Senate revenue raising measures approximately $36,000,000. It has been agreed in Committee that other revenue bills will be recommended providing revenue in the additional amount of $9,000,000, making a total of $45,000,000 for the purposes of relief. This amount includes the previous appropriations made by this Extraordinary Session of the General Assembly. The balance of this sum will be appropriated to the State Emergency Relief Board by it to be allocated month by month over the period ending February 1, 1937. This amount of $45,000,000 has been agreed upon by the Republican and Democratic members of the Senate as a compromise figure."

MOTION TO TAKE BILL FROM TABLE

Mr. WITKIN. Mr. Speaker, I move that House Bill No. 153, Printer's No. 176, entitled

An Act making an appropriation to the State Emergency Relief Board for direct relief work relief and expenses defining the purposes for which such moneys may be expended and prescribing the powers and duties of the State Emergency Relief Boardd and certain State Departments and ratifying confirming and validating the action of the Governor and the fiscal officers in making monies available for unemployment relief prior to the adoption of this act

which was laid on the table be taken from the table.

On the question,

Will the House agree to the motion?

Mr. COHEN. Mr. Speaker, I desire to interrogate the gentleman from Philadelphia, Mr. Witkin.

QUESTION OF PARLIAMENTARY INQUIRY

Mr. TUMELTY. Mr. Speaker, I arise to a question of parliamentary inquiry.

The SPEAKER. The gentleman will state his question of parliamentary inquiry.

Mr. TUMELTY. Mr. Speaker, there was a motion made previously to take this bill from the table and the motion was defeated? Is it not necessary to reconsider the motion that was defeated?

The SPEAKER. In answer to the parliamentary inquiry of the gentleman from Philadelphia, it is entirely within the power of the House to take any measure from the table at any time. The Chair must inform the House, however, that this motion is not a debatable motion.

INTERROGATION

Mr. COHEN. Mr. Speaker, I ask permission of the House, in an effort to clarify the situation, to interrogate the gentleman from Philadelphia, Mr. Witkin.

The SPEAKER. The gentleman from York asks unanimous consent of the House to interrogate the gentleman from Philadelphia. Are there objections? The Chair hears none.

Will the gentleman from Philadelphia permit himself to be interrogated?

Mr. WITKIN. I will, Mr. Speaker.

Mr. COHEN. May I inquire of the gentleman from Philadelphia whether he knows that the Senate has adjourned?

Mr. WITKIN. Mr. Speaker, I do not know of my own knowledge, but I have been informed that they have adjourned. I may not be correct.

Mr. COHEN. Mr. Speaker, if the Senate has adjourned, any action that this House may take on those bills can not be finally effectuated until the presentation of those bills to the Senate for signature by the President Pro Tempore of the Senate; is that not correct?

Mr. WITKIN. Mr. Speaker, that is correct, except that I may add that if we perform our duty, the very first thing in the morning the President of the Senate can sign the bill.

Mr. COHEN. Then, Mr. Speaker, any action on the part of this House at the present time would not be effective?

Mr. WITKIN. Mr. Speaker, any action on the part of this House most certainly would be effective as a step toward enacting it into law and giving the people on relief three million dollars tomorrow morning. I might also add, if the gentleman will pardon me, that if we had done that earlier in the evening, we could have had the bill signed by both the House and the Senate and the three million dollars would have been on its way to the people tomorrow morning.

Mr. COHEN. Mr. Speaker and members of the House, this is the first opportunity that we on this side of the House have had to examine this particular paper.

There is a definite position that the Democratic side of the House has taken, to which they have decided to adhere. We do now know that the amount which they will appropriate will be appropriated in a lump sum, we do not know that those moneys will be allocated from month to month, we do not know that the Senate, even though they have reported the bills out, will necessarily pass those bills, because we already have had the experience where some of those very same bills have been on the Senate calendar and have been defeated, and in view of the fact that anything we may do tonight will not in any manner clarify the situation, I ask the membership of this House to be consistent in the position they have taken and demand a full and complete program prior to resorting to any other transfers. If by tomorrow morning or tomorrow by twelve o'clock, we definitely ascertain the figures that go to make up this appropriation, if we ascertain the method by which the appropriation is to be made, if we definitely ascertain the type of measures that are going to be utilized, in order to effectuate that program —in the morning, after having ascertained those facts, we

will then be in a position at or around noon time to take the bill off the table and give it the final action of this House.

Mr. HOOPES asked and obtained unanimous consent to interrogate the gentleman from Philadelphia, Mr. Witkin.

The SPEAKER. Will the gentleman from Philadelphia permit himself to be interrogated?

Mr. WITKIN. Mr. Speaker, I will.

Mr. HOOPES. Mr. Speaker, I would like to ask the gentleman from Philadelphia whether I correctly understood his statement to be that the forty-five million dollars if appropriated would be allocated month by month to the SERB on the basis of making it last until January 31st of 1937 regardless of any changes that may take place either up or down in the number of persons upon relief?

Mr. WITKIN. Mr. Speaker, I will answer that question in the affirmative.

On the question recurring,

Will the House agree to the motion?

The yeas and nays were required by Mr. WITKIN and Mr. PETERS and were as follows:

YEAS—79

Altenburg,	Gillette,	Muir,	Stott,
Atkins,	Habbyshaw,	Nothnagle,	Surface,
Baker, F. T.,	Hamilton, R. S.,	Parks,	Sweeney,
Baldi,	Hermansen,	Peters,	Tahl,
Beadman,	Hoffner,	Phillips,	Terry,
Bernhard,	Horst,	Reynolds,	Trout,
Blumberg,	Jackson,	Roan,	Turner,
Boose,	Jones,	Root,	VanAllsburg,
Boyd, R.,	Kane,	Royer,	Wall,
Boyer,	Kelder,	Schrock,	Wasserman,
Brennan,	Kenney,	Serrill,	Weidemann,
Cannon,	Linderman,	Shortz,	White,
Carr,	Longaker,	Shreiner,	Wickersham
Castor,	Mallen,	Simpson,	Winner,
Cooper,	Mason,	Snyder, F. E.,	Witkin,
Cordier,	McCreary,	Snyder, J. L.,	Wood,
Davies,	McDevitt,	Sowers,	Woodside,
Duffort,	McKinney,	Sproul,	Yeakel,
Forrest,	Merrell,	Stewart,	Zimmerman,
Gates,	Moore,	Stockham,	

NAYS—106

Achterman,	Dilley,	Long,	Sarraf,
Alexander,	Downey, G. E.,	Lovett,	Scanlon,
Allen,	Eberharter,	Lynch,	Schaeffer,
Andrews,	Eroe,	McDermott,	Schrope,
Anthony,	Falkenstein,	McElroy,	Schwab,
Arnold,	Ferko,	Melchiorre,	Shaw,
Aukerman,	Finnerty,	Mentzer,	Shepard,
Baine,	Fitch,	Moomaw,	Shugarts,
Baker, J. J.,	Flanagan,	Mooney,	Siegel,
Bradley,	Gerard,	Moran,	Simon,
Brancato,	Haberlen,	Moul,	Smith, J. A.,
Brown, H. S.,	Hagerty,	Munley,	Smith, W. G.,
Brown, J. E.,	Hamilton, F. P.,	Murrin,	Stank,
Brownfield,	Harkins,	Nagel,	Stevens,
Brumbaugh,	Harmuth,	O'Keefe,	Stone,
Burke,	Hetrick,	Ominsky,	Sumney,
Caputo,	Hindman,	O'Neill,	Tronzo,
Carson,	Hirsch,	Patterson, C.,	Tumelty,
Chervenak,	Holland,	Patterson, J. W.,	VanSickle,
Coakley,	Holstrom,	Pearson,	Weiss,
Cochran,	Hoopes,	Pfaff,	Welliver,
Cohen,	Kelso,	Piole,	Welsh,
Coleman,	Kilroy,	Powers,	Westrick,
Coolahan,	Kinney,	Reising,	Yourishin,
Decker,	Klingler,	Robinson,	Zappala,
Dent,	Kobelak,	Ruffennach,	Furman,
Diehl,	LaRue,		

So the question was determined in the negative and the motion was not agreed to .

ANNOUNCEMENT

There will be a Democratic Caucus in the House Caucus Room tomorrow at 10:30 A. M.

ADJOURNMENT

Mr. COHEN. Mr. Speaker, I move that this House do now adjourn until tomorrow at 12:00 o'clock noon.

The motion was agreed to, and (at 1:48 A. M.) the House adjourned until Tuesday, July 14, 1936, at 12.00 o'clock noon.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Extraordinary Session of 1936.

Vol. 19. HARRISBURG, PA., TUESDAY, July 14, 1936. No. 34.

SENATE

TUESDAY, JULY 14, 1936

The Senate met at 12 o'clock noon.

The PRESIDENT (Lieutenant Governor Thomas Kennedy) in the Chair.

PRAYER

The Chaplain, Rev. William E. Howard, D. D., offered the following prayer:

Our Heavenly Father, the world's Master Teacher, as he was about to leave his pupils, left with them the injunction "A new commandment give I unto you, that ye love one another." With great difficulty these pupils learned that startling lesson; and it is with great difficulty that we learn this same lesson today. How strong is the ego in the lives of us all! How easy it is to repeat the creed of humanitarianism; how difficult to practice it! We may glibly quote the Master Teacher's command, then make of it a platitude, devoid of power, by failing to apply it to our daily actions. We may ever use this wonderful theory of true living as a shield behind which to hide selfishness and greed. Give us ears to hear this command, faith to believe it, and fortitude to obey it. It is out of tune with the world; but, if honestly followed, it will revolutionize the world and answer the oft repeated prayer "Thy kingdom come."

Come into our midst, O God, and proclaim anew Thy message of brotherly love. We ask it in the name of Him who was and is the expression of that love. Amen.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. SONES, the further reading was dispensed with, and the Journal was approved.

NOMINATIONS BY THE GOVERNOR

The Secretary to the Governor being introduced, presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows, and referred to the Committee on Executive Nominations.

NOTARIES PUBLIC

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 14, 1936.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

ALLEGHENY COUNTY

Miss Sara Doole, Chamber of Commerce Bldg., Pittsburgh.

Adolph Hirsch, 535 Fifth Ave., Pittsburgh.

BERKS COUNTY

Howard M. Loose, Dauberville.

CAMBRIA COUNTY

Mrs. Lillian C. Hassell, Johnstown.

PHILADELPHIA COUNTY

J. Thompson Schell, 1228 Ridge Ave., Philadelphia.

WYOMING COUNTY

Leon Kromelbein, Tunkhannock.

GEORGE H. EARLE.

HOUSE MESSAGES

RESOLUTION THANKING PENNSYLVANIA STATE POLICE FOR ENTERTAINMENT AT HERSHEY BARRACKS

The Clerk of the House of Representatives being introduced, presented extract from the Journal of the House of Representatives which was twice read as follows, considered and agreed to:

In the House of Representatives, July 13, 1936.

On Tuesday afternoon of last week the members of the General Assembly were thrilled and delighted by the display of horsemanship and other feats of agility on the part of members of the Pennsylvania State Police, at a rodeo and entertainment given by the State Police at its barracks at Hershey; therefore be it

Resolved (if the Senate concur), That the General Assembly, in appreciation of the splendid showing and pleasing entertainment of the State Police on this occasion, take this opportunity to thank the Pennsylvania State Police, and in particular the participants in the rodeo and their commanding officers for a most enjoyable and enlightening afternoon; and be it further

Resolved, That the Chief Clerk of the House of Representatives be instructed to forward copies of these resolutions to the Superintendent of the Pennsylvania State Police and to the officer in command at the barracks at Hershey.

Ordered, That the Clerk inform the House of Representatives accordingly.

HOUSE BILL FOR CONCURRENCE

Th Clerk of the House of Representatives being introduced presented for concurrence bills of the House of Representatives as follows:

House Bill No. 161 (Senate Bill No. 114), entitled:

An Act making an appropriation to the Water and Power Resources Board for payment into the Flood Control Fund for flood control purposes.

Which was committed to the Committee on Appropriations.

HOUSE MESSAGE

AMENDMENT TO HOUSE BILL NO. 109 RECALLED FROM THE GOVERNOR

The Clerk of the House of Representatives being introduced, presented for concurrence bill of the House of Representatives, as follows:

House Bill No. 109, entitled:

An Act to authorize and empower municipalities and townships, separately or jointly, to erect and construct flood control works and improvements within or without their territorial limits, and to expend moneys and incur indebtedness for such purposes.

Said bill having been recalled from the Governor for amendment, the vote had on final passage and third reading were reconsidered in the House and the bill amended, in which amendments the concurrence of the Senate is requested.

Said amendment having been printed as required by the Constitution were twice read as follows:

Amend title, page 1, line 2 of title, by striking out the word "erect" and insert in lieu thereof "provide for protection against floods by erecting and constructing certain works and improvements located within or without their territorial limits and within or without the county in which situate; and to expend moneys and incur indebtedness improvement bonds imposing no municipal liability, and to acquire, take, injure or destroy property for such purposes"; amend title, page 1, line 5 of title, by striking out the words "dykes, river bank pro-"; amend title, page 1, lines 6, 7 and 8 of title, by striking out all of said lines; amend bill, page 1, by inserting after line 5 the following sections: "Section 2. Any municipality may erect or construct dykes, river bank protection and other flood control works, and may widen, deepen, straighten and otherwise improve the channels and banks of creeks, streams and rivers within or without its territorial limits, and within or without the county in whch such municipality is situated, if such works and improvements will be of benefit to the municipality providing the same, and to the inhabitants thereof."

Any two or more municipalities may jointly erect construct and provide such works and improvements within the territorial limits of any municipality joining or within the territorial limits of some other municipalty and within or without the county in which such municipality or municipalities are situate.

No such works or improvements shall be erected under the provisions of this act in any municipality not joining in the erection or construction thereof unless such municipality shall first consent thereto.

Nothing contained in this section or in this act shall be deemed to authorize any municipality to erect or construct any dam for flood control or other purposes.

Section 3 No such works or improvements involving an expenditure by any municipality or municipalities of more than three hundred dollars ($300) shall be erected constructed or provided except by contract let to the lowest responsible bidder after due advertisement once a week for two successive weeks in at least one newspaper of general circulation Provided however That no contract shall be required to be let for the performance of the work on any such work or improvement where the cost of the labor shall be paid by the Federal Government or any agency thereof without cost to the municipality or municipalities.

Section 4 Any municipality may expend public moneys and may in accordance with existing law incur or increase its indebtedness for the purpose of erecting constructing and providing such works and improvements in acordance with the provisions of this act.

Section 5 Any municipality shall have power to acquire any private property easements or rights of way deemed necessary for the erection or construction of any such works or improvements by purchase or by the right of eminent domain and shall have power to enter upon injure and destroy any private property deemed necessary The proceedings for the condemnation of property and for the assessment of damages to property taken injured or destroyed shall be in accordance with existing law providing for the assessment of damages and benefits where property is taken injured or destroyed by such municipality for municipal purposes.

Section 6 Any municipality shall have power to provide for the assessment of benefits against private property located within its corporate limits benefited or to be benefited by such works or improvements No assessment of benefits shall be made against private property unless in the opinion of the board of viewers making the assessment such property will be benefited by the prevention or lessening of future flood damage The fact that private property has been damaged by flood arising directly or indirectly from the waters of the creek stream or river on which the work is being done or improvement provided shall be conclusive evidence that benefits will accrue to such property by reason of the works or improvements to be provided under the authority of this act No exemption from benefits shall exist for any private property by reason of the fact that the same does not abut on any such work or improvement or on the creek stream or river carrying the flood waters.

Section 7 The court of common pleas of any county shall upon the petition of any municipality located within such county appoint a board of three viewers from the county board of viewers whose duty it shall be to assess all benefits to private property to be occasioned by such works or improvements after the same are completed It shall be the duty of the authorities of any such municipality to furnish to each board of viewers so appointed a complete set of any official plans which it may have adopted showing the proposed works and improvements and the private property within its corporate limits which will be benefited by such proposed works or improvements.

Section 8 The viewers having been duly sworn or affirmed faithfully justly and impartially to decide and a true report to make concerning all matters before them or to be submitted to them and in relation to which they are authorized to inquire and having viewed each parcel of private property which it appears will be benefited shall hear all parties and their witnesses and shall determine the benefits if any to accrue to each such parcel of private property and shall prepare a schedule of such property showing the amount of benefits assessed against each parcel of property.

Section 9 The viewers shall give notice to all persons against whose property benefits have been assessed of a time and place when and where the viewers will meet and exhibit their schedule and hear all exceptions thereto Such notice shall be given by registered mail addressed to the last known post office address of the owner or reputed owner of the property and by publication once a week for two weeks in at least two newspapers of general circulation in such municipality or in the county if so many be published therein The failure of an owner to receive the registered notice shall not be deemed to invalidate the proceedings but in such case the notice by publication shall be deemed sufficient.

Section 10 After hearing all parties and their witnesses and after making whatever changes in their schedule are deemed necessary the viewers shall prepare a revised schedule of benefits to private property and file a copy

of the same in the court of common pleas of the county When the report of viewers is filed it shall be confirmed nisi and notice thereof shall immediately be given by the board of viewers by publication once in the newspapers in which the notice of the hearings before the viewers was published Such notice shall state the date of the filing of the report shall contain the schedule of property assessed and shall state that unless exceptions are filed thereto or an appeal to the court of common pleas is taken therefrom within thirty days from the filing of the report the same will be confirmed absolutely.

Section 11 Within thirty days after the filing of the report of viewers any person interested may file exceptions to the same or may appeal to the court of common pleas and demand a jury trial.

Each person filing exceptions or taking an appeal shall except to or appeal from so much of the report only as effects property in which he has an interest and the part of the report of the viewers not excepted to or appealed from shall be confirmed absolutely after said thirty day period.

Section 12 Where exceptions to a report of viewers are filed the court shall proceed to hear and determine the same in the manner exceptions to reports of viewers are generally proceeded with within the county Where an appeal is taken it shall state the grounds upon which it is taken and shall be accompanied by an affidavit that it is not taken for the purpose of delay but because the appellant believes that injustice has been done.

Upon the trial of any appeal or the hearing of any exceptions in case the appellant or party excepting does not obtain a verdict or decree more favorable than was the report of viewers he shall not recover any costs.

The court of common pleas shall order what notices shall be given in connection with such proceedings by exceptions or appeals and may by rule or otherwise prescribe the form of the pleadings.

The court may also in proper cases consolidate proceedings by exceptions or by appeals into a single proceeding.

Section 13 Any person aggrieved by an order of court upon exceptions filed or the determination of the case where a jury trial was demanded may within thirty days after such final order or determination and not thereafter appeal to the Supreme or Superior Court as the case may be.

Where an appeal is taken to the Supreme Court and an appeal is also taken to the Superior Court and the appeals in both cases are substantially the same or involve the same questions the Superior Court may certify such appeal to the Supreme Court to be heard with other appeals from the same report.

The Supreme or Superior Court shall consolidate all appeals coming before it from the same report and hear them as one case except that cases arising from exceptions shall not be consolidated with those arising from appeals.

Where an appeal is taken to the wrong court such court shall certify the same to the court to which it should have been taken.

Section 14 All assessments of benefits shall become due and payable to the municipality when the works and improvements have been completed which date shall be fixed by the official order of the corporate authorities of the municipality notice of which order shall be published by the board in the newspapers in which notice of the hearing before the viewers was published by one insertion.

Any person may pay any part or all of the benefits assessed against him to the municipality before the due date thereof If such payment is made within one month after the amount of the benefits have been finally ascertained a discount of ten per centum of the amount thereof paid shall be allowed All benefits or any part thereof paid after such one month period and before the date of the completion of the works and improvements shall be subject to a discount of five per centum of the amount paid All assessments of benefits or parts thereof remaining unpaid when the improvements are completed shall bear interest at the rate of six per centum per annum from the date of the completion of the works or improvements until paid.

The municipality shall send by registered mail addressed to the last known post office address a statement of the amount due by each person after the same has been finally ascertained together with a notice of the discounts allowed by this act for prompt payment and when or approximately when interest will be added to the amount due.

Section 15 All assessments for benefits against private property shall remain a lien thereon from the time the report of viewers is filed in court until paid unless the liens thereof be lost by failure to revive the same It shall be the duty of the municipality within six months after its order that the works and improvements have been completed to file in the office of the prothonotary of the proper county liens for all benefits assessed which remain unpaid But no such lien shall be filed unless the municipality shall first notify by mail addressed to the last known post office address of the owner or reputed owner of the property against which an assessment has been made of its intention to have said lien filed if payment of the amount due is not made before a time prescribed by the municipality Such lien shall be filed in the same manner as is provided by law for the filing of municipal claims and shall have priority over all other liens except taxes and other municipal claims and except also mortgages and judgments of record prior to the time the report of the viewers was filed in court.

Such liens shall be revived prosecuted to judgment executed and collected by the municipality in the same manner in all respects as is provided by law in the case of municipal claims.

Section 16 In order to enable municipalities to erect and construct the works and improvements authorized by this act if benefits are to be assessed against private property as herein provided the municipality may issue improvement bonds based solely upon the assessment of benefits made or to be made by reason of such works and improvements and imposing no municipal liability.

Section 17 Nothing contained in this act shall be construed to repeal the provisions of any law the enforcement of which is vested in the Department of Health or the Sanitary Water Board or the provisions of any law the enforcement of which is vested in the Department of Forests and Waters or the Water and Power Resources Board.

Amend bill, page 1, lines 6 and 7, by striking out both of said lines; amend bill, page 2, lines 1 to 28, by striking out all of said lines.

Will the Senate concur in the amendments.

Mr. EALY. Mr. President, I move that this matter be laid on the table for the present.

Mr. WOODWARD. Mr. President, I second the motion.

The motion was agreed to.

TIME OF NEXT MEETING

Mr. BUCKMAN offered the following resolution, which was twice read, considered and agreed to:

In the Senate, July 14, 1936.

Resolved (if the House of Representatives concur), That when the Senate adjourns this week it reconvene on Monday evening, July 20, at 9 o'clock Eastern Standard Time, and when the House of Representatives adjourns this week it reconvene on Monday evening, July 20, at 9 o'clock Eastern Standard Time.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

EDITORIAL FROM THE OIL CITY DERRICK

Mr. CHAPMAN. Mr. President, I ask unanimous consent that an editorial from the Oil City Derrick of July 13, 1936, be made a matter of record.

The PRESIDENT. Is there objection? The Chair hears none.

CALLING MR. EARLE

Resisting all the pressure of the Earle administration resisting all the pressure that even the Roosevelt adminstration can apply—the Republican majority in the Senate has stood adamant for the interests of the taxpayers. The Senate merits the thanks of every taxpayer in the State.

Governor Earle called this Special Session to provide funds for carrying on State relief until the regular session next January.

According to the state's own figures there are 173,000 families on relief. Why there should be any families on relief in view of the claims of the New Dealers that "happy days are here again" is something else, but we have no desire to press this point.

At the rate of $30 per family per month—and this is generous according to the existing standards—this would mean $5,190,000 per month to take care of these 173,000 families. For the months of July, August, September, October, November, December and January—seven months—this would mean a total of $36,330,000.

This agrees with the state's own figures. Direct relief payments have been running an average of $1,200,000 a week. The last week for which we have the exact figures is that of June 27, and the amount was $1,220,029.21.

The Republican Senate has agreed to an allowance of $35,000,000 for the seven months until the legislature meets in January. It has agreed to meet all the relief demands at the state's own figures. But it is not willing to place in the hands of the state relief administration, dominated by Governor Earle, upward of $20,000,000 more than the amount absolutely required. With business improving and employment gaining there is every reason to believe that the relief demands will decrease during the remainder of the year. The Senate thinks it is time to give the taxpayers a break.

When Governor Earle called the Special Session he demanded $80,000,000. Under the pressure of the Republican Senate he has reduced this demand to $55,000,000.

What did Governor Earle propose to do with the excess of $45,000,000 which he demanded when he called the legislature into special session, or what does he propose to do with the excess of $20,000,000 which he is demanding now? There is only one conjecture. The Democratic machine in this state wants to play Santa Claus for the duration of this campaign.

The Republican Senate has no millions of public funds with which to hire high-power press agents and ghost writers. With the aid of carefully cultivated mouthpieces Governor Earle is afforded the opportunity of making daily broadcasts through Republican newspapers which should know better. Here is a typical excerpt from an item sent out by one of the press associations on Saturday:

> Shenandoah, Pa.—With state relief funds for Pennsylvania's 600,000 needy completely shut-off, Governor George H. Earle today holds the Republican Senate responsible for the Commonwealth standing "idisgraced before civilized people."
>
> Carrying his battle against the Senate's "relief blockade" into the hard coal country, the chief executive in an address before several thousand declared: "Pennsylvania has gone back to stark, primitive barbarism. Public health is endangered; public confidence in government is shaken; public security is threatened; public opinion is outraged.
>
> "Responsibility for this frightful state of affairs rests squarely upon the shoulders of the Republican majority in the State Senate. They have given lip service to relief, and at the same time they have been crucifying the needy unemployed by refusing to vote for relief taxes."

Responsibility for "this frightful state of affairs" (if there be any such state of affairs) rests squarely on the shoulders of Governor Earle himself. Let him scale his demands down to the actual needs. Let him have some regard for those taxpayers whose incomes are not in tax-exempt bonds. Let him stop playing the role of the demagogue.

The issue here is not between the Senate and the needy, as the Governor would have us believe, but between the Governor and the taxpayers. But the Senate and the taxpayers need no defense from the assaults of Pennsylvania's No. 1 political blatherskite.

BILLS OVER IN ORDER

Mr. HUFFMAN. Mr. President, I ask unanimous consent that Senate Bill No. 28 (House Bill No. 19), on third reading, entitled:

An Act to amend section two and three of the act, approved the sixteenth day of May, one thousand nine hundred thirty-five (Pamphlet Laws, two hundred eight), entitled "An act to provide revenue for State purposes by imposing an excise tax, for a limted period of time, on the net income of certain corporations, joint-stock associations, and lmited partnerships; providing for the assessment and collection of the tax, and appeals to courts; conferring powers, and imposing duties on certain persons, corporations, joint-stock associations, limited partnerships, State, and county officers, boards, and departments; making an appropriation, and providing penalties," by further defining net income and increasing the rate of tax for a limited period of time.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HUFFMAN. Mr. President, I ask unanimous consent that Senate Bill No. 30 (House Bill No 27, on third reading, entitled:

An Act to amend the act, approved the twenty-second day of June, one thousand nine hundred thirty-five (Pamphlet Laws, four hundred fourteen), entitled "An act to provide revenue for State purposes; imposing taxes upon certain classes of personal property; providing for the assessment, collection, and lien of the same, and the distribution of the proceeds thereof, imposing duties on executors, administrators, registers of wills, recorders of deeds, prothonotaries, and court clerks, and on persons, copartnerships, associations, banks, national banks, trust companies, and other corporations receiving deposits of money, and on certain corporations and limited partnerships, conferring powers and imposing duties on certain State officers and departments; imposing penalties; and making an appropriation," by increasing the rate of tax; imposing said tax on additional shares of stock and on the value of certain equitable interests changing the listing date the date of filing reports and the date and manner of payment of the tax providing certain exemptions from said tax and making further provision with regard to penalties.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WOODWARD. Mr. President, I ask unanimous consent that Senate Bill No. 46, on third reading, entitled:

An Act relating to proceedings for the forfeiture of rights, privileges or franchises of corporations making claim against street railway traction or motor power companies in certain cases and providing for the disposition of rights privileges or franchises forfeited and for contracts relating thereto.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. FREY. Mr. President, I ask unanimous consent that Senate Bill No. 85 (House Bill No. 81), on third reading, entitled:

An Act to amend section one of the act approved the twenty-fifth day of April one thousand nine hundred and thirty-five (Pamphlet Laws eighty-two) entitled "An act requiring certain cities to allow members of the fire departments twenty-four consecutive hours of rest each week and fourteen days vacation each year except in emergency cases" by providing that the provisions of said act shall be mandatory and prohibiting any diminution of salary or compensation

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. BUCKMAN. Mr. President, I ask unanimous consent that Senate Bill No. 102 (House Bill No. 136), on third reading, entitled:

Joint Resolution proposing an amendment to article nine of the Constitution of the Commonwealth of Pennsylvania by adding thereto a section.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS OVER IN ORDER

Mr. BUCKMAN. Mr. President, I ask unanimous consent that Senate Bill No. 43 (House Bill No. 26), on second reading, entitled:

An Act to further amend section one of the act, approved the thirteenth day of June, one thousand nine hundred seven (Pamphlet Laws, six hundred forty), entitled "An act to provide revenue by levying a tax upon the shares of stock of companies incorporated under the provisions of section twenty-nine of an act, entitled 'An act to provide for the incorporation and regulation of certain corporations,' approved April twenty-ninth, one thousand eight hundred and seventy-four, and the supplements thereto; for the insurance of owners of real estate, mortgages, and others interested in real estate, from loss by reason of defective titles, liens, and incumbrances; and of companies entitled to the benefits of, and of companies having any of the powers of, companies entitled to the benefits of an act, entitled 'An act conferring upon certain fidelity, insurance, safety deposit, trust, and savings companies the powers and privileges of companies incorporated under the provisions of section twenty-nine of an act, entitled "An act to provide for the incorporation and regulation of certain corporations," approved April the twenty-ninth, Anno Domini one thousand eight hundred and seventy-four, and of the supplements thereto,' approved June twenty-seventh, one thousand eight hundred and ninety-five, commonly known as title insurance or trust companies," by increasing the rate of tax for a limited period of time, and further modifying the method of computing the tax.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. BUCKMAN. Mr. President, I ask unanimous consent that Senate Bill No. 44 (House Bill No. 28), on second reading, entitled:

An Act to further amend section one of the act approved the fifteenth day of July one thousand eight hundred and ninety-seven (Pamphlet Laws two hundred ninety-two) entitled "An act to provide revenue by taxation" by increasing the rate of tax.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 108 (House Bill No. 18), as follows:

An Act making an appropriation to the State Emergency Relief Board for direct relief work relief and expenses defining the purposes for which such monies may be expended and prescribing the powers and duties of the State Emergency Relief Board and certain State Departments

Whereas it is the intent of this General Assembly to appropriate the total sum of Forty-five million dollars ($45,000,000) for Unemployment Relief for the period ending January thirty-first One thousand nine hundred thirty-seven and

Whereas By House Bill Number seventeen heretofore enacted the sum of Seven million seven hundred sixteen thousand two hundred eleven dollars ($7,716,211) was appropriated for Unemployment Relief and by House Bill Number one hundred fifty-three passed by the Senate and awaiting concurrence in the House the further sum of Five million dollars ($5,000,000) is to be appropriated for Unemployment Relief therefore

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in addition to the sums appropriated and to be appropriated by the bills heretofore referred to the further the sum of thirty-two million two hundred eighty-three thousand seven hundred eighty-nine dollars ($32,283,789) is hereby specifically appropriated from the General Fund to the State Emergency Relief Board to provide direct relief work relief and for administrative expenses as hereinafter provided for the period ending January thirty-one one thousand nine hundred thirty-seven

Section 2 The State Emergency Relief Board shall make allocations from time to time out of the monies appropriated to it among the several counties of this Commonwealth for work relief and direct relief on the basis of need and payments shall be made under such system of requisitioning and accounting as the Governor Auditor General and State Treasurer shall determine

Section 3 The money so allocated to a county over and above the sum set aside by the State Emergency Relief Board for work relief shall be available for expenditure in that county for direct relief for the unemployed who are without means of support through such agencies as shall be designated by the State Emergency Relief Board and under such rules and regulations as the board shall adopt

Section 4 Out of the appropriation made by this act the State Emergency Relief Board shall from time to time allocate to the State Veterans' Commission an aggregate of one hundred ninety-five thousand dollars ($195,000) for the payment of traveling expenses and for other authorized disbursements of the State Veterans' Commission and to furnish funds to provide the necessities of life for and to assist otherwise such Pennsylvania veterans of any war or the widows and infant children or dependents of such veterans as are sick disabled or indigent and who are without means

Section 5 The State Emergency Relief Board may from time to time expend or authorize the expenditure of such sums as may be necessary out of the appropriation made by this act for the payment of salaries wages or other compensation of the director and other employes or assistants for the payment of postage traveling expenses mileage charges to the Department of Property and Supplies for the use of automobiles telephone rentals telephone toll charges telegrams expenses of operating and maintaining automobiles and other motor equipment newspaper advertising and notices freight express cartage for the purchase of automobiles furniture furnishings and equipment for the purchase of supplies printing binding

patent indices for the payment of premiums on surety bonds for such officers and employes as may be required by statute or otherwise to furnish them for the faithful performance of their official duties or to account for funds in their possession for the payment of a premium or premiums on a policy or policies of liability insurance covering all motor vehicles owned and operated by the board which policy or policies shall protect both the Commonwealth and State officers or employes operating such motor vehicles against claims for damages for injury to person or property for the payment of a premium or premiums on a policy or policies of insurance insuring the Commonwealth against workmen's compensation liability to employes for injuries and to dependents of deceased employes of the board for payment to the State Work Relief Compensation Fund of such monies as may be necessary under the provisions of the act approved the third day of June one thousand nine hundred thirty-three (Pamphlet Laws one thousand five hundred fifteen) for the payment of rents for such buildings offices rooms storage space and lands as may be required for the accommodation or performance of the work of the board and for such other uses as the State Emergency Relief Board may in its discretion deem necessary to carry out the purposes for which the appropriation is made under this act

Section 6 This act shall become effective immediately upon final enactment

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED

Mr. BUCKMAN. Mr. President, I move that Senate Bill No. 108 (House Bill No. 18), the bill just read, be recommitted to the Committee on Appropriations.

Mr. WOODWARD. Mr. President, I second the motion.

The motion was agreed to.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 113 (House Bill No. 159), as follows:

An Act authorizing the Commonwealth to negotiate temporary emergency loans to defray the current and/or other expenses of the State government during the fiscal year ending the thirty-first day of May one thousand nine hundred thirty-seven evidenced by tax anticipation notes secured by and payable from current revenues levied assessed collectible and/or accruing during such fiscal year defining the powers and duties of the Governor the Auditor General and the State Treasurer in relation thereto providing for the payment of interest on and the repayment of such loans and making an appropriation

Whereas The present Special Session of the General Assembly has provided new revenues of the Commonwealth amounting to in addition to other revenue for general purposes and

Whereas Such revenues in the amount of are specifically appropriated and set aside during the fiscal year ending the thirty-first day of May one thousand nine hundred thirty-seven for unemployment relief and the remainder of such new revenues amounting to have been appropriated during such year to defray the current expenses of the State government and

Whereas The revenues though levied and assessed will not be presently available for the current and other expenses of the State government but the total revenues (including the aforesaid new revenues amounting to which will be available for current and other expenses of the State government and which will accrue and will be paid into the General Fund of the State Treasury before the end of the fiscal year ending the thirty-first day of May one thousand nine hundred thirty-seven will be sufficient to meet such current and other expenses during such year and

Whereas In order that the obligations of the Commonwealth for current and other expenses may be met promptly and in order that the State government might not fail through lack of funds it is necessary temporarily to obtain funds to defray the current and other expenses of the State government during the fiscal year aforesaid until the revenues that will subsequently accrue to the State Treasury during the aforesaid fiscal year are available for this purpose

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the Governor the Auditor General and the State Treasurer on behalf of the Commonwealth of Pennsylvania are hereby authorized and directed during the fiscal year ending the thirty-first day of May one thousand nine hundred thirty-seven from time to time to borrow on the credit of the current revenues of the Commonwealth of Pennsylvania such sum or sums of money not exceeding in the aggregate the sum of as may be necessary to defray the current and other expenses of the State government during such fiscal year

Section 2 (a) Such loans shall be evidenced by notes of the Commonwealth of Pennsylvania matured not later than the thirty-first day of May one thousand nine hundred thirty-seven Such notes are hereby declared to be tax anticipation notes Such notes or renewals thereof shall be issued from time to time for such total amounts in such sums and subject to such terms and conditions rates of interest not in excess of four and one-half per centum (4½) per annum and time of payment of interest as the Governor Auditor General and State Treasurer shall determine and direct

(b) All notes issued under the authority of this act shall bear the signatures of the Governor the Auditor General and the State Treasurer and a facsimile of the great seal of the Commonwealth

(c) The current revenues of the biennial fiscal period ending the thirty-first day of May one thousand nine hundred thirty-seven are pledged for the payment of principal and interest of such notes which shall be payable in lawful money of the United States All notes issued under the provisions of this act shall be exempt from taxation for State and local purposes

Section 3 The proceeds derived from the negotiation of loans under the provisions of this act shall be paid into the General Fund of the State Treasury and shall be used for the payment of appropriations made from such fund to defray the current and other expenses of the State government for the year ending May thirty-first one thousand nine hundred thirty-seven

Section 4 Any loans negotiated under the provisions of this act shall be secured by the current revenues levied and assessed for revenue purposes of every kind or character accruing to the General Fund of the State Treasury during the two fiscal years beginning June one thousand nine hundred thirty-five and shall be paid out of such revenues and so much of such revenues as may be necessary for the payment of the principal and interest of such loans are hereby specifically appropriated The Department of Revenue shall allocate such revenues to said payments The sum of twenty thousand dollars ($20,000) or so much thereof as may be necessary is hereby specifically appropriated for the purpose of providing tax anticipation notes and incidental expenses in connection with the issuing of the same

Section 5 The provisions of this act are severable and if any of its provisions are held unconstitutional the decision so holding shall not be construed to impair any other provision of this act It is hereby declared as the legislative intent that this act would have been adopted had such unconstitutional provision not been included therein

Section 6 This act shall become effective immediately upon its final enactment

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED

Mr. McCLURE. Mr. President, I move that Senate Bill No. 113 (House Bill No. 159), the bill just read, be recommitted to the Committee on Finance.

Mr. HUFFMAN. Mr. President, I second the motion.

The motion was agreed to.

RECESS

Mr. HUFFMAN. Mr. President, I move that the Senate do now take a recess until 3 o'clock this afternoon.

Mr. BUCKMAN. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS

The PRESIDENT. The time of recess having elapsed, the Senate will be in order.

HOUSE MESSAGES

HOUSE CONCURS IN AMENDMENTS MADE BY THE SENATE TO HOUSE BILL NO. 153

The Clerk of the House of Representatives being introduced presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 153, entitled:

An Act making an appropriation to the State Emergency Relief Board for direct relief, work relief, and expenses, defining the purposes for which such monies may be expended, and prescribing the powers and duties of the State Emergency Relief Board and certain State Departments, and ratifying, confirming and validating the action of the Governor and the fiscal officers in making monies available for unemployment relief prior to the adoption of this act.

HOUSE CONCURS IN AMENDMENTS MADE BY THE SENATE TO HOUSE BILL NO. 154

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 154, entitled:

An Act ratifying, confirming and validating the transfer of money from the Liquid Fuels Tax Fund and the Liquor License Fund to the General Fund and providing for the subsequent return from the General Fund of the transferred money.

RESOLUTION RECALLING FROM THE GOVERNOR HOUSE BILL NO. 91

He also presented extract from the Journal of the House of Representatives, which was twice read as follows, considered and agreed to:

In the House of Representatives, July 14, 1936.

Resolved (if the Senate concur), That House Bill No. 91, entitled:

An Act making an appropriation to the Department of Forests and Waters for the purpose of building and constructing new dikes, levees and river bank protections along the Delaware River at Morrisville Borough, Bucks County.

be recalled from the Governor for further consideration.

Ordered, That the Clerk inform the House of Representatives accordingly.

HOUSE BILL No. 109 RECALLED FROM THE GOVERNOR

Mr. EALY. Mr. President, I move that the Senate do now proceed to the consideration of House Bill No. 109 recalled from the Governor.

Mr. HARVEY. Mr. President, I second the motion.

The motion was agreed to.

And the question recurring

Will the Senate agree to the amendments?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—47

Aron,	Harvey,	Pierson,	Salus,
Batchelor,	Homsher,	Prince,	Scott,
Baumer,	Howell,	Pytko,	Shapiro,
Bean,	Huffman,	Rankin,	Sones,
Buckman,	Kahle,	Reed,	Staudenmeier,
Cavalcante,	Lanius,	(Dauphin)	Thompson,
Chapman,	Law,	Reed,	(Centre)
Coyne,	Mallery,	(Washington)	Thompson,
Ealy,	McClure,	Rice,	(Westmoreland)
Frey,	McCreesh,	Roberts,	Trainer,
Gelder,	McGinnis,	Rodgers,	Woodward,
Graff,	Miller,	Rupp,	Ziesenheim,
Harris,	Owlett,	Ruth,	

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

BILL ON THIRD READING

Mr. WOODWARD. Mr. President, I move that the Senate do now proceed to the consideration of Senate Bill No. 102 (House Bill No. 136), on third reading, entitled:

Joint Resolution proposing an amendment to article nine of the Constitution of the Commonwealth of Pennsylvania by adding thereto a section

Mr. BUCKMAN. Mr. President, I second the motion.

On the question,

Will the Senate agree to the bill on third reading?

Mr. WOODWARD. Mr. President, this bill provides for a bond issue of $42,000,000 for a program for State institutions. I am, perfectly frank to say that if I get a chance I am going to try to amend some of the amounts for the ten minors' hospitals out of the bill. I think that story ought to be told before the committee before the bill is passed by the Senate.

BILL RECOMMITTED

Mr. WOODWARD. Mr. President, I move that Senate Bill No. 102 (House Bill No. 136), be recommitted to the Committee on Constitutional Changes for the purpose of amendment, and not with any thought of smothering the bill in any way except to amend it.

Mr. BUCKMAN. Mr. President, I second the motion.

The yeas and nays were required by Mr. MILLER and Mr. PYTKO and were as follows, viz:

YEAS—23

Batchelor,	Ealy,	Owlett,	Scott,
Baumer,	Gelder,	Pierson,	Shapiro,
Bean,	Graff,	Prince,	Sones,
Buckman,	Harvey,	Rice,	Woodward,
Chapman,	Homsher,	Rupp,	Ziesenheim,
Coyne,	McClure,	Salus,	

NAYS—21

Cavalcante,	Law,	Rankin,	Rodgers,
Frey,	Mallery,	Reed,	Ruth,
Harris,	McCreesh,	(Dauphin)	Staudenmeier,
Huffman,	McGinnis,	Reed,	Thompson,
Kahle,	Miller,	(Washington)	(Centre)
Lanius,	Pytko,	Roberts,	Thompson,
			(Westmoreland)

So the question was determinde in the affirmative.

BILL ON THIRD READING

Mr. McCLURE, Mr. President, I move that the Senate do now proceed to the consideration of Senate Bill No. 28 (House Bill No. 19), on third reading, entitled:

An Act to amend section two and three of the act, approved the sixteenth day of May one thousand nine hundred thirty-five (Pamphlet Laws two hundred eight) entitled "An act to provide revenue for State purposes by imposing an excise tax for a limited period of time on the net incomes of certain corporations, joint-stock associations limited partnerships providing for the assessment and and collection of the tax and appeals to courts cnferring powers and imposing duties on certain persons corporations joint-stock associations limited partnerships State and county officers boards and departments making an apprpriation and providing penalties" by further defining net income and increasing the rate of tax for a limited period of time.

Mr. HARVEY. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 28 (House Bill No. 19), entitled:

An Act to amend sections two and three of the act approved the sixteenth day of May one thousand nine hundred thirty-five (Pamphlet Laws two hundred eight) entitled "An act to provide revenue for State purposes by imposing an excise tax for a limited period of time on the net incomes of certain corporations joint-stock associations and limited partnerships providing for the assessment and collection of the tax and appeals to courts conferring powers and imposing duties on certain persons corporations joint-stock associations limited partnerships State and county officers boards and departments making an appropriation and providing penalties" by further defining net income and increasing the rate of tax for limited period of time

And said bill having been read at length the third time, and the amendments thereto having been printed as required by the Constitution,

On the question,

Will the Senate agree to the bill on third reading?

Mr. McCLURE. Mr. President, I ask unanimous consent to amend page 1, line 14 of the title, by inserting after the word "for" and before the word "limited" the word: a; amend section 2, page 3, line 12 by striking out the light-faced bracket before the word "as"; amend section 2, page 3, line 13 by striking out the light-faced bracket after the word "and"; amend section 2, page 3, line 13 by striking out after the word "and]" and before the word "ascertained" the words: [shall be]; amend section 2, page 3, line 13 by strkinig out after the word "ascertained" and before the word "by" the following: [on the basis used]; amend section 2, page 3, line 14 by striking out at the end of the line after the word "Government" the following: [to determine net income for the year]; amend section 2, page 3, line 15 by striking out with heavy-faced brackets the words "one thousand nine hundred and thirty-five" Amend section 2, page 3, line 18, by inserting before the word "deductions" the word: "additional" Amend Section 2, page 3, line 20, by inserting after the word "States the following: "and on account of any dividends received from any other corporation" Amend section 2, page 4, line 2, by striking out with heavy-faced brackets the word "an" and insert: "and" Amend section 2, page 5, line 11, by striking out with heavy-faced brackets the word "if" and insert: "If" Amend Section 2, page 6, line 20, by striking out with heavy-faced brackets the mis-spelled word "caluse" and insert: "clause".

The PRESIDENT. Is there objection?

Mr. SHAPIRO. Mr. President, I desire to interrogate the Senator from Delaware, Mr. McClure.

The PRESIDENT. Will the Senator from Delaware, Mr. McClure, permit himself to be interrogated?

Mr. McCLURE. Mr. President, I will.

Mr. SHAPIRO. Mr. President, as I follow this amendment, it is apparently to change the wording and phraseology in connection with the allowance of credits for dividends received by corporations making the returns, and in order to remove the question of constitutionality; and I would ask the Senator from Delaware, Mr. McClure, whether I am correct in my understanding.

Mr. McCLURE. Mr. President, that is correct.

The PRESIDENT. The Chair hears no objection.

The amendment was agreed to.

On the question,

Will the Senate agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended be printed for the use of the Senate.

BILL ON THIRD READING

Mr. McCLURE. Mr. President, I move that the Senate do now proceed to the consideration of Senate Bill No. 30 (House Bill No. 27), on third reading, entitled:

An Act to amend the act approved the twenty-second day of June one thousand nine hundred thirty-five (Pamphlet Laws four hundred fourteen) entitled "An act to provide revenue for State purposes imposing taxes upon certain classes of personal property providing for the assessment collection and lien of the same and the distribution of the proceeds thereof imposing duties on executors administrators registers of wills recorders of deeds prothonotaries and court clerks and on persons copartnerships associations banks national banks trust companies and other corporations receiving deposits of money and on certain corporations and limited partnerships conferring powers and imposing duties on certain State officers and departments imposing penalties and making an appropriation" by increasing the rate of tax imposing said tax on additional shares of stock and on the value of certain equitable interests changing the listing date the date of filing reports and the date and manner of payment of the tax providing for certain exemptions from said tax and making further provision with regard to penalties.

Mr. SCOTT. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 30 (House Bill No. 27), as follows:

An Act to amend the act approved the twenty-second day of June one thousand nine hundred thirty-five (Pamphlet Laws four hundred fourteen) entitled "An act to provide revenue for State purposes imposing taxes upon certain classes of personal property providing for the assessment collection and lien of the same and the distribution of the proceeds thereof imposing duties on executors administrators registers of wills recorders of deeds prothonotaries and court clerks and on persons copartnerships associations banks national banks trust companies and other corporations receiving deposits of money and on certain corporations and limited partnerships conferring powers and imposing duties on certain State officers and departments imposing penalties and making an appropriation" by increasing the rate of tax imposing said tax on additional shares of stock and on the same value of certain equitable interests changing the listing date the date of filing reports and the date and manner of payment of the tax providing for certain exemptions from said tax and making further provision with regard to penalties

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That Sections three four five six seven eight nine ten eleven twelve thirteen fourteen fifteen sixteen seventeen eighteen nineteen twenty twenty-one twenty-two twenty-three and twenty-four of the act approved the twenty-second day of June one thousand nine hundred thirty-five (Pamphlet Laws four hundred fourteen) entitled "An act to provide revenue for State purposes imposing taxes upon certain classes of personal property providing for the assessment collection and lien of the same and the distribution of the proceeds thereof imposing duties on executors administrators registers of wills recorders of deeds prothonotaries and court clerks and on persons copartnerships associations banks national banks trust companies and other corporations receiving deposits of money and on certain corporations and limited partnerships conferring powers and imposing duties on certain State officers and departments imposing penalties and making an appropriation" be and the same are hereby amended to read as follows

Section 3 Tax on Mortgages Judgments Et Cetera Imposition and Rate of Tax Exceptions All personal property of the classes hereinafter enumerated owned held or possessed by any resident whether such personal property be owned held or possessed by such resident in his own right or as active trustee agent attorney-in-fact or in any other capacity for the use benefit or advantage of any other person copartnership unincorporated association company joint-stock company or association limited partnership bank or corporation and the equitable interest in any such personal property owned held or possessed by any resident where the legal title to such personal property is vested in a trustee agent or attorney in fact domiciled in another state and where such residence is entitled to receive all or any part of the income therefrom is hereby made taxable annually for State purposes at the rate of [one mill] four mills on each dollar of the value thereof as of a date to be fixed annually in the manner provided in section five of this act and no failure to assess or return the same shall discharge such owner or holder thereof from liability therefor that is to say

All mortgages all moneys owing by solvent debtors whether by promissory note or penal or single bill bond or judgment all articles of agreement and accounts bearing interest all public loans whatsoever except those issued by this Commonwealth or the United States and those made taxable for State purposes all loans issued by any corporations association company or limited partnership created or formed under the laws of this Commonwealth or of the United States or of any other state or government including car-trust securities and loans secured by bonds or any other form of certificate or evidence of indebtedness whether the interest be included in the principal of the obligation or payable by the terms thereof except such loans as are made taxable for State purposes by section eighteen [nineteen] hereof [under the laws of this Commonwealth] all shares of stock in any bank corporation assocation company or limited partnership created or formed under the laws of this Commonwealth or of the United States or of any other state or government except shares of stock in any bank and bank and trust company national banking association savings institution building and loan association corporation or limited partnership [that may be] employing a substantial portion of its property in this Commonwealth and which is liable to a tax on its shares or its capital stock for State purposes under the laws of this Commonwealth or relieved from the payment of tax on its shares or capital stock for State purposes by the laws of the Commonwealth all moneys loaned or invested in other states territories the District of Columbia or foreign countries all other moneyed capital in the hands of individual citizens of the State all stages omnibuses hacks cabs and other vehicles used in transporting passengers for hire except steam and street passenger railway cars owned or used or possessed within this Commonwealth by any person or persons or by any corporate body or bodies all annuities yielding annually over two hundred dollars ($200) Provided That this section shall not apply to bank notes or notes discounted or negotiated by any bank or banking institution savings institution or trust company nor to loans shares of stock or other securities held by bankers or brokers solely for trading purposes nor to accounts or debit balances owing by customers of bankers or brokers in the usual courses of business nor to interest-bearing accounts in any bank or banking institution savings institution or trust company and provided That the provisions of this act shall not apply to building and loan associations or to savings institutions having no capital stock and if at any time either now or hereafter any persons individuals or bodies corporate have agreed or shall hereafter agree to issue his their or its securities bonds or other evidences of indebtedness clear of and free from the said [one mill] four mills tax herein provided for or have agreed or shall hereafter agree to pay the same nothing herein contained shall be so construed as to relieve or exempt him it or them from paying the said [one mill] four mills tax on any of the said securities bonds or other evidences of indebtedness as may be held owned or owing to the said savings institution having no capital stock And provided further That the provisions of this act shall not apply to fire companies firemen's relief owned by or owing to the said savings institution having no capital stock secret and beneficial societies labor unions and labor union relief associations and all beneficial organizations paying sick or death benefits or either or both from funds received from voluntary contributions or assessments upon members of such associations societies or unions And provided further That corporations limited partnerships and joint-stock associations liable to tax on capital stock for State purposes shall not be required to make any report or pay any further tax under this section on the mortgages bonds and other securities owned by them in their own right but corporations limited partnerships and joint-stock associations holding such securities as trustees executors administrators guardians or in any other manner shall return and pay the tax imposed by this section upon all securities so held by them as in the case of individuals And provided further That none of the classes of property made taxable by this section for State purposes shall be taxed or taxable for any local purpose under the laws of this Commonwealth except for county purposes and in cities coextensive with counties for city and county purposes as now provided by law And provided further That the provisions of this section shall not apply to personal property of the class hereinabove enumerated hereafter received from any person or persons copartnership or unincorporated association or company non-resident in or not located within this Commonwealth or from any joint-stock company or association limited

partnership bank or corporation formed erected or incorporated by under or in pursuance of any law of the United States or of any state or government other than this Commonwealth and not doing business within this Commonwealth by any person or persons copartnership unincorporated association company joint-stock company or association limited partnership bank or corporation as active trustee agent attorney-in-fact or in any other capacity for the use benefit or advantage of any person or persons copartnership or unincorporated association or company nonresident in or not located within this Commonwealth or for the use benefit or advantage of any joint-stock company or association limited partnership bank or corporation formed erected or incorporated by under or in pursuance of any law of the United States or of any state or government other than this Commonwealth and not doing business within this Commonwealth

The words "substantial portion of its property" as used in this section shall be construed to mean any property other than office furniture and fixtures which is necessary and actually used for the exercise of a corporate franchise in this Commonwealth

The value of the equitable interest in any personal property made subject to tax by this section shall be measured by ascertaining the value of the personal property in which such resident has the sole equitable interest or in case of divided equitable interests in the same personal property than by ascertaining such part of the value of the whole of such personal property as represents the equitable interest of such resident therein

Section 4 Returns and Payment of Tax (a) For the purpose of ascertaining the amount of tax payable under the third section of this act it shall be the duty of every resident liable to pay such tax on or before the fifteenth day of [March] February of each year to transmit to the department upon a form prescribed prepared and furnished by the department a return in duplicate the original under oath or affirmation of

(1) The aggregate actual value of each of the different classes of property made taxable by the third section of this act held owned or possessed by such resident as of the date fixed annually in the manner provided in section five of this act either in his own right or as trustee agent attorney-in-fact or in any other capacity for the use benefit or advantage of any other person copartnership unincorporated association company limited partnership joint-stock association or corporation

(2) The amount of interest dividends or other income derived from each class of such property at any time during the preceding calendar year and

(3) Such other information as may be required by the department concerning such property The duplicate unsworn return shall be forwarded by the Department of Revenue to the county commissioners Board of Revision of Taxes or board for the assessment and revision of taxes as the case may be of the county from whih the return was made for its use and information

The failure of any taxable resident to receive or procure a return form shall not excuse him from making a return

(b) The return so made shall be sworn or affirmed to by the person making the same if an individual and in the case of copartnerships unincorporated associations and joint-stock associations and companies by some member thereof and in the case of limited partnerships and corporations by the president chairman or treasurer thereof

(c) Any agent duly authorized by the department is hereby authorized to administer the oath or affirmation to any person or officer making the return prescribed by this section for the taking of which oath or affirmation no charge shall be made Any such agent who shall make any charge for administering such oath or affirmation shall be deemed guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding five hundred dollars ($500.00) or to undergo imprisonment not exceeding one (1) year either or both in the discretion of the court

(d) The tax imposed by section three hereof shall be due and payable when such return is required to be filed and every resident at the time of making every return shall compute and pay to the department the tax due the Commonwealth by such resident

Section 5 Listing Date The department shall on or before the [first] fifteenth day of [February] January one thousand nine hundred [thirty-six] thirty-seven and annually thereafter fix a day as of which the property made taxable by the third section of this act shall be listed and assessed The day so fixed shall be between the first and the fifteenth days of the [immediately preceding] month of January both inclusive and the day so fixed shall be printed or stamped on the forms for making returns of all such property [if] If through inadvertence mistake or otherwise the department fails to designate or fix such date or if such date does not appear on the form for making return of such property the date as of which such property shall be listed and assessed shall be the immediately preceding first day of January

[Section 6 Original Assessment Notice The Department shall originally assess the tax imposed by the third section of this act on the basis of the return duly made Promptly after the date of such original assessment the department shall give or send by mail or otherwise a notice thereof to the taxpayer If the taxpayer is dissatisfied with the original assessment so made he may petition for a reassessment in the manner hereinafter provided]

Section [7] 6 Estimated Assessment Notice If any resident liable for or believed by the department to be liable for the tax imposed by the third section of this act shall fail to refuse to file a return in the manner and within the time prescribed by this act the department shall make an estimated assessment against him The department shall promptly thereafter give or send by mail or otherwise notice of such estimated assessment to such resident At any time within thirty (30) days after notice of such estimated assessment is so given or sent such resident may file a return under oath or affirmation with the department [and if the department is satisfied that such return is correct and includes all property made taxable by the third section of this act or that such resident owned held or possessed no such taxable property it shall assess the tax if any on the basis of the return so made together with a penalty of ten per centum of the gross amount of taxable property returned] and at that time shall compute and pay to the department the tax due by him to the Commonwealth with interest thereon at the rate of six per centum per annum from the time such property should have been returned [to the date of assessment and shall cancel the estimated assessment] together with a penalty of ten per centum of the amount of the tax due Any resident against whom an estimated assessment is made who shall fail or refuse to file a return and compute and pay the tax interest and penalty in the manner and within the time provided in this section shall have no right to appeal therefrom or to petition for a reassessment and in any suit for the collection of a tax so assessed shall not be permitted to set up as a defense that he owned held or possessed no property made taxable by the third section of this act or any other matter of defense whatsoever If any resident shall file a return [is filed] before an estimated assessment is made but not within the time required by this act [a penalty of ten per centum shall be added to the amount of property so returned and the tax assessed on the basis thereof with interest at the rate of six per centum per annum from the time such property should have been returned to the date of assessment] such resident at that time shall compute and pay to the department the tax due by him to the Commonwealth with interest thereon at the rate of six per centum per annum from the time such property should have been returned together with a penalty of ten per centum of the tax due

Section [8] 7 Additional Assessment Notice If any taxable resident shall fail to include in any return all of his property made taxable by the third section of this act or shall fail to compute and pay tax thereon as required in this act the department shall make an additionl assessment of tax against such resident [of] on the amount of such omitted property together with a penalty of ten per centum of such [amount and interest thereon at the rate of six per centum per annum from the time such property should have been returned to the date of assessment] ad-

ditional assessment Promptly thereafter the department shall give or send by mail or otherwise notice thereof to such resident If such resident is dissatisfied with the additional assessment so made he may petition for a reassessment in the manner hereinafter provided

Section [9] 8 Assessments Made at any Time within Five Years An additional assessment or estimated assessment as heretobefore provided may be made by the department at any time within five (5) years after any property owned held or possessed or alleged to have been so owned held or possessed by an resident should have been returned by him for taxation notwithstanding he shall have paid a tax assessed on the basis of returns previously made or filed and nothwithstanding the department shall have made previous additional or estimated assessments against such resident In any such case no credit shall be given for any penalty formerly assessed and paid

Section [10] 9 Petition for Reassessment Appeal (a) Any resident against whom [any original assessment or] an additional assessment is made may petition the department for a reassessment Notice of an intention to file such a petition or to appear and be heard shall be given to the department [prior to the time the amount becomes due and payable to wit Within] within [thirty (30)] ninety (90) days after notice of such [original assessment or] additional assessment is given or sent by the department to the taxpayer as provided in this act The department shall hold such hearings in each county as may be necessary to hear and determine petitions for reassessment at such places and at such times as may be determined by rules and regulations of the department and each petitioner who has duly notified the department of an intention to file a petition to file a petition for reassessment or to appear and be heard shall be notified by the department of the time when and the place where such hearings shall be held All such petitions shall set forth specifically and in detail the grounds upon which it is claimed the [original or] additional assessment is erroneous or unlawful and shall be accompanied by an affidavit under oath or affirmation certifying to the correctness of the facts stated therein If no petition for reassessment is filed with the department the petitioner may in lieu thereof appear at the hearing and present his petition orally in which event all testimony or statements of facts shall be made under oath or affirmation

(b) If such petitioner is dissatisfied with the action of the department on his petition for reassessment [or if any resident against whom an estimated assessment is made and who has duly thereafter made a return as heretofore provided is dissatisfied with the refusal of the department to assess the tax on the basis of the return so made and to cancel the estimated assessment] he shall have the right to appeal to the court of common pleas of the proper county at any time within [thirty (30)] sixty (60) days after notice of such action [or refusal] is given to him by the department If any resident shall fail to give due notice of an intention to petition for a reassessment and to file a petition for reassessment or to appear and be heard after due notice of his intention to do so or to appeal to the court of common pleas within the time and in the manner herein set forth the right to do so shall be forever barred and any such resident so failing shall not thereafter be permitted in a suit for the recovery of such tax to set up any ground of defense which might have been determined either by the department or the court of common pleas as aforesaid In all cases of petitions for reassessment and appeals the burden of proof shall be on the petitioner or appellant as the case may be and every appeal to the court of common pleas under this section shall specify all the objections to the assessment and any objection not specified in the appeal shall not be considered by the court

Section [11] 10 Information at Source Reports (a) The executor of every will and the administrator of every estate at the time of filing with the register of wills or clerk of the orphans' court the inventory and appraisal of such estate or of any affidavit setting forth the real and personal estate of such decedent for the purpose of determining the transfer inheritance tax imposed theron by existing law shall in addition thereto file with such register of wills or clerk of the orphans' court a statement in duplicate under oath or affirmation setting forth the items included in such inventory or affidavit which may be liable to the tax imposed by the third section of this act The register or clerk with whom the same is filed shall forthwith send one copy thereof to the department It shall be the duty of the department to proceed at once to assess the tax due from such decedent with interest and penalties as heretofore provided in this act and to present a claim therefor through the Department of Justice to the orphans' court of the proper county or to proceed by action or suit at law through the Department of Justice in any court of competent jurisdiction for the recovery thereof or to take any or all appropriate steps or procedure necessary for the collection of such tax

(b) It shall be the duty of the recorder of deeds in each and every county in this Commonwealth to keep a daily record separate and apart from all other records of every mortgage or article of agreement given to secure the payment of money entered in his office for recording which record shall set forth the following information to wit The date of the mortgage or agreement the names of the parties thereto the just sum of money secured the precise residence of the mortgagee or person to whom interest is payable a brief description of the real estate upon which such mortgage is secured and the date or several dates when the said sum or portion of the said sum shall become due and payable and a like daily record of every assignment of a mortgage or an article of agreement given to secure the payment of money and also the number of mortgages and agreements together with the amount of same and the names of the parties thereto which shall have been that day satisfied of record For the purpose of obtaining with accuracy th precise residence of all mortgagees assignees and persons to whom interest is payable on articles of agreements it shall be the duty of the recorder of deeds in each county whenever a mortgage assignment or agreement given to secure the payment of money shall be presented to him for record to refuse the same unless the mortgage assignment or agreement has attached thereto and made part thereof a certificate signed by the mortgagee assignee or person entitled to interest or his duly authorized attorney or agent setting forth the precise residence of such mortgagee assignee or person entitled to interest and such certificate shall be recorded with the mortgage assignment or agreement Every recorder of deeds on the first Monday of each month shall file the aforesaid daily record or a copy thereof with the department

(c) It shall be the duty of the prothonotary or clerk of the court of common pleas in each and every county in this Commonwealth forthwith upon the passage of this act to keep a daily record separate and apart from all other records of every single bill bond judgment or other instrument securing a debt entered of record in his office Such daily record shall set forth the following information to wit The date of the instrument the names of the plaintiff and defendant together with the precise residence of the plaintiff or person to whose use such bill bond judgment or other obligation to pay money is marked whenever such residence can be ascertained the just sum secured and the date or several dates when the said sum or portion of the same shall become due and payable with the further information whether any of said bonds or judgments are accompanied with mortgages and also the number of every single bill bond judgment or other instrument securing a debt together with the amount of same and the names of the plaintiff and defendant thereto which shall have been that day satisfied The prothonotary or clerk of the court of common pleas shall file the aforesaid daily record or a copy thereof with the department on the first Monday of each month

Section [12] 11 Compensation of Recorders and Prothonotaries The several recorders of deeds prothonotaries and court clerks as aforesaid shall be entitled to receive ten cents for each and every mortgage judgment or lien assignment or satisfaction thereof reported to the department as heretofore required in this act Such fees shall be paid by the respective county treasurers on the presentation of proper vouchers certified by the depart-

ment and shall be applied in like manner as other fees received by such recorders prothonotaries or clerks Provided That no fee shall be allowed in any case where the residence of any plaintiff mortgagee or assignee is omitted in such reports And provided further That the amount allowed any prothonotary or clerk or recorder of deeds under this act shall not exceed the sum of six hundred dollars ($600.00) per annum

Section [13 Payment and] 12 Due Date All taxes [penalties and interest resulting from any original] whether a report is filed as herein required or whether an estimated or additional assessment is made by the department shall be due and payable [within thirty (30) days after notice of such original or additional assessment is given or sent by the department as heretofore provided if no petition for reassessment is taken or within thirty (30) days after notice of the determination of such petition if no appeal is taken All taxes penalties and interest resulting from any estimated assessment made by the department shall be due any payable within thirty (30) days after the expiration of the time within which a return may be made in such cases if no return is made and thirty (30) days after notice of the assessment made on the basis of such return is given or sent as heretofore provided if such return is made and the tax assessed on the basis thereof] on the fifteenth day of February of each year

Section [14] 13 Interest The tax imposed by the third section of this act shall bear interest at the rate of twelve per centum per annum from the date such tax is due and payable until paid except that any tax found due as the result of an appeal to the court of common pleas or any appellate court shall bear interest at the rate of six per centum per annum from the date the tax was originally due and payable until paid [Any balance finally found due by the department as a result of a reassessment shall bear interest at the rate of twelve per centum per annum from the time such amount was originally due and payable until paid]

Section [15] 14 Lien of Taxes (a) All taxes imposed under the third section of this act together with all penalties and interest shall be considered a public account after [being assessed] becoming due and payable in the manner prescribed in this act and as such shall be a lien upon the franchises and real property of the resident against whom the same are assessed after the same has been entered and docketed of record by the prothonotary of the county where the resident's franchises or property are situated.

(b) The department may at any time transmit to the prothonotaries of the respective counties of the Commonwealth to be by them entered of record certified copies of all liens for taxes imposed by the third section of this act and penalties and interest upon which record it shall be lawful for writs of scire facias to issue and be prosecuted to judgment and execution in the same manner as such writs are ordinarily employed

Section [16] 15 Credits for Overpayment The Board of Finance and Revenue may allow a credit for any taxes imposed by the third section of this act and penalties and interest thereon [alleged to have been] paid [as the result of an error of law or of fact or of both law and fact] to the Commonwealth and which the Commonwealth is not rightfully or equitably entitled Claims for such credits shall be made in accordance with the provisions of "The Fiscal Code" relative to petitions for refunds of taxes No petition for such credit shall be considered by the board unless filed with the board within two (2) years of the payment alleged to have been erroneously made

Upon the allowance of any such petition the credit so determined may be applied against any amount due or subsequently becoming due by such petitioner on account of taxes imposed by the third section of this act and penalties and interest thereon or may be assigned in whole or in part to any other taxable resident to be applied against any amount due or subsequently becoming due by such resident on account of taxes imposed by the third section of this act and penalties and interest thereon Upon the allowance of a petition for credit the board shall issue its certificate under its hand and seal and no credit claimed whether assigned or not shall be allowed unless evidenced by such certificate

Section [17] 16 Penalties Costs (a) Every person or officer who shall wilfully and corruptly make a false and fraudulent return of property made taxable by the third section of this act shall be guilty of wilful and corrupt perjury and upon conviction thereof shall be subject to punishment as provided by law

(b) Any wilful failure on the part of recorders of deeds or prothonotaries or clerks to carry out the duties imposed upon them by section [eleven] ten of this act shall be deemed a misdemeanor and upon conviction thereof the person or persons so failing to comply shall be sentenced to pay a fine not exceeding five hundred dollars ($500.00) or to undergo imprisonment not exceeding one (1) year or both in the descretion of the court

(c) Every register of wills who shall fail to send copies of affidavits filed with him by executors or administrators to the department as required by section [eleven] ten of this act shall be guilty of a misdemeanor and upon conviction thereof the register so failing shall be sentenced to pay a fine not exceeding five hundred dollars ($500.00) or to undergo imprisonment not exceeding one (1) year or both in the descretion of the court

(d) Every executor or administrator who fails to file the affidavit with the register of wills as required by section [eleven] ten of this act shall be subject to a penalty of twenty-five dollars ($25.00) for the first day and ten dollars ($10.00) for each succeeding day during which such affidavit is not filed to be collected by the department through the Department of Justice in the same manner as debts are by law collected

(e) Whenever any person acting for or on behalf of the department shall in good faith institute legal proceedings for any violations of the provisions of this act and for any reason shall fail to recover costs of record such costs shall be a charge upon the proper county as shall such costs in the event defendant is imprisoned for failure to pay fine or costs or both and shall be audited and paid as are costs of like character in said county

Section [18] 17 Enforcement Rules and Regulations Inquisitorial Powers of the Department (a) The department is hereby charged with the enforcement of the provisions of this act and is hereby authorized and empowered to prescribe adopt promulgate and enforce rules and regulations relating to any matter or thing pertaining to the administration and enforcement of the provisions of this act and the collection of taxes penalties and interest imposed by this act

(b) The department or any agent authorized in writing by it is hereby authorized to examine the books papers and records of any resident in order to verify the accuracy of any return made or if no return was made to ascertain and assess the tax imposed by the third section of this act Every such resident is hereby directed and required to give the department or its duly authorized agent the means facilities and opportunity for such examinations and investigations as are hereby prothorized to examine any person under oath concerning any property which was or should have been returned for taxation and to this end may compel the production of books papers and records and the attendance of all persons whether as parties or witnesses whom it believes have knowledge of such property The procedure for such hearing or examination shall be the same as that provided by "The Fiscal Code" relating to inquisitorial powers of fiscal officers

Any information gained by the department as a result of any returns investigations hearings or verifications required or authorized by this act and any information gained by the county commissioners Board of Revision of Taxes or board for the assessment and revision of taxes as the result of duplicate returns received from the department shall be confidential except for official purposes and any person or agent divulging such information shall be deemed guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not in excess of five hundred dollars ($500.00) or to undergo imprisonment for not more than three (3) years or both in the discretion of the court

(c) The powers conferred by this act upon the de-

partment relating to the administration or enforcement of this act shall be in addition to but not exclusive of any other powers heretofore or hereafter conferred upon the department by law

Section [19] 18 Tax on Script Bonds Et Cetera Imposition and Rate of Tax All script bonds certificates and evidences of indebtedness issued and all script bonds certificates and evidences of indebtedness assumed or on which interest shall be paid by any and every private corporation incorporated or created under the laws of this Commonwealth or the laws of any other state or of the United States and doing business in this Commonwealth and all script bonds certificates and evidences of indebtedness issued are hereby made taxable [for the year one thousand nine hundred and thirty-six and annually thereafter] for State purposes during the calendar year one thousand nine hundred thirty-six on reports filed for the calendar year one thousand nine hundred thirty-five or for the fiscal year beginning in the calendar year one thousand nine hundred thirty-five at the rate of one mill on each dollar of the nominal value thereof and during the calendar year one thousand nine hundred thirty-seven on reports filed for the calendar year one thousand nine hundred thirty-six or the fiscal year beginning in the calendar year one thousand nine hundred thirty-six at the rate of four mills on each dollar of the nominal value thereof which tax shall be in addition to the tax imposed for State purposes by section seventeen of the act approved the seventeenth day of June one thousand nine hundred and thirteen (Pamphlet Laws five hundred seven) and its amendments or supplements Provided That Whenever under the provisions of this section any private corporation shall become liable for such taxes upon evidences of indebtedness by it assumed or on which it shall pay interest it shall be the duty of such corporation not later than ten (10) days thereafter to give notice in writing to any person who may at such time be liable for the payment of any taxes upon such evidence of indebtedness under the provisions of the third section of this act that the corporation has assumed such indebtedness or the payment of the interest thereon and will deduct and pay the taxes imposed thereon by this section Such notice shall also be given before the first day of October of each and every subsequent year during which such corporation is liable for the payment of such interest Where any private corporation shall assume such evidences of indebtedness or the payment of interest thereon prior to the first day of October in any year and shall give notice as hereinbefore provided such corporation shall be relieved from the duty of deducting and paying the taxes imposed by this section for the balance of such year but shall deduct and pay said taxes for the ensuing year and the person to whom such notice shall be given shall for such ensuing year be relieved from the payment of tax under the provisions of the third section of this act upon such evidences of indebtedness so assumed or on which the corporation shall pay interest Where any private corporation shall assume such evidences of indebtedness or the payment of interest thereon on or subsequent to the first day of October in any year and shall give the notice as hereinbefore provided such corporation shall be relieved from the duty of deducting and paying the tax upon such evidences of indebtedness by it assumed or on which it shall pay interest for the balance of such year for the ensuing year and the person to whom notice is so given shall pay the tax for the period for which the corporation is relieved upon such evidences of indebtedness so assumed or on which the corporation shall pay interest as provided for in the third section of this act Neglect or failure on the part of any corporation upon assuming any evidences of indebtedness or becoming liable for the payment of interest thereon to give the notice as herein provided and within the time prescribed shall make such corporation liable for the payment of taxes from the time when such evidences of indebtedness are assumed or for the entire period for which interest shall be paid Neglect or failure to give such notice before the first day of October of each and every subsequent year during which such corporation is liable for the payment of such interest shall make the corporation liable for such taxes for the year following without any deductions from interest due as hereinbefore provided Provided That this section shall not apply to bank notes or notes discounted or negotiated by any bank or banking institution savings institution or trust company nor to interest-bearing accounts in any bank banking institution savings institution or trust company And provided further That the provisions of this act shall not apply to building and loan associations or to savings institutions having no capital stock and if at any time either now or hereafter any persons individuals or bodies corporate have agreed or shall hereafter agree to issue his their or its securities bonds or other evidences of indebtedness clear of and free from the said (one mill) four mills tax herein provided for or have agreed or shall hereafter agree to pay the same nothing herein contained shall be so construed as to relieve or exempt him it or them from paying the said [one mill] four mills tax on any of the said such securities bonds or other evidences of indebtedness as may be held owned by or owing to the said savings institution having no capital stock And provided further That the provisions of this act shall not apply to fire companies firemen's relief associations life or fire insurance corporations having no capital stock secret and beneficial societies labor unions and labor union relief associations and all beneficial organizations paying sick or death benefits or either or both from funds received from voluntary contributions or assessments upon members of such associations societies or unions And provided further That corporations limited partnerships and joint-stock associations liable to tax on capital stock for State purposes shall not be required to pay any further tax under this section on the mortgages bonds and other securities owned by them in their own right but corporations limited partnerships and joint-stock associations holding such securities as trustees executors administrators guardians or in any other manner shall be liable for the tax imposed by this section upon all securities so held by them as in the case of individuals And provided further That none of the classes of property made taxable by this section for State purposes shall be taxed or taxable for county school or other local purposes

It is the intent of this act that all scrip bonds certificates and evidences of indebtedness made taxable under this section are not taxable under the third section of this act and that only such scrip bonds certificates and evidences of indebtedness which cannot be made taxable under this section are to be taxed under the third section of this act.

Section [20] 19 Collection of Tax The tax for State purposes imposed upon obligations of private and public corporations by section [nineteen] eighteen of this act shall be collected in the same manner as the tax imposed for State purposes upon such obligations by section seventeen of the act approved the seventeenth day of June one thousand nine hundred thirteen (Pamphlet Laws five hundred seven) and its amendments or supplements it being the true intent and meaning of this act that the provisions of the law in force at the time of the passage of this act relating to the manner of the collection of the State tax upon such obligations shall remain unaffected by this act.

Section [21] 20 Disposition of Tax Interest Fees Fines Forfeitures and Penalties All taxes and interest that shall be received recovered paid or collected under the provisions of this act shall be paid into the State Treasury through the department

All moneys paid into the State Treasury from taxes for the first year for which a tax is imposed by the provisions of this act shall be used only for unemployment relief purposes and for such purposes are hereby appropriated and all moneys paid into the State Treasury during the second year this act is in effect shall be credited to the General Fund

Section [22] 21 Constitutional Construction If any section sentence clause or part of this act is for any reason held to be unconstitutional the decision of the court shall not affect or impair any of the remaining provisions of this act It is hereby declared as the legislative intent that this act would have been adopted had such uncon-

stitutional sentence section clause or part thereof not been included herein

Section [23] 22 Effect on Other Acts of Assembly Nothing contained in this act shall be deemed to repeal or modify the act approved the seventeenth day of June one thousand nine hundred thirteen (Pamphlet Laws five hundred seven) entitled "An act to provide revenue for State and county purposes and in cities coextensive with counties for city and county purposes imposing taxes upon certain classes of personal property providing for the assessment and collection of the same providing for the duties and compensation of prothonotaries and recorders in connection therewith and modifying existing legislation which provided for raising revenue for State purposes" and its amendments or supplements The taxes imposed by this act shall be in addition to all other taxes which are now or hereafter imposed by law

Section [24] 23 Effective Date This act shall become effective immediately upon its final enactment and shall remain in force for the assessment and collection of taxes under section three of this act for the calendar years one thousand nine hundred and thirty-six and one thousand nine hundred and thirty-seven and for the collection of taxes under section [nineteen] eighteen of this act during the calendar years one thousand nine hundred and thirty-six and one thousand nine hundred and thirty-seven on reports filed for the calendar years one thousand nine hundred and thirty-five and one thousand nine hundred and thirty-six or for the fiscal years beginning in the calendar years one thousand nine hundred and thirty-five and one thousand nine hundred and thirty-six

Section 2 This act shall become effective immediately upon its final enactment

And said bill having been read at length the third time, and the amendments made thereto having been printed as required by the Constitution,

On the question,

Will the Senate agree to the bill on third reading?

Mr. McCLURE. Mr. President, I ask unanimous consent to amend section 23, page 30, line 15, by inserting after the word "thirty-six" the following: "at the rate of one mill on each dollar of the value thereof"; also line 16, by inserting after the word "thirty-seven" the following :"at the rate of four mills on each dollar of the value thereof"; also line 19, by inserting after the word "thirty-six" the following: "at the rate of one mill on each dollar of the nominal value thereof"; also line 19, by inserting at the end of the line after the word "thirty-seven" the following: "at the rate of four mills on each dollar of the nominal value thereof."

The PRESIDENT. Is there objection? The Chair hears none.

The amendment was agreed to.

On the question,

Will the Senate agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended be printed for the use of the Senate.

BILLS ON SECOND READING

Mr. McCLURE. Mr. President, I move that the Senate do now proceed to the consideration of Senate Bill No. 43 (House Bill No. 26), on second reading, entitled:

An Act to further amend section one of the act approved the thirteenth day of June one thousand nine hundred seven (Pamphlet Laws six hundred forty) entitled "An act to provide revenue by levying a tax upon the shares of stock of companies incorporated under the provisions of section twenty-nine of an act entitled 'An act to provide for the incorporation and regulation of certain corporations' approved April twenty-ninth one thousand eight hundred and seventy-four and the supplements thereto for the insurance of owners of real estate mortgages and others interested in real estate from loss by reason of defective titles liens and encumbrances and of companies entitled to the benefits of and of companies having any of the powers of companies entitled to the benefits of an act entitled 'An act conferring upon certain fidelity insurance safety deposit trust and savings companies the powers and privileges of companies incorporated under the provisions of section twenty-nine of an act entitled "An act to provide for the incorporation and regulation of certain corporations" approved April twenty-ninth Anno Domini one thousand eight hundred and seventy-four and of the supplements thereto' approved June twenty-seventh one thousand eight hundred and ninety-five commonly known as title insurance or trust companies" by increasing the rate of tax for a limited period of time and by further modifying the method of computing the tax

Mr. SCOTT. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 43 (House Bill No. 26), entitled:

An Act to further amend section one of the act approved the thirteenth day of June one thousand nine hundred seven (Pamphlet Laws six hundred forty) entitled "An act to provide revenue by levying a tax upon the shares of stock of companies incorporated under the provisions of section twenty-nine of an act entitled 'An act to provide for the incorporation and regulation of certain corporations' approved April twenty-ninth one thousand eight hundred and seventy-four and the supplements thereto for the insurance of owners of real estate mortgages and others interested in real estate from loss by reason of defective titles liens and encumbrances and of companies entitled to the benefits of and of companies having any of the powers of companies entitled to the benefits of an act entitled 'An act conferring upon certain fidelity insurance safety deposit trust and savings companies the powers and privileges of companies incorporated under the provisions of section twenty-nine of an act entitled "An act to provide for the incorporation and regulation of certain corporations" approval April twenty-ninth Anno Domini one thousand eight hundred and seventy-four and of the supplements thereto' approved June twenty-seventh one thousand eight hundred and ninety-five commonly known as title insurance or trust companies" by increasing the rate of tax for a limited period of time and by further modifying the method of computing the tax

The first section of the bill was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of the act approved the thirteenth day of June one thousand nine hundred seven (Pamphlet Laws six hundred forty) entitled "An act to provide revenue by levying a tax upon the shares of stock of companies incorporated under the provisions of section twenty-nine of an act entitled "An act to provide for the incorporation and regulation of certain corporations' approved April twenty-ninth one thousand eight hundred and seventy-four and the supplements thereto for the insurance of owners of real estate mortgages and others interested in real estate from loss by reason of defective titles liens and encumbrances and of companies entitled to the benefits of and of companies having any of the powers of companies entitled to the benefits of an act entitled 'An act conferring upon certain fidelity insurance safety deposit trust and savings companies the powers and privileges

of companies incorporated under the provisions of section twenty-nine of an act entitled "An act to provide for the incorporation and regulation of certain corporations" approved April twenty-ninth Anno Domini one thousand eight hundred and seventy-four and of the supplements thereto' approved June twenty-seventh one thousand eight hundred and ninety-five commonly known as title insurance or trust companies" as last amended by the act approved the thirty-first day of May one thousand nine hundred thirty-three (Pamphlet Laws eleven hundred thirty-two) be and the same is hereby further amended to read as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That from and after the passage of this act every company incorporated under the provisions of section twenty-nine of an act entitled "An act to provide for the incorporation and regulation of certain corporations" approved April twenty-ninth one thousand eight hundred seventy-four and its supplements or any other act of Assembly heretofore or hereafter approved for the insurance of owners of real estate mortgages and others interested in real estate from loss by reason of defective titles liens and incumbrances and every company entitled to benefits of and every company having any of the powers of companies entitled to the benefits of an act entitled "An act conferring upon certain fidelity insurance safety deposit trust and savings companies the powers and privileges of companies incorporated under the provisions of section twenty-nine of an act entitled "An act to provide for the incorporation and regulation of certain corporations approved April twenty-ninth Anno Domini one thousand eight hundred and seventy-four and of the supplements thereto" approved June twenty-seventh one thousand eight hundred and ninety-five commonly known as title insurance or trust companies and every company organized as a bank and trust company or as a trust company under any act of Assembly heretofore or hereafter approved shall on or before the fifteenth day of March in each and every year make to the Department of Revenue a report in writing setting forth the full number of shares of the capital stock subscribed for or issued by such company and the actual value thereof as of December thirty-first preceding which shall be ascertained as hereinafter provided and thereupon it shall be the duty of the Department of Revenue for the calendar year ending December thirty-first one thousand nine hundred thirty-six to assess such shares for taxation at the rate of [five] eight mills upon each dollar of the actual value thereof and thereafter at the rate of five mills upon each dollar of the actual value thereof the actual value of each share of stock to be ascertained and fixed by adding together the amount of capital stock paid in the surplus and undivided profits

[As is not invested in shares of stock of corporations liable to pay to the Commonwealth a tax on shares or

As is not invested in such portion of the capital stock of corporations liable to pay to the Commonwealth a capital stock tax as the capital stock of such corporation employed within this Commonwealth and liable to a capital stock tax bears to the total capital stock of such corporation or

As is not invested in such portion of the capital stock of corporations specifically relieved under the laws of this Commonwealth from the payment of a capital stock tax as the capital stock of such corporation employed within this Commonwealth and relieved from the payment of a capital stock tax bears to the total capital stock of such corporation]

[And] and dividing this amount by the number of shares

It shall be the duty of every such company within a period of sixty days after the date of such settlement by the Department of Revenue to collect the amount of said tax from its shareholders and pay the same to the State Treasurer through the Department of Revenue Provided That upon the payment of the tax fixed by this act into the State Treasury through the Department of Revenue the shares and so much of the capital stock surplus profits and deposits of such company as shall not be invested in real estate shall be exempt from all other taxation under the laws of this Commonwealth The procedure in case the Department of Revenue be not satisfied with the report made by any title insurance or trust company and the penalties for failing to make such report and pay the tax shall be as provided by law

On the question,

Will the Senate agree to the section?

Mr. McCLURE. Mr. President, I move amend section 1, page 3, line 24 by inserting after the word "hundred" and before the word "seventy-four" the word: "and"; also page 4, line 14 by striking out after the word "of" and before the word "in" the word: "[March]" and inserting in lieu thereof the word: "February"

Mr. SCOTT. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The second section of the bill was read as follows and agreed to:

Section 2 This act shall become effective immediately upon its final enactment and shall apply for the calendar year ending December thirty-first one thousand nine hundred thirty-six and thereafter

The title of the bill was read as follows and agreed to.

An Act to further amend section one of the act approved the thirteenth day of June one thousand nine hundred seven (Pamphlet Laws six hundred forty) entitled "An act to provide revenue by levying a tax upon the shares of stock of companies incorporated under the provisions of section twenty-nine of an act entitled 'An act to provide for the incorporation and regulation of certain corporations' approved April twenty-ninth one thousand eight hundred and seventy-four and the supplements thereto for the insurance of owners of real estate mortgages and others interested in real estate from loss by reason of defective titles liens and encumberances and of companies entitled to the benefits of and of companies having any of the powers of companies entitled to the benefits of an act entitled 'An act conferring upon certain fidelity insurance safety deposit trust and savings companies the powers and privileges of companies incorporated under the provisions of section twenty-nine of an act entitled "An act to provide for the incorporation and regulation of certain corporations" approved April twenty-ninth Anno Domini one thousand eight hundred and seventy-four and of the supplements thereto' approved June twenty-seventh one thousand eight hundred and ninety-five commonly known as title insurance or trust companies" by increasing the rate of tax for a limited period of time and by further modifying the method of computing the tax.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Mr. McCLURE. Mr. President, I move that the Senate do now proceed to the consideration of Senate Bill No. 44 (House Bill No. 28), on second reading, entitled:

An Act to further amend section one of the act approved the fifteenth day of July one thousand eight hundred and ninety-seven (Pamphlet Laws two hundred ninety-two) entitled "An act to provide revenue by taxation" by increasing the rate of tax.

Mr. SCOTT. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 44 (House Bill No. 28), entitled:

An Act to further amend section one of the act approved the fifteenth day of July one thousand eight hundred and ninety-seven (Pamphlet Laws two hundred ninety-two) entitled "An act to provide revenue by taxation" by increasing the rate of tax.

The first section of the bill was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of the act approved the fifteenth day of July one thousand eight hundred and ninety-seven (Pamphlet Laws two hundred ninety-two) entitled "An act to provide revenue by taxation" as last amended by the act approved the thirty-first day of May one thousand nine hundred thirty-three (Pamphlet Laws one thousand one hundred thirty) be and the same is hereby further amended to read as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That from and after the passage of this act every bank or savings institution having capital stock incorporated by or under any law of this Commonwealth or under any law of the United States and located within this Commonwealth shall on or before the fifteenth day of March in each and every year make to the Department of Revenue a report in writing verified as required by law setting forth the full number of shares of the capital stock subscribed for or issued as of the preceding thirty-first day of December by such bank or savings institution and the actual value thereof as of the preceding thirty-first day of December which actual value shall be ascertained as hereinafter provided It shall be the duty of the Department of Revenue to assess such shares for taxation at the same rate as that imposed upon other moneyed capital in the hands of individual citizens of the State that is to say for the calendar year ending December thirty-first one thousand nine hundred thirty-six at the rate of [four] eight mills upon each dollar of the actual value thereof and thereafter at the rate of four mills upon each dollar of the actual value thereof the actual value of each share of stock to be ascertained and fixed by adding together the amount of capital stock paid in the surplus and undivided profits and dividing this amount by the number of shares It shall be the duty of every bank or savings institution within a period of sixty days after the date of such settlement by the Department of Revenue to collect the amount of said tax from its shareholders and pay the same to the State Treasurer through the Department of Revenue Provided That in case any bank or savings institution having capital stock incorporated under the law of this State or of the United States shall collect annually from the shareholders thereof said tax of [four] eight mills or four mills as the case may be on the dollar upon the actual value of all the shares of stock of said bank or savings institution according to the provisions of this act that have been subscribed for or issued and pay the same into the State Treasury through the Department of Revenue the shares and so much of the capital and profits of such bank or savings institution as shall not be invested in real estate shall be exempt from local taxation under the laws of this Commonwealth and such bank or savings institution shall not be required to make any report to the local assessor or county commissioners of its personal property owned by it in its own right for purposes of taxation and shall not be required to pay any tax thereon The procedure in case the Department of Revenue be not satisfied with the report made by any bank or savings institution and the penalties for failing to make such report and pay the tax shall be as provided by law

On the question,

Will the Senate agree to the section?

Mr. McCLURE. Mr. President, I move to amend section 1, page 2, line 9, by striking out after the word "of" and before the word "in" the word: "[March]" and inserting in lieu thereof the word: "February"

Mr. SCOTT. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The second section of the bill was read as follows and agreed to:

Section 2 This act shall become effective immediately upon its final enactment and shall apply for the calendar year ending December thirty-first one thousand nine hundred thirty-six and thereafter

The title of the bill was read as follows and agreed to,

An Act to further amend section one of the act approved the fifteenth day of July one thousand eight hundred and ninety-seven (Pamphlet Laws two hundred ninety-two) entitled "An act to provide revenue by taxation" by increasing the rate of tax

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL ON THIRD READING

Mr. FREY. Mr. President, I move that the Senate do now proceed to the consideration of Senate Bill No. 85 (House Bill No. 81), on third reading, entitled:

An Act to amend section one of the act approved the twenty-fifth day of April one thousand nine hundred and thirty-five (Pamphlet Laws eighty-two) entitled "An act requiring certain cities to allow members of the fire departments twenty-four consecutive hours of rest each week and fourteen days vacation each year except in emergency cases" by providing that the provisions of said act shall be mandatory and prohibiting and diminution of salary or compensation.

Mr. LAW. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 85 (House Bill No. 81), entitled:

An Act to amend section one of the act approved the twenty-fifth day of April one thousand nine hundred and thirty-five (Pamphlet Laws eighty-two) entitled "An act requiring certain cities to allow members of the fire departments twenty-four consecutive hours of rest each week and fourteen days vacation each year except in emergency cases" by providing that the provisions of said act shall be mandatory and prohibiting any diminution of salary or compensation.

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

Mr. FREY. Mr. President, I ask unanimous consent to amend title, page 1, last line of title, by inserting at the end thereof the following: "and exempting cities of the third class from the provisions of said act."

The PRESIDENT. Is there objection? The Chair hears none.

The amendment was agreed to.

On the question,

Will the Senate agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended be printed for the use of the Senate.

MOTION TO READ BILL THE FIRST TIME

Mr. HUFFMAN. Mr. President, I move that the bill reported from committee at today's session be read the first time.

Mr. BUCKMAN. Mr. President, I second the motion.

The motion was agreed to.

BILL ON FIRST READING

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 35 (House Bill No. 40), entitled·

An Act to provide for the commemoration by the Commonwealth of Pennsylvania of the Three Hundredth Anniversary of the Earliest settlement the First Courts of Law and the First Capital within what is now Pennsylvania and making an appropriation.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

BILLS SIGNED

The PRESIDENT. (Lieutenant Governor Thomas Kennedy) announced that the Chief Clerk having reported that the following bills had passed both Houses of the General Assembly and the same being correct, the titles were publicly read as follows:

House Bill No. 153, entitled:

An Act making an appropriation to the State Emergency Relief Board for direct relief, work relief, and expenses, defining the purposes for which such monies may be expended, and prescribing the powers and duties of the State Emergency Relief Board and certain State Departments, and ratifying, confirming and validating the action of the Governor and the fiscal officers in making monies available for unemployment relief prior to the adoption of this act.

House Bill No. 154, entitled:

An Act ratifying, confirming and validating the transfer of money from the Liquid Fuels Tax Fund and the Liquor License Fund to the General Fund, and providing for the subsequent return from the General Fund of the transferred money.

Whereupon,

The PRESIDENT (Lieutenant Governor Thomas Kennedy) in the presence of the Senate signed the same.

LEAVE OF ABSENCE

Mr. BUCKMAN asked and obtained leave of absence for the gentleman from Lackawanna, Mr. Howell.

REPORTS FROM COMMITTEES

Mr. GELDER. Mr. President, I ask unanimous consent to make a report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. GELDER, from the Committee on Appropriations, re-reported as amended, Senate Bill No. 34 (House Bill No. 39), entitled:

An Act to provide for the participation of the Commonwealth of Pennsylvania in a National Celebration of the One Hundred Fiftieth Anniversary of the Framing the Singing the Ratification by Pennsylvania and the Final Adoption and Promulgation of the Constitution of the United States to be held at Philadelphia and elsewhere on the fifteenth sixteenth and seventeenth days of September one thousand nine hundred thirty-seven and subsequent anniversary dates in connection therewith and making an appropriation.

Also from the Committee on Appropriations, reported as amended, Senate Bill No. 35 (House Bill No. 40), entitled:

An Act to provide for the commemoration by the Commonwealth of Pennsylvania of the Three Hundredth Anniversary of the Earliest Settlement the First Courts of Law and the First Capital within what is now Pennsylvania and making an appropriation.

Also from the Committee on Appropriations, re-reported as amended, Senate Bill No. 48 (House Bill No. 68), entitled:

An Act authorizing the Department of Forests and Waters to make a survey and investigation with respect to flood control and the coordination of any Federal and State flood control program and making an appropriation.

BILL SIGNED

The PRESIDENT (Lieutenant Governor Thomas Kennedy) announced that the Chief Clerk having reported that the following bill had passed both Houses of the General Assembly and the same being correct, the title was publicly read as follows:

House Bill No. 109, entitled:

An Act to authorize and empower municipalities and townships, separately or jointly, to erect and construct flood control works and improvements within or without their territorial limits, and to expend moneys and incur indebtedness for such purposes.

Whereupon,

The PRESIDENT (Lieutenant Governor Thomas Kennedy) in the presence of the Senate signed the same.

NOMINATION BY THE GOVERNOR

The Secretary to the Governor being introduced, presented communication in writing from His Excellency, the Governor of the Commonwealth, which was read as follows, and referred to the Committee on Executive Nominations.

ALDERMAN

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 14, 1936.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Dorothy M. Goldstein, of 5562 Hobart Street, E. E. Pittsburgh, Allegheny County, for appointment as alderman in the Fourteenth Ward of the City of Pittsburgh, Allegheny County, vice Sol S. Goldstein, deceased, until the first Mnday in January, 1938.

GEORGE H. EARLE.

ADJOURNMENT

Mr. BUCKMAN. Mr. President, I move that the Senate do now adjourn until tomorrow at twelve o'clock noon.

Mr. HUFFMAN. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 4:30 P. M. until tomorrow, Wednesday, July 15, 1936, at 12:00 o'clock noon.

HOUSE OF REPRESENTATIVES

TUESDAY, JULY 14, 1936

The House met at 12:00 o'clock noon.

The SPEAKER (Roy E. Furman) in the Chair.

PRAYER

Reverend MARSHALL L. SHEPARD, a member of the House, offered the following prayer:

Our Father, who art in Heaven, we thank Thee for Thy blessings and Thy care. We pray Thee that in all of our work that we may be conscious of the fact that we are workers together with Thee. Guide us with Thy spirit, that we might serve our fellow men in the ways that they shall direct. Give us of Thy wisdom and of Thy strength. Bless the Governor of this Commonwealth and all of the officers of our Government. In His Name and for His sake. Amen.

JOURNAL APPROVED

The SPEAKER. The Clerk will read the Journal of yesterday.

The Clerk proceeded to read the Journal of yesterday, when, on motion of Mr. SCHROPE the further reading was dispensed with and the Journal approved.

BILL TAKEN FROM TABLE

Mr. COHEN. Mr. Speaker, I move that House Bill No. 153, Printer's No. 176, which was laid upon the table be taken from the table.

On the question,

Will the House agree to the motion?

STATEMENT BY MR. COHEN

Mr. COHEN asked and obtained unanimous consent to make the following statement:

Mr. Speaker and members of the House, since adjournment last night, I have ascertained definitely that the Senate has solidly agreed to pass a tax program in the sum of $45,000,000. I have further ascertained that this $45,000,000 for relief will be a lump sum appropriation, unrestricted by any monthly allocations, that the allocations will be made as they have been made over the past three or four years by the State Emergency Relief Board. Since last night I have ascertained that the interpretation as given to the membership of this House by the gentleman from Philadelphia, Mr. Witkin, was incorrect. I have ascertained that he had no knowledge of the negotiations except what were contained in the statement which he read, and due to the ambiguity that had existed in that statement, I feel sure, without any desire to mislead the House, he misinterpreted the facts in that statement. Nevertheless and however, knowing that this is a lump sum appropriation for relief, beginning from the first of May and extending as long as the moneys will last, and feeling that there is no restricting clause in the appropriation bill, making an appropriation of $45,000,000 for relief, I therefore move you, Mr. Speaker, that House Bill No. 153 be taken from the table.

STATEMENT BY MR. WITKIN

Mr. WITKIN asked and obtained unanimous consent to make the following statement:

Mr. Speaker and members of the House, in asking my Republican colleagues to vote in favor of this motion, I merely want the record to contain the fact that last evening the statement that was made upon the floor of this House was the statement that was given to me from the Senate, and I gave the information to the House as it was contained in the statement. I believe that I answered the questions of the gentleman from York in accordance with the information that had been given to me.

I am glad to see my Democratic friends on the other side of the House move to take this bill from the table. We on the Republican side of the House have been trying to take it from the table for the past five or six days. Had the Democrats taken it from the table when we wanted it taken from the table, there would not have been any starvation in the State of Pennsylvania during the past eight days. However, starvation will end with the passage of these two bills, and I therefore join with the request of the gentleman from York, Mr. Cohen, and I ask the membership to end the starvation, even though they are eight days late in doing so.

On the question recurring,

Will the House agree to the motion?

It was agreed to.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 153.

An Act making an appropriation to the State Emergency Relief Board for direct relief work relief and expenses defining the purposes for which such monies may be expended and prescribing the powers and duties of the State Emergency Relief Board and certain State Departments and ratifying confirming and validating the action of the Governor and the fiscal officers in making monies available for unemployment relief prior to the adoption of this act.

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend Section 1, page 1, line 4, by striking out after the word "of" the word "two" and inserting in lieu thereof the word "five"; also by striking out after the word "dollars" the figures "($2,000,000)" and inserting in lieu thereof the figures "($5,000,000)".

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—202

Achterman,	Eroe,	McCreary,	Shaw,
Alexander,	Falkenstein,	McDermott,	Shepard,
Allen,	Ferko,	McDevitt,	Shortz,
Altenburg,	Finnerty,	McElroy,	Shreiner,
Andrews,	Fitch,	McHenry,	Shugarts,
Anthony,	Flanagan,	McKinney,	Siegel,
Arnold,	Flinchbaugh,	Melchiorre,	Simon,
Atkins,	Flynn,	Mentzer,	Simpson,
Aukerman,	Forrest,	Merrell,	Sloan,
Baine,	Gates,	Moomaw,	Smith, J. A.,
Baker, F. T.,	Gerard,	Mooney,	Smith, W. G.,
Baldi,	Gillette,	Moore,	Snyder, F. E.,
Barber,	Greenstein,	Moran,	Snyder, J. L.,
Barnhardt,	Habbyshaw,	Moul,	Sowers,
Beadman,	Haberlen,	Muir,	Sproul,
Bernhard,	Hagerty,	Munley,	Stank,
Blumberg,	Haluska,	Murrin,	Stevens,
Boose,	Hamilton, F. P.,	Nagel,	Stewart,
Boyd, R.,	Hamilton, R. S.,	Nothnagle,	Stockham,
Boyer,	Harkins,	O'Keefe,	Stone,
Bradley,	Harmuth,	Ominsky,	Stott,
Brancato,	Hartman,	O'Neill,	Sumney,
Brennan,	Hermansen,	Panton,	Surface,
Brown, H. S.,	Hetrick,	Parks,	Sweeney,
Brown, J. E.,	Hindman,	Patterson, C.,	Tahl,
Brownfield,	Hirsch,	Patterson, J. W.,	Terry,
Brumbaugh,	Hoffner,	Pearson,	Tronzo,
Burke,	Holland,	Perry,	Trout,
Cannon,	Holstrom,	Peters,	Tumelty,
Caputo,	Hoopes,	Pfaff,	Turner,
Carson,	Horst,	Phillips,	VanAllsburg,
Castor,	Jackson,	Piole,	VanSickle,
Chervenak,	Jones,	Powers,	Wall,
Coakley,	Kane,	Reising,	Wasserman,
Cochran,	Kelder,	Reynolds,	Weidemann,
Cohen,	Kelso,	Rhys,	Weiss,
Coleman,	Kenney,	Rinn,	Welliver,
Condon,	Kilroy,	Roan,	Welsh,
Coolahan,	Kinney,	Robinson,	Westrick,
Cooper	Klingler,	Rooney,	White,
Cordier,	Kobelak,	Root,	Wickersham,
Davies,	LaRue,	Royer,	Winner,
Decker,	Linderman,	Ruffennach,	Witkin,
Denning,	Long,	Sarraf,	Wood,
Dent,	Longaker,	Scanlon,	Woodside,
Diehl,	Lovett,	Schaeffer,	Yeakel,
Dilley	Lynch,	Schrock,	Yourishin,
Downey, G. E.,	Male,	Schrope,	Zappala,
Downey, J. J.,	Mallen,	Schwab,	Zimmerman,
Duffort,	Mason,	Serrill,	Furman,
Eberharter,			

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative, and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

REASONS FOR VOTE

Mr. HOOPES. Mr. Speaker, I desire to be recorded as voting "aye" with the understanding that I am not committing myself in favor of an appropriation for a definite period which will limit the State Emergency Relief Board to a maximum amount each month regardless of any increase that may take place in the numbers upon the relief rolls.

BILL TAKEN FROM TABLE

Mr. COHEN. Mr. Speaker and members of the House, the same reasons that I have given relative to the taking of House Bill 153 from the table, and final approval, and the concurrence by the House in the amendments made by the Senate, apply to House Bill 154. I do this again with the understanding that these moneys are to be appropriated in a lump sum of forty-five million dollars for relief; in a lump sum, with no special monthly allocations; that the same standard of relief that has applied for the Commonwealth of Pennsylvania for the past few years will be maintained undiminished. I, therefore, move you, Mr. Speaker, that House Bill No. 154, Printer's Number 177, be taken from the table.

On the question,

Will the House agree to the motion?

STATEMENT BY MR. WITKIN

Mr. WITKIN asked and obtained unanimous consent to make the following statement:

Mr. Speaker and members of the House, for the same reasons that were advanced early last night and late last night, and for the same reasons that were advanced by the Republican minority for the past five or six legislative days, I urge my colleagues on the Republican side to vote in favor of taking House Bill 154 from the table. I reiterate again that we are eight days late, but nevertheless we are on time to save any further starvation in Pennsylvania.

On the question recurring,

Will the House agree to the motion?

It was agreed to.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numberd and entitled as follows:

HOUSE BILL No. 154.

An Act ratifying confirming and validating the transfer of money from the Liquid Fuels Tax Fund and the Liquor License Fund providing for additional transfers from the Liquid Fuels Tax Fund and the State Stores Fund to the General Fund and providing for the subsequent return from the General Fund of the transferred money

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend title, page 1, line 3, by inserting after the word "Fund" the words "providing for additional transfers from the Liquid Fuels Tax Fund and the State Stores Fund".

Amend Section 1, page 1, line 10, by inserting after the word "Governor" the words "the twenty-fourth day of June one thousand nine hundred and thirty-six"; also on page 2, line 4, by inserting after the word "modified" the following new section: "Section 2 In addition to the transfers ratified confirmed and validated in section one of this act the Governor the Auditor General and the State Treasurer are hereby authorized to transfer to the General Fund the additional sum of one million five hundred thousand dollars ($1,500,000) from the Liquid Fuels Tax Fund and the sum of one million five hundred thousand dollars ($1,500,000) from the State Stores Fund in order to make the same available for appropriation to the State Emergency Relief Board for unemployment relief purposes."

Amend Section 2, page 2, line 5, by striking out after the word "Section" the figures "2" and inserting in lieu

thereof the figures "3"; also in line 6 by inserting after the word "Fund" the words "State Stores Fund"; also in line 8, by inserting after the word "Fund" the words "State Stores Fund."

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—202

Achterman,	Eberharter,	McCreary,	Shaw,
Alexander,	Eroe,	McDermott,	Shepard,
Allen,	Falkenstein,	McDevitt,	Shortz,
Altenburg,	Ferko,	McElroy,	Shreiner,
Andrews,	Finnerty,	McHenry,	Shugarts,
Anthony,	Fitch,	McKinney,	Siegel,
Arnold,	Flanagan,	Melchiorre,	Simon,
Atkins,	Flinchbaugh,	Mentzer,	Simpson,
Aukerman,	Flynn,	Merrell,	Sloan,
Baine,	Forrest,	Moomaw,	Smith, J. A.,
Baker, F. T.,	Gates,	Mooney,	Smith, W. G.,
Baker, J. J.,	Gerard,	Moore,	Snyder, F. E.,
Baldi,	Gillette,	Moran,	Snyder, J. L.,
Barber,	Greenstein,	Moul,	Sowers,
Barnhardt,	Habbyshaw,	Muir,	Sproul,
Beadman,	Haberlen,	Munley,	Stank,
Bernhard,	Hagerty,	Murrin,	Stevens,
Blumberg,	Haluska,	Nagel,	Stewart,
Boose,	Hamilton, F. P.,	Nothnagle,	Stockham,
Boyd, R.,	Hamilton, R. S.,	O'Keefe,	Stone,
Boyer,	Harkins,	Ominsky,	Stott,
Bradley,	Harmuth,	O'Neill,	Sumney,
Brancato,	Hartman,	Panton,	Surface,
Brennan,	Hermansen,	Parks,	Sweeney
Brown, H. S.,	Hetrick,	Patterson, C.,	Tahl,
Brown, J. E.,	Hindman,	Patterson, J. W.,	Terry,
Brownfield,	Hirsch,	Pearson,	Tronzo,
Brumbaugh,	Hoffner,	Perry,	Trout,
Burke,	Holland,	Peters,	Tumelty,
Cannon,	Holstrom,	Pfaff,	Turner,
Caputo,	Hoopes,	Phillips,	Van Allsburg,
Carson,	Horst,	Piole,	VanSickle,
Castor,	Jackson,	Powers,	Wall,
Chervenak,	Jones,	Reising,	Wasserman,
Coakley,	Kane,	Reynolds,	Weidemann,
Cochran,	Kelder,	Rhys,	Weiss,
Cohen,	Kelso,	Rinn,	Welliver,
Coleman,	Kenney,	Roan,	Welsh,
Condon,	Kilroy,	Robinson,	Westrick,
Coolahan,	Kinney,	Rooney,	White,
Cooper,	Klinger,	Root,	Wickersham,
Cordier,	Kobelak,	Royer,	Winner,
Davies,	LaRue,	Ruffennach,	Witkin,
Decker,	Linderman,	Sarraf,	Wood,
Denning,	Long,	Scanlon,	Woodside,
Dent,	Longaker,	Schaeffer,	Yeakel,
Diehl,	Lovett,	Schrock,	Yourishin,
Dilley,	Lynch,	Schrope,	Zappala,
Downey, G. E.,	Male,	Schwab,	Zimmerman,
Downey, J. J.,	Mallen,	Serrill,	Furman,
Duffort,	Mason,		

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative, and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

REASONS FOR VOTE

Mr. GATES filed the following reasons for his vote:

I am voting for House Bill No. 154, Printer's No. 177, for the following reasons:

First, a solemn promise that the $45,000,000 is to be given as a lump sum, therefore assuring that in case we run short of money to take care of the unemployed over the long cold winter months we will meet again to raise enough money to see that no man, woman or child suffers from cold or hunger.

Secondly, that a direct pledge is given that this money now taken will be repaid out of the taxes now in process of being collected.

ANNOUNCEMENT BY MR. COHEN

Mr. COHEN asked and obtained unanimous consent to make the following announcement:

Mr. Speaker, I desire to make an announcement for the information of both the members of the House and the visitors. Mr. Speaker and members of the House, I have been informed that Governor Earle is flying back to Harrisburg and will be here at 4:00 o'clock. The procedure necessary to effectuate the program of relief checks is as follows: The bills which have been concurred in by the House will now be by messenger sent to the Senate. When the Senate meets they will be informed of our concurrence in the bills, and the President Pro Tempore at three o'clock, when the Senate reconvenes, will sign the bills in the presence of the Senate. They will then be signed by the Speaker, and at four o'clock, at the return of Governor Earle, the bills effectuating the transfer of three million dollars will be approved by the Governor. The procedure thereafter is to get the State Emergency Relief Board to forward the checks for relief. I am informed that they are already working on the forwarding of those checks and the checks will be in the mail this evening, and they will be at the homes of the relief recipients by tomorrow morning in the first mail.

I make that statement in view of the desire on my part, and knowing the members of the House, to clarify the situation as it now presently exists, and I again reiterate that those who are entitled to receive checks will receive their relief checks tomorrow morning at the first mail.

ANNOUNCEMENT BY MR. WITKIN

Mr. WITKIN asked and obtained unanimous consent to make the following announcement:

Mr. Speaker, I desire with the consent of the House, to make an announcement to the members of the House and to the visitors here. I merely want to say to the members of the House and to the visitors that it is very courteous of the gentleman from York to explain to us that the Governor will be back at four o'clock. I want to inform the membership of this House as well as the visitors, that it is my judgment that the Governor should have been here yesterday and today and not going around making political speeches—

QUESTION OF PARLIAMENTARY INQUIRY

Mr. ANDREWS. Mr. Speaker, I arise to a question of parliamentary inquiry.

The SPEAKER. The gentleman from Cambria will state his question of parliamentary inquiry.

Mr. ANDREWS. Mr. Speaker, is this not a deliberate parliamentary assembly, and if so should not order be maintained in the hall of the House and in the gallery?

Mr. SPEAKER. In reply to the parliamentary inquiry of the gentleman from Cambria, the Chair wishes to state that this is a parliamentary body. We are now in executive session, and the rules require that we preserve order at all times, and the Chair respectfully asks the members

and visitors alike to preserve and maintain order during the conduct of this session. The gentleman will proceed.

Mr. WITKIN. Mr. Speaker and members of the House, I also want to say to the membership of this House that last week, when the relief was stopped, the Governor of the State of Pennsylvania was likewise absent from Harrisburg, making a political speech in Philadelphia, and while he was making a political speech in Philadelphia this House refused, under his orders to pass the $3,000,000 loan that we are passing today. The result has been that the absence of the Governor of Pennsylvania has caused starvation in Pennsylvania for eight days. Those of you who receive your checks tomorrow should have received them eight days ago, because we on this side of the House wanted to get this $3,000,000 over to you eight days ago so that there would be no starvation in the State of Pennsylvania, and that you would get your checks that were due last week at that time. We did everything we possibly could, but the Governor of Pennsylvania went flying about the State of Pennsylvania making a political hero of himself, and while he was doing so, as he thinks, you have starved.

STATEMENT BY MR. WEISS

Mr. WITKIN asked and obtained unanimous consent to make the following statement:

Mr. Speaker and members of the House, it is certainly foolish on the part of the minority leader of this House to make a speech on how the Republicans tried to help the starving unemployed of this Commonwealth. He blames the Governor for making political speeches. Where was the minority floor leader last Wednesday? Where was the minority floor leader last Thursday when this emergency existed? Where was he last Friday? He not only was not on the floor of the House but he had gone to Philadelphia to attend to more important business. We stayed here in Harrisburg in this very sweltering weather all last week, trying to solve this problem. I hate to see men getting up criticizing the Governor for going out trying to have the political puppets on the other side of the House, from trying to serve Pew, and Joe Grundy, and trying to serve the interests of special privilege. I say to the minority floor leader when he wants to criticize the Governor let him at least be on the floor of the House, when important measures come up about serving the unemployed of this Commonwealth.

QUESTION OF PERSONAL PRIVILEGE

Mr. WITKIN. Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER. The gentleman from Philadelphia will state his question of personal privilege.

Mr. WITKIN. Mr. Speaker and members of the House, in answer to the gentleman from Allegheny, Mr. Weiss, I will place my record for attendance in this House during the past eleven years and the number of sessions that I have missed against any Democratic member of this House. Will you men kindly be gentlemen, if you know how? You are supposed to have intelligence and I will ask you to be gentleman; if it is an effort, try.

Mr. Speaker, I do not mind their disagreeing with me, but I expect courteous treatment and I am going to get it from them. I want to say to the membership of this House that last week by reason of my holding a position in the City of Philadelphia as County Commissioner, it was necessary for me to be in Philadelphia. I, when elected as a County Commissioner, continued to serve in this Legislature and am serving my last term in this Legislature. I did not resign because I did not want to have a special election in my district. The importance of the affairs of two million people rested with me in Philadelphia during the past week. There were matters of grave importance that had to be taken up. I want to say to the gentleman from Allegheny, Mr. Weiss, that while he criticized my actions on three days last week, I was holding conferences with the officials in the City of Philadelphia, with the Mayor of the City of Philadelphia, in an endeavor—

I know he was here, but I want to say to you that I was still in conference with the Mayor of Philadelphia, I was in conference with officials who were acting on his behalf, in an endeavor to see what could be done by the Philadelphia authorities.

I also want to say to the membership of this House that I realize that being up here would not have done a particle of good because I knew that you were acting under the lash, under the whip of the Democratic whip of Governor Earle. I knew that you were going to oppose the $3,000,000 transfer for relief, I knew that you had opposed it. I am not the only member on the Republican side of the House that is able to answer questions on behalf of the Republican party, and despite my absence every effort was made by the Republican minority on this side of the House to you to provide for unemployment relief for last week. You have failed to do it, and if the people of Pennsylvania who are recipients of relief.

POINT OF ORDER

Mr. JAMES W. PATTERSON. Mr. Speaker, I rise to a point of order.

The SPEAKER. The gentleman from Allegheny will state his point of order.

Mr. JAMES W. PATTERSON. Mr. Speaker, the gentleman is not speaking under a question of personal privilege.

Mr. WITKIN. I am, Mr. Speaker.

The SPEAKER. The gentleman will confine his remarks to matters pertaining to himself and not discuss pending questions before the House.

Mr. WITKIN. I also want to say to the gentleman from Allegheny, Mr. Weiss, Mr. Speaker and members of the House, that nobody has argued—and I refer to the Legislative record—for stopping starvation in the State of Pennsylvania more than did the Republican minority of this House, and the gentleman from Allegheny need but refer to the record to find out that we have been for the abolishment of the improper and maladministration of relief and WPA in Pennsylvania.

POINT OF ORDER

Mr. JAMES W. PATTERSON. Mr. Speaker, I arise to a point of order.

The SPEAKER. The gentleman from Allegheny will state his point of order.

Mr. JAMES W. PATTERSON. Mr. Speaker, I renew my previous point of order. The gentleman is not talking under a question of personal privilege, and I ask the Chair to rule on the point of order.

The SPEAKER. The point of order is well taken. The gentleman shall discuss only matters pertaining to

himself and not discuss the administration of relief under a question of personal privilege.

Mr. WITKIN. Mr. Speaker, I also want to say to the gentleman from Allegheny that his endeavor to excuse starvation in the State of Pennsylvania by attacking my being absent three days last week, that his endeavor to say that that is a justification for stopping relief in the State of Pennsylvania during the past week and this week—

POINT OF ORDER

Mr. JAMES W. PATTERSON. Mr. Speaker, I arise to a point of order.

The SPEAKER. The gentleman from Allegheny, Mr. Patterson, will state his point of order.

Mr. JAMES W. PATTERSCN. Mr. Speaker, I renew my point or order, and I ask the Chair to use its discretionary power to stop the gentleman from Philadelphia when he strays away from his question of personal privilege. I do not intend to interrupt him at every sentence.

The SPEAKER. If the gentleman wishes to continue under the question of personal privilege on this floor he must confine his remarks to matters pertaining to himself and not discuss pending questions, otherwise it will be necessary for the Chair not to grant him the right of personal privilege.

QUESTION OF PARLIAMENTARY INQUIRY

Mr. WITKIN. Mr. Speaker, I arise to a question of parliamentary inquiry.

The SPEAKER. The gentleman from Philadelphia will state his question of parliamentary inquiry.

Mr. WITKIN. Mr. Speaker, do I not have the right under the question of personal privilege, in answering an attack upon me to allude to others, particularly another member of this House, who has attacked by integrity?

The SPEAKER. The Chair feels that the gentleman does have the right, when he has been attacked on the floor of this House, to defend himself, but under a question of personal privilege he cannot discuss matters before this House and make general statements.

Mr. WITKIN. Mr. Speaker, do I not have the right to allude to the motive that prompted and motivated the person who made the attack, particularly if he be a member of the House? Do I have the right to allude to him or do I not?

The SPEAKER. The Chair feels that the gentleman does have that privilege.

Mr. WITKIN. Then I will do it. Mr. Speaker and members of the House, I say to the gentleman from Allegheny, Mr. Weiss, that his endeavor to defend the action of this House, and particularly the Democratic majority of this House, from causing a stoppage of relief during the past week and a half, by making an excuse and a feeble excuse, by saying that the Republican minority floor leader was absent three days last week is a vain and foolish attempt so to do. It is not made in sincerity, but it is merely made in an attempt to indicate to the House that that is a justification for the action of the Democratic majority. I say that if every member of the Republican party were absent it would be no excuse for the Democratic majority who have control of this House, to have caused starvation in Pennsylvania during the past week and a half.

POINT OF ORDER

Mr. JAMES W. PATTERSON. Mr. Speaker, I arise to a point of order.

The SPEAKER. The gentleman from Allegheny will state his point of order.

Mr. JAMES W. PATTERSON. Mr. Speaker, I renew my point of order. I feel that the gentleman is abusing the privilege that he has in speaking on a question of personal privilege.

The SPEAKER. The gentleman has finished his remarks

STATEMENT BY MR. ANDREWS

Mr. ANDREWS asked and obtained unanimous consent to make the following statement:

Mr. Speaker, I desire to make a five word statement. We accept the gentleman's apology.

STATEMENT BY MR. DENT

Mr. DENT asked and obtained unanimous consent to make the following statement:

Mr. Speaker and members of the House, we are very much like a small football team, where they have a National hero in one of the back yards. After the rest of us have carried the ball all the way up to the goal line, we find someone who wants to punch it over for the glory. It seems to me that common sense ought to indicate the feelings in this particular crisis. In order to pay relief you must have money, in order to have money you must raise taxes. I defend my position, as well as that of my Democratic colleagues, because they all did have the courage to place the taxes where they thought they could be paid in order that the people of Pennsylvania could feed. We also delayed for a week in order that the State Senate could see that they too must take a stand and pass taxes, otherwise we have been here another three or four months, listening to a fight every Monday night on some resolution to transfer funds. Last night we heard one of the members refer to an inscription on the wall, which said, "And ye shall know the truth and the truth shall set you free." While that is a very appropriate inscription, I think that if the Good Lord above us would look in upon this Assembly and was listening to the speakers that I have been listening to, the only inscription that I could quote as to the way I feel about it, and I think the good Lord would feel the same, would be, "Jesus wept."

ANNOUNCEMENTS BY THE CLERK

Buses to carry the Unemployed Council and the unemployed back to their homes are now awaiting in the front of the Capitol ready to go.

RESOLUTIONS INTRODUCED AND REFERRED

By Mr. WICKERSHAM.

(Concurrent) RESOLUTION No. 43.

In the House of Representatives, July 13, 1936.

Resolved, (if the Senate concur), That the General Assembly hereby authorizes the Governor and the fiscal officers of the Commonwealth to transfer to the General Fund from the State Stores Fund, the sum of $1,500,000 for the purposes of making the same available for expenditure by the State Emergency Relief Board for unemployment relief purposes.

Resolved, That the General Assembly hereby pledges

that it will pass at this Session of the General Assembly appropriate legislation—(1) ratifying, validating and confirming the action of the Governor and the fiscal officers in making the transfer authorized by this resolution; (2) appropriating to the State Emergency Relief Board for unemployment relief purposes the sum of $1,500,000; and (3) authorizing the State to issue and sell tax anticipation notes not in excess of the amount of the estimates of the uncollected tax imposed on Liquors by the Act of June 9, 1936, Act No. , in order to make available moneys to repay the sum so transferred, said notes and the interest thereon to be redeemable from said tax when collected.

Referred to the Committee on Rules.

By Mr. FITCH. (Concurrent) RESOLUTION No. 44.

In the House of Representative, July 13, 1936.

Whereas, There has been launched a drive to unionize the steel employes of the United States; and

Whereas, Many steel employes are employed in the steel plants located within the Commonwealth of Pennsylvania; and

Whereas, The public of the Commonwealth of Pennsylvania have an interest in the safety and well being of all of its citizens including those employed in the steel industry; and

Whereas, Those in authority of the Commonwealth of Pennsylvania have declared that the civil rights, liberties and freedom of the employes will be as vigorously protected as has been property interests heretofore so that there shall be no undue advantages taken by one side over the other in the unionization plans; and

Whereas, under the broad and sweeping liberties and freedom of America, it has always been regarded as elementary, that employers and employes possessed the right to form their own respective organization for their mutual and individual advantage; and

Whereas, The steel industry itself organized all the steel employers into the American Iron & Steel Institute an dthis was done for the employer's own advantage and without interference from the employes; and

Whereas, It is equally important to the employes of the steel industry to organize themselves into their own form of unionization without interference from the employers; and

Whereas, It is equally important to the employes of the steel industry to organize themselves int otheir own form of unionization without interference from the employers; and

Whereas, So that no one would have any further doubts on the right of employes to unionize, the Congress of the United States in 1935 passed the "National Labor Relations Act", sometimes referred to as the "Wagner Labor Act"; therefore, be it

Resolved, (if the Senate concur), That the General Assembly of the Commonwealth of Pennsylvania request the directors and officers of the American Iron and Steel Institute and the officers of the individual corporations engaged in the steel industry in Pennsylvania to read sections seven and eight of the National Labor Relations Act, Public Law No. 198, 74th Congress; and, be it further

Resolved, That for the convenience of the aforesaid persons, sections seven and eight of the aforesaid act are as follows:

"Employes shall have the right to self-organization, to form, join, or assist labor organizations, to bargain collectively through representatives of their own choosing, and to engage in concerted activities, for the purpose of collective bargaining or other mutual aid or protection.

"It shall be an unfair labor practice for an employer—

(1) To interfere with, restrain, or coerce employees in the exercise of the rights guaranteed in section 157 of this title.

(2) To dominate or interfere with the formation or administration of any labor organization or contribute financial or other support to it: Provided, That subject to rules and regulations made and published by the Board pursuant to section 156 of this title, an employer shall not be prohibited from permitting employes to confer with him during working hours without loss of time or pay.

(3) By discriminating in regard to hire or tenure of employment or any term or condition of employment to encourage or discourage membership in any labor organization: Provided, That nothing in this chapter, or in sections 701 to 712 of Title 15, or in any code or agreement approved or prescribed thereunder, or in any other statute of the United States, shall preclude an employer from making an agreement with a labor organization (not established, maintained, or assisted by any action defined in this chapter as an unfair labor practice) to require as a condition of employment membership therein, if such labor organization is the representative of the employes as provided in section 159 (a) of this title, in the appropriate collective bargaining unit covered by such agreement when made.

(4) To discharge or otherwise discriminate against an employe because he has filed charges or given testimony under this chapter.

(5) To refuse to bargain collectively with the representatives of his employes, subject to the provisions of section 159 (a) of this title."

(July 5, 1935, c. 372, Secs. 7 and 8, 49 Stat. 452.); and be it further

Resolved, That a copy of this resolution be sent to each of the officers of the American Iron & Steel Institute and to the president of each of the following corporations exercising the privilege of doing business in Pennsylvania:

Jones & Laughlin Steel Co., Pittsburgh, Pa.
Carnegie Steel Co., Pittsburgh, Pa.
Republic Steel Co., Pittsburgh, Pa.
Bethlehem Steel Co., Bethlehem, Pa.
Crucible Steel Co. of America, 405 Lexington Ave., New York City.
Pressed Steel Car Co., Pittsburgh, Pa.
McClintic Marshall Corp., Bethlehem, Pa.
Allegheny teel Co., Pittsburgh, Pa.
National Tube Co., Pittsburgh, Pa.

Referred to the Committee on Rules.

RESOLUTION

RECALLING HOUSE BILL No. 91 FROM THE GOVERNOR

Mr. WEISS offered the following resolution which was twice read, considered and adopted:

In the House of Representatives, July 14, 1936.

Resolved (if the Senate concur), That House Bill No. 91, Printer's No. 124, entitled "An act making an appropriation to the Department of Forests and Waters for the purpose of building and constructing new dikes levees and river bank protections along the Delaware River at Morrisville Borough, Bucks County" be recalled from the Governor for further consideration.

Ordered, That the Clerk present the same to the Senate for concurrence.

SENATE MESSAGE

RESOLUTION CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives, as follows:

In the House of Representatives, July 13, 1936.

On Tuesday afternoon of last week the members of the General Assembly were thrilled and delighted by the display of horsemanship and other feats of agility on the part of members of the Pennsylvania State Police, at a

rodeo and entertainment given by the State Police at its barracks at Hershey; therefore be it

Resolved (if the Senate concur), That the General Assembly, in appreciation of the splendid showing and pleasing entertainment of the State Police on this occasion, take this opportunity to thank the Pennsylvania State Police, and in particular the participants in the rodeo and their commanding officers for a most enjoyable and enlightening afternoon; and be it further

Resolved, That the Chief Clerk of the House of Representatives be instructed to forward copies of these resolutions to the Superintendent of the Pennsylvania State Police and to the officer in command at the Barracks at Hershey.

ANNOUNCEMENT

The SPEAKER. The Chair wishes to make an announcement and to correct an announcement made by the Reading Clerk: We have information at the desk that buses were to leave from in front of the capital immediately. That announcement was in error and a further announcement will come from Mr. Spencer the leader of the unemployed.

PETITION REFERRED

The SPEAKER referred the petition to investigate the judicial conduct of Judge B. C. Atlee to the Committee on Judiciary General.

ANNOUNCEMENTS

The Hon. S. Davis Wilson, Mayor of Philadelphia, invites all the members of the General Assembly to attend a conference today at 3:00 p. m. at the Penn-Harris Hotel where the entire relief question in Pennsylvania will be impartially discussed by representatives of business, fraternal, charitable and labor organizations. Your attendance is earnestly requested.

COMMITTEE MEETINGS

The Committee on Constitutional Amendments will meet immediately after this session in the Conference Room.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chairman of the Appropriations Committee wishes to have announced that a meeting of the Appropriations Committee will be held immediately after this House recesses, and asks the House for the use of this hall. He invites all members to be present at this hearing, which is for the purpose of hearing representatives of the unemployed.

INFORMAL SESSION

Mr. HOOPES. Mr. Speaker, I would like to state that the representatives of the unemployed have asked that the hearing be held before the House as a whole and the Senate. I understand that there are technical reasons why the House does not wish to set a precedent in having a hearing before the entire House. However, that procedure has been followed on a number of occasions in this House, and as it is urgently requested by the representatives of the unemployed that the hearing be held before the entire House rather than before a committee of the House, I therefore move that this House now hold an informal session for a period of thirty minutes for the purpose of hearing three representatives of the unemployed.

On the question,

Will the House agree to the motion?

Mr. WITKIN. Mr. Speaker and members of the House, I ask my Republican colleagues to vote in favor of the motion.

QUESTION OF PARLIAMENTARY INQUIRY

Mr. ANDREWS. Mr. Speaker, I arise to a question of parliamentary inquiry.

The SPEAKER. The gentleman will state his question of parliamentary inquiry.

Mr. ANDREWS. Will the House be in regular session?

The SPEAKER. The House will not be in regular session. It will be in recess.

On the question recurring,

Will the House agree to the motion?

It was agreed to.

RECESS

The SPEAKER. If there are no objections the Chair is about to declare a recess until 3:30 P. M. Are there objections? The Chair hears none, and declares a recess until 3:30 P. M.

AFTER RECESS

The House reconvened at 3:30 p. m.

The SPEAKER (Roy E. Furman) in the Chair.

BILLS SIGNED BY THE SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

HOUSE BILL No. 153.

An Act making an appropriation to the State Emergency Relief Board for direct relief, work relief, and expenses, defining the purposes for which such moneys may be expended, and prescribing the powers and duties of the State Emergency Relief Board and certain State Departments, and ratifying, confirming and validating the action of the Governor and the fiscal officers in making moneys available for unemployment relief prior to the adoption of this act.

HOUSE BILL No. 154.

An Act ratifying, confirming and validating the transfer of money from the Liquid Fuels Tax Fund and the Liquor License Fund providing for additional transfers from the Liquid Fuels Tax Fund and the State Stores Fund to the General Fund and providing for the subsequent return from the General Fund of the transferred money

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

RECESS

The SPEAKER. If there are no objections the Chair is about to declare a recess for fifteen minutes awaiting communications from the Senate. Are there objections? The Chair hears none and declares a recess for fifteen minutes.

AFTER RECESS

The SPEAKER (Roy E. Furman) in the Chair.

The time of recess having expired the House will be in order.

SENATE MESSAGE

RESOLUTION CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, informed

that the Senate has concurred in the resolution from the House of Representatives, as follows:

In the House of Representatives, July 14, 1936.

Resolved (if the Senate concur), That House Bill No. 91, Printer's No. 124, entitled "An act making an appropriation to the Department of Forests and Waters for the purpose of building and constructing new dikes levees and river bank protections along the Delaware River at Morrisville Borough Bucks County" be recalled from the Governor for further consideration.

SENATE MESSAGE

TIME OF NEXT MEETING

The Clerk of the Senate being introduced presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, July 14, 1936.

Resolved (if the House of Representatives concur), That when the Senate adjourns this week it reconvene on Monday evening, July 20th, at 9 o'clock, Eastern Standard Time, and when the House of Representatives adjourns this week it reconvene of Monday evening, July 20th, at 9 o'clock, Eastern Standard Time.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

AMENDED HOUSE BILL RECALLED FROM THE GOVERNOR CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 109.

An Act to authorize and empower municipalities and townships separately or jointly to provide for protection against floods by erecting and constructing certain works and improvements located within or without their territorial limits and within or without the county in which situate and to expend moneys and incur indebtedness to assess benefits against property benefited to issue improvement bonds imposing no municipal liability and to acquire take injure or destroy property for such purposes

Said bill having been recalled from the Governor for the purpose of amendment, the vote had on final passage and third reading reconsidered in the House and the bill amended, in amendments the Senate has concurred.

BILL INTRODUCED

Mr. COHEN asked and obtained the unanimous consent of the House to introduce a bill the title of which was read as follows:

An Act to amend the act, approved the ninth day of April, one thousand nine hundred twenty-nine (Pamphlet Laws, three hundred forty-three), entitled "An act relating to the finances of the State government; providing for the settlement, assessment, collection, and lien of taxes, bonus, and all other accounts due the Commonwealth, the collection of fees and other money or property due or belonging to the Commonwealth, or any agency thereof, including escheated property and the proceeds of its sale, the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth, and the settlement of claims against the Commonwealth, the resettlement of accounts and appeals to the courts, refunds of moneys erroneously paid to the Commonwealth, auditing the accounts of the Commonwealth, and all agencies thereof, of all public officers collecting moneys payable to the Commonwealth, or any agency thereof, and all receipts of appropriations from the Commonwealth and imposing penalties; affecting every department, board, commission, and officer of the State government, every political subdivision of the State, and certain officers of such subdivisions, every person, association and corporation required to pay, assess, or collect taxes, or to make returns or reports under the laws imposing taxes for State purposes, or to pay license fees or other moneys to the Commonwealth, or any agency thereof, every State depository and every debtor or creditor of the Commonwealth," as amended, by making further provision relative to the settlement, resettlement and collection of certain taxes, and further defining the powers and duties of the Department of Revenue with relation thereto.

The SPEAKER. The bill will be filed with the Clerk under the rules.

BILL ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 155 (Senate Bill No. 8), entitled:

A Joint Resolution proposing an amendment to section one article eighteen of the Constitution of the Commonwealth of Pennsylvania

On the question,

Will the House agree to the bill on third reading?

Mr. PIOLE. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend Section 1 (a) on Page 2, in line 9, by inserting before the word "and," the following: "and in the more populous counties in such additional newspapers as the General Assembly by statute may require"

Amend Section 1 (b) on Page 3, in line 2, by inserting after the syllable "lished," the following: "and in the more populous counties in such additional newspapers as the General Assembly by statute may require"

The SPEAKER. Will the House give unanimous consent to the insertion of the amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

Mr. HOMER S. BROWN. Mr. Speaker, I desire to interrogate the gentleman from Allegheny, Mr. Piole.

The SPEAKER. Will the gentleman from Allegheny permit himself to be interrogated?

Mr. PIOLE. Mr. Speaker, I will.

Mr. HOMER S. BROWN. Mr. Speaker, do I understand that the sense of the amendments offered by the gentleman would change the law so as to give the General Assembly the right to designate in which newspapers the publication should be had of this question of constitutional amendment?

Mr. PIOLE. It does, Mr. Speaker.

Mr. HOMER S. BROWN. Mr. Speaker and members of the House, while I did not have the opportunity to get clearly every word that was offered in these amend-

ments, I am of the opinion that such amendments would constitute so much confusion that we would never be able to agree on newspapers.

As I understand the law, these amendments would be published in newspapers of general circulation. It seems to me that it would be impossible for us here in the General Assembly to be able to designate which newspapers in Luzerne County or in Carbon County or in Allegheny County should carry this particular piece of legislation. I feel further that if these amendments pass, it would certainly be unconstitutional for this General Assembly, in my opinion, could not designate one newspaper to the exclusion of another. For that reason I ask the membership to vote against these amendments.

On the question recurring,

Will the House agree to the amendments?

They were not agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. HOMER S. BROWN. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend Sec. 1, page 2, line 20, by inserting after the word 'thereafter' the following: "but no amendment or amendments shall be submitted oftener than once in five years"

The SPEAKER. Will the House give unanimous consent to the insertion of the amendments at this time? Is there objection?

Mr. WITKIN. Mr. Speaker, I object.

The SPEAKER. The Chair hears objection and unanimous consent is not granted.

RECONSIDERATION OF VOTE

Mr. HOMER S. BROWN. Mr. Speaker, I move that the vote by which the House agreed to transcribe the bill for third reading be reconsidered.

On the question,

Will the House agree to the motion?

The SPEAKER. The Speaker declared the "ayes" appeared to have it.

Whereupon, a division was called for and ninety-one members voting in the affirmative and seventeen in the negative the question was determined in the affirmative and the motion was agreed to.

Mr. HOMER S. BROWN. Mr. Speaker, I move that the vote by which this bill passed second reading be reconsidered.

The motion was agreed to.

Mr. HOMER S. BROWN. Mr. Speaker, I move that the vote by which the House agreed to the title be reconsidered.

The motion was agreed to.

Mr. HOMER S. BROWN. Mr. Speaker, I move that the vote by which the various sections were agreed to be reconsidered.

The motion was agreed to.

The first section was read as follows:

Section 1 Be it resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met That the following amendment to the Constitution of the Commonwealth of Pennsylvania be and the same is hereby proposed in accordance with the eighteenth article thereof

That section one article eighteen of the Constitution of Pennsylvania is hereby amended to read as follows

Section 1 (a) Any amendment or amendments to this Constitution may be proposed in the Senate or House of Representatives and if the same shall be agreed to by at least two-thirds of the members elected to each House such proposed amendment or amendments shall be entered on their journals with the yeas and nays taken thereon and the Secretary of the Commonwealth shall cause the same to be published three months before the next general or municipal election in at least two newspapers in every county in which such newspapers shall be published and such proposed amendment or amendments shall be submitted to the qualified electors of the State in such manner and at such time at least three months after being so agreed to by the two Houses as the General Assembly shall prescribe and if such amendment or amendments shall be approved by at least a majority of those voting thereon such amendment or amendments shall become a part of the Constitution

(b) Any amendment or amendments that shall be agreed to by less than two-thirds but by at least a majority of the members elected to each house shall be entered on their journals with the yeas and nays taken thereon and the Secretary of the Commonwealth shall cause the same to be published three months before the next general or municipal election in at least two newspapers in every county in which such newspapers shall be published and if in the next session of the General Assembly such proposed amendment or amendments shall be gareed to by at least a majority of the members elected to each house the Secretary of the Commonwealth shsall cause the same again to be published in the manner aforesaid and such proposed amendment or amendments shall be submitted to the qualified electors of the State in such manner and at such time at least three months after being so agreed to by the two houses as the General Assembly shall prescribe and if such amendment or amendments shall be approved by at least a majority of those voting thereon such amendment or amendments shall become a part of the Constitution

(c) When two or more amendments shall be submitted they shall be voted upon separately

On the question,

Will the House agree to the section?

Mr. PIOLE. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend section 1, (a) on Page 2, in line 9, by inserting after the syllable "lished", the following: "and in the more populous counties in such additional newspapers as the General Assembly by statute may require"

Amend Section 1 (b) on page 3, in line 2, by inserting after the syllabls "lished", the following: "and in the more populous counties in such additional newspapers as the General Assembly by statute may require"

On the question,

Will the House agree to the amendments?

They were agreed to,

On the question,

Will the House agree to the section as amended?

It was agreed to.

The title was read and agreed to as follows:

A Joint Resolution proposing an amendment to section one article eighteen of the Constitution of the Commonwealth of Pennsylvania

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. CHERVENAK asked and obtained permission to hold a meeting of the Committee on Constitutional Amendments during the session of the House.

LEAVE TO PRINT

Mr. TURNER. I have a statement here that I would like to make, Mr. Speaker, but I do not want to take the time of the House to read it, and, therefore, ask that it be extended on the Journal.

(Editorial from the "Oil City Derrick," issue of July 13, 1936)

"Resisting all the pressure of the Earle Administration—resisting all the pressure that even the Roosevelt Administration can supply—the Republican majority in the Senate has stood adamant for the interests of the taxpayers. The Senate merits the thanks of every taxpayer in the State.

"Governor Earle called this Special Session to provide funds for carrying on State relief until the Regular Session next January.

"According to the State's own figures there are 173,000 families on relief. Why there should be any families on relief in view of the claims of the New Dealers that "Happy Days Are Here Again" is something else, but we have no desire to press this point.

"At the rate of $30 per family per month—and this is generous according to the existing standards—this would mean $5,190,000 per month to take care of these 173,000 families. For the months of July, August, September. October, November, December and January—seven months—this would mean a total of $36,330,000.

"This agrees with the State's own figures. Direct relief payments have been running an average of $1,200,000 a week. The last week for which we have the exact figures is that of June 27th, and the amount was $1,220,029.21.

"The Republican Senate has agreed to an allowance of $35,000,000 for the seven months until the Legislature meets in January. It has agreed to meet all the relief demands at the State's own figures. But it is not willing to place in the hands of the State Relief Administration, dominated by Governor Earle, upward of $20,000,000 more than the amount absolutely required. With business improving and employment gaining there is every reason to believe that the relief demands will decrease during the remainder of the year. The Senate thinks it is time to give the taxpayers a break.

"When Governor Earle called the special session he demanded $80,000,000. Under pressure of the Republican Senate he has reduced this demand to $55,000,000.

"What did Governor Earle propose to do with the excess of $45,000,000 which he demanded when he called the Legislature into Special Session, or what does he propose to do with the excess of $20,000,000 which he is demanding now? There is only one conjecture. The Democratic machine in this State wants to play Santa Claus for the duration of this campaign.

"The Republican Senate has no millions of public funds with which to hire high-power press agents and ghost writers. With the aid of carefully cultivated mouthpieces Governor Earle is afforded the opportunity of making daily broadcasts through Republican newspapers which should know better. Here is a typical excerpt from an item sent out by one of the press associations on Saturday:

> Shenandoah, Pa.—With State relief funds for Pennsylvania's 600,000 needy completely shut off, Gov. George H. Earle today holds the Republican Senate responsible for the Commonwealth standing 'disgraced before civilized people.'
>
> Carrying his battle against the Senate's "relief blockade" into the hard coal country, the chief-executive in an address before several thousand declared: "Pennsylvania has gone back to stark, primitive barbarism. Public health is endangered; public confidence in government is shaken; public security is threatened; public opinion is outraged.
>
> "Responsibility for this frightful state of affairs rests squarely upon the shoulders of the Republican majority in the State Senate. They have given lip service to relief, and at the same time they have been crucifying the needy unemployed by refusing to vote for relief taxes."

"Responsibility for 'this frightful state of affairs' (if there be any such state of affairs) rests squarely on the shoulders of Governor Earle himself. Let him scale his demands down to the actual needs. Let him have some regard for those taxpayers whose incomes are not in tax-exempt bonds. Let him stop playing the role of the demagogue.

"The issue here is not between the Senate and the needy, as the Governor would have us believe, but between the Governor and the taxpayers. But the Senate and the taxpayers need no defense from the assaults of Pennsylvania's No. 1 political blatherskite."

The SPEAKER. The statement of the gentleman will be printed in the Legislative Journal.

RESOLUTION

CONGRATULATING MEMBER OF OLYMPIC WOMEN'S SWIMMING TEAM

Mr. HARKINS asked and obtained the unanimous consent of the House to offer the following resolution which was twice read, considered and adopted:

In the House of Representatives, July 14, 1936.

Whereas, Lenore Kight Wingard of the Borough of Homestead has by consistent application, steady training and diligent effort so developed and perfected her swimming ability as to consistently win high honors for herself, her coach, Jack Scarry, of the Carnegie Library Club of Homestead, for her fellow team mates of that club, for her community of Homestead and for her State of Pennsylvania; and

Whereas, The said Lenore Kight Wingard is as highly regarded by those who know her for her character, personality and graciousness as for her swimming prowess; and

Whereas, Lenore Kight Wingard has qualified as a member of the Women's Swimming Team to represent the United States at the 1936 Olympic games in Berlin as a competitor in the 400 meter free style contest; and

Whereas, Much of the credit for the success of Lenore Knight Wingard is due to the untiring effort and to the faithful coaching and instruction of Jack Scarry who has developed and coached Josephine McKim, Sue Laird, Lenore Kight, Anna Mae Gorman and Johanna Gorman, all prior Olympic stars and all natives of this State, and such other well known women swimmers as Miss Mary Barnes, Miss Louise Clark and Miss Mary Fagan; and

Whereas, Credit is due to the competition furnished to Lenore Kight Wingard by her team-mates; now therefore be it

Resolved, That the House of Representatives of the Commonwealth of Pennsylvania, in Special Session assembled, to pause on this hot July weather for the following purposes:

1. To congratulate Lenore Kight Wingard upon her success in again becoming a member of the Women's Olympic Swimming Team of the United States.

2. To congratulate Jack Scarry, coach of the Carnegie Library Swimming Club of Homestead, upon the success of his pupil, Lenore Kight Wingard, and upon the success of his other pupils Josephine McKim, Sue Laird, Anna Mae Gorman, Johanna Gorman, Louise Clark, Mary Barnes and Mary Fagan, and also upon the success of his many other pupils some of whom in future years will doubtless be Olympic competitors.

3. To congratulate all members of the Carnegie Library Club of Homestead not mentioned above for their assistance, cooperation and encouragement to their Coach Jack

Scarry and to their successful team-mate Lenore Kight Wingard.

4. To wish Lenore Kight Wingard Godspeed and good fortune in her quest for greater swimming honors for her community, State and for the United States of America, and to express the wish to her that she may have a safe journey and return to her native State of Pennsylvania as an Olympic champion.

5. To instruct the Chief Clerk of the House of Representatives to send a copy of this resolution to Jack Scarry, Lenore Kight Wingard, Josephine McKim, Mr. and Mrs. Laird (parents of Sue Laird now deceased), Louise Clark, Mary Barnes, Mary Fagan, Anna Mae Gorman, Johanna Gorman and to the Carnegie Library Club of Homestead.

COMMUNICATION

The SPEAKER laid before the House the following communication which was read by the Clerk.

CELEBRATIONS

A communication from the State Federation of Pennsylvania Women requesting that celebrations at the closing session of the Legislature be deferred until after adjournment.

Referred to the Committee on Rules.

BILL SIGNED BY THE SPEAKER

Bill numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the title was publicly read as follows:

HOUSE BILL No. 109.

An Act to authorize and empower municipalities and townships separately or jointly to provide for protection against floods by erecting and constructing certain works and improvements located within or without their territorial limits and within or without the county in which situate and to expend moneys and incur indebtedness to assess benefits against property benefited to issue improvement bonds imposing no municipal liability to acquire take injure or destroy property for such purposes

Whereupon, The SPEAKER in the presence of the House signed the same.

REPORTS FROM COMMITTEES

Mr. HOMER S. BROWN, from the Committee on Constitutional Amendments, reported as committed, House Bill No. 51, entitled:

A Joint Resolution proposing an amendment to article nine, section fifteen, of the Constitution of the Commonwealth of Pennsylvania.

Mr. McDERMOTT, from the Committee on Constitutional Amendments, reported as committed, House Bill No. 164 (Senate Bill No. 75), entitled:

A Joint Resolution proposing an amendment to article nine of the Constitution of the Commonwealth of Pennsylvania by adding thereto section one C.

BILLS ON FIRST READING

Mr. HOMER S. BROWN asked and obtained unanimous consent to have the following bill read for the first time.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 51, entitled:

A Joint Resolution proposing an amendment to article nine, section fifteen, of the Constitution of the Commonwealth of Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Mr. McDERMOTT asked and obtained unanimous consent to have the following bill read for the first time.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 164 (Senate Bill No. 75), entitled:

A Joint Resolution proposing an amendment to article nine of the Constitution of the Commonwealth of Pennsylvania by adding thereto section one C.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

STATEMENT BY MR. CANNON

Mr. CANNON asked and obtained unanimous consent to make the following statement:

Mr. Speaker, ladies and gentlemen of this Honorable Body, we may say of laws, as we do say of books, that of their number there is no end to the countless laws that nations, states, political sub-divisions and numberless organizations have made in mankind's history. "The result is no one knows the laws. There are too many laws, too many false Gods, too much greed."

The foregoing twenty words just spoken were delivered at a commencement address before the graduates of a university, at which time the same orator stated that Congress and the State Legislatures enact about one-fourth of the legislation proposed into law. While such has been noted, may I add that there were no remarks to the effect that much of this legislation is in the form of appropriation bills by which universities seek State aid. Amidst such legislation we can find requests for vast sums of moneys, running into millions of dollars, right here in this Commonwealth made by the same university which this orator represents in the capacity of president.

Ladies and gentlemen of this General Assembly, in the past few years it has been noticeable that the administration of governmental affairs has been under the dominance of men whose ideas have built up new instruments of public power, and we have observed, at the same time, thousands of ambitious men and women reduced to poverty, suffering, and hardships.

Amidst sham battles the needy prevail in a picture so sympathetically presented by the modern educated person who masters such problems of legislation which they profess in terms of security, emergency relief, adding social features as a remedy and panacea for the ills that have become chronic under the conditions.

While we members are now getting into another week, what has been accomplished for the aged, the handicapped, and the unemployed Pennsylvanians who are willing to work were they afforded the opportunity? Under hunmanitarian principles they rightfully deserve an American standard of living to insure domestic happiness.

As a matter of fact whom do we deceive by such activities? None but those who are less fortunate, spoken of as the needy, who seek that aid which only justice can provide.

As a law-making body, having the authority, we can no longer pass up the opportunity granted any General As-

sembly of Representatives, as the Constitution so provides. That is why we are here, and the responsibility rests upon us for the form of government we are now living under, brought about to no small extent as the result of the activities and methods pursued by certain graduates of colleges, universities, etc., and by some rich men, their wives, sons or daughters who cultivate, foster and encourage social ideas and social programs and seek the enactment of social legislation. Subsequently they secure positions as set up by the bureaucracy taking advantage of any and all opportunity in the functioning of our governmental affairs for their own selfish interests which acts as a detriment to the poor of any Commonwealth, and causing further hardships from the effect of these social features contained in legislation sponsored by modern educated persons whose compensation, by employment, provides wages or salaries under the prevailing conditions.

Ladies and gentlemen, to use a quotation, money as a medium of exchange and the right use of money is necessary to sustain human life and to carry on the same. Furthermore, employment is just as essential for all, for the higher self-development of the wage earner as well as political drones and the wealthy with their so-called social problems urged as necessary legislation.

We are here to aid the poor and the needy in their distress. Justice, therefore, demands that we develop that part which the State should play in their behalf so that existence may be less difficult and more endurable for the poor.

By no means, the fact that persons on relief may have loans from finance corporations should not be used as an argument by employes of any relief or welfare agency against the granting of relief to them. The fact that persons on relief had insurance policies covering burial expenses should likewise not be used as an argument against granting them relief.

God having granted the fruits of the universe to mankind in general, each person, therefore, is entitled to his daily supply, which should never fail in accordance with his needs. Moreover, this Commonwealth, as a part of the earth, though divided among private owners, must not, therefore, cease to administer to the needs of all. Therefore should we resolve that no one shall die for lack of that to which he is entitled, and having received today, so should be receive tomorrow.

We must accept as the first duty of the State the obligation to make laws such as shall provide for the public well being rather than political advantage. This is the proper office of wise statesmanship, especially in a representative form of government such as ours. The greater the consideration that is given by legislation to the needs of the working population, the less will be the need for charity and relief. Following such a course consistently will prevent hardship, turmoil and distress. Realizing the momentous seriousness of the present condition, we as wise men should solve this problem. There is nothing that has a deeper hold on the attention of the public, and the voter who seeks a better form of government demands proper and wise legislation to this end, instead of sham battles, which ignore the human misery involved, such as prevail under Brain Trust ideas.

So now, members of the General Assembly, you have now arrived at the bridge in this crisis, where the two branches of the legislature must meet the situation and prevent such a catastrophy as seems very likely to occur. Therefore, as a duty, this administration must function by methods that will avoid such deplorable conditions as now exist. Humanity comes first, not the political drone.

COMMUNICATIONS FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency, the Governor, which was read as follows:

APPROVAL OF HOUSE BILL No. 153

Commonwealth of Pennsylvania,
Governors Office, Harrisburg, July 14, 1936.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 153, Printer's No. 176, entitled, "An Act making an appropriation to the State Emergency Relief Board for direct relief work relief and expenses defining the purposes for which such monies may be expended and prescribing the powers and duties of the State Emergency Relief Board and certain State Departments and ratifying confirming and validating the action of the Governor and the fiscal officers in making monies available for unemployment relief prior to the adoption of this act."

GEORGE H. EARLE.

APPROVAL OF HOUSE BILL No. 154

Commonwealth of Pennsylvania,
Governors Office, Harrisburg, July 14, 1936.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 154, Printer's No. 177, entitled, "An Act ratifying confirming and validating the transfer of money from the Liquid Fuels Tax Fund and the Liquor License Fund providing for additional transfers from the Liquid Fuels Tax Fund and the State Stores Fund to the General Fund and providing for the subsequent return from the General Fund of the transferred money."

GEORGE H. EARLE.

BILL REFERRED

By Mr. COHEN. HOUSE BILL No. 165.

An Act to amend the act, approved the ninth day of April, one thousand nine hundred twenty-nine (Pamphlet Laws, three hundred forty-three), entitled "An act relating to the finances of the State government; providing for the settlement, assessment, collection, and lien of taxes, bonus, and all other accounts due the Commonwealth, the collection of fees and other money or property due or belonging to the Commonwealth or any agency thereof, including escheated property and the proceeds of its sale, the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth, and the settlement of claims against the Commonwealth, the resettlement of accounts and appeals to the courts, refunds of moneys erroneously paid to the Commonwealth, auditing the accounts of the Commonwealth, and all agencies thereof, of all public officers collecting moneys payable to the Commonwealth, or any agency thereof, and all receipts of appropriations from the Commonwealth and imposing penalties; affecting every department, board, commission, and officer of the State government, every political subdivision of the State, and certain officers of such subdivisions, every person, association and corporation required to pay, assess, or collect taxes, or to make returns or reports under the laws imposing taxes for State purposes, or to pay license fees or other moneys to the Commonwealth, or any agency thereof, every State depository and every debtor or creditor of the Commonwealth," as amended, by making further pro-

vision relative to the settlement, resettlement and collection of certain taxes, and further defininig the powers and duties of the Department of Revenue with relation hereto.

Referred to the Committee on Ways and Means.

ANNOUNCEMENTS

COMMITTEE MEETINGS

A meeting of the Judiciary General Committee will be held at 10:45 A. M. tomorrow in Room 325.

There will be a Democratic caucus at 11:00 A. M. tomorrow in the House caucus room.

ADJOURNMENT

Mr. COAKLEY. Mr. Speaker, I move that this House do now adjourn until 12:00 noon tomorrow.

On the question,

Will the House agree to the motion?

Mr. WITKIN. Mr. Speaker, not being facetious, if the Democratic party is going to caucus at 11:00 o'clock, does the gentleman from York, Mr. Cohen, think they are going to be through at 12:00 o'clock. Knowing the topics that are going to be taken up by them, it is my honest belief there is no sense of our again coming here at 12 o'clock and not going into session until 1:00. I bow to the gentleman from York, Mr. Cohen, as to when the time for convening tomorrow should be fixed.

Mr. COHEN. I feel that the Democratic caucus will be able to handle the matters presented before it expeditiously, and that 12:00 o'clock will be plenty of time for us in which to convene the House.

The motion was agreed to, and (at 4:58 P. M.) the House adjourned until Wednesday, July 14, 1936, at 12:00 o'clock noon.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Extraordinary Session of 1936.

Vol. 19. HARRISBURG, PA., WEDNESDAY, JULY 15, 1936. No. 35.

SENATE

WEDNESDAY, July 15, 1936

The Senate met at 12 o'clock noon.

The PRESIDENT (Lieutenant-Governor Thomas Kennedy) in the Chair.

PRAYER

The Chaplain, Rev. William E. Howard, D. D., offered the following prayer:

Experience teaches us, our Father, that to achieve any measure of success in life we must set before us some high ideal. Some hand must beckon us forward and point the upward way to better things. The model prayer of the Man of Galilee, if analyzed and followed, will inspire us to nobler living and better service. This prayer leads us to confess Thee as our Father and to make hallowed Thy name. It leads us to pray and labor for the coming of Thy kingdom and the doing of Thy will on earth as in Heaven. It teaches us that our daily bread comes as a gift from Thy bounty. It confronts us with the fact that Thou canst forgive our debts to Thee only in so far as we forgive the debts of others to us. It fills us with fear of temptation and causes us to fly to Thy side for deliverance from evil. It inspires us to ascribe all power, all glory and all honor in the kingdoms of this world and the world to come to Thee.

This prayer, adopted and applied, will lift us from the sordid low-lands of sin to the high-lands of Christian character. It will bring to speedy settlement the vexing problems confronting the lawmakers of our Commonwealth. Help them and help us all to follow whithersoever this prayer leads. Amen.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. HOMSHER, the further reading was dispensed with, and the Journal was approved.

NOMINATIONS BY THE GOVERNOR

The Secretary to the Governor being introduced, presented communication in writing from His Excellency, the Governor of the Commonwealth, which was read as follows, and referred to the Committee on Executive Nominations:

NOTARIES PUBLIC

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 14, 1936.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

ALLEGHENY COUNTY

Mrs. Stella M. Kaiser, 2008 Union Bank Bldg., Pittsburgh.

MONTGOMERY COUNTY

Ross Saylor, Bridgeport.

PHILADELPHIA COUNTY

Miss K. Averil Dolaway, 1710 Girard Trust Bldg., Phila

SCHUYLKILL COUNTY

Miss Margaret M. Cauley, Pottsville.

GEORGE H. EARLE.

HOUSE MESSAGE

TIME OF NEXT MEETING

The Clerk of the House of Representatives being introduced informed the Senate that the House has concurred in Resolution from the Senate as follows:

In the Senate, July 14, 1936.

Resolved (if the House of Representatives concur), That when the Senate adjourns this week it reconvene on Monday evening July 20, at 9 o'clock Eastern Standard Time, and when the House of Representatives adjourns this week it reconvene on Monday evening, July 20, at 9 o'clock Eastern Standard Time.

COMMUNICATION FROM SECRETARY OF WELFARE

The Chair cleared his table and laid before the Senate the following communication:

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF WELFARE

Harrisburg, July 13, 1936.

Honorable Thomas Kennedy,
Lieutenant Governor, President of Senate,
Commonwealth of Pennsylvania,
The Capitol,
Harrisburg, Pennsylvania.

My dear Mr. President:

Pursuant to the request contained in Senate Resolution Serial Number 33, I herewith submit the following information:

(a) Number of changes of trustees whose terms had

not expired from 1923 to date: 339. The record does not clearly show in all cases what changes are due to dismissal and involuntary resignation or to voluntary resignation. We have therefore included all these changes.

(b) Number of changes of trustees whose terms had not expired during the present administration: 151.

(c) Number of resignations asked during this period. The records of this Department do not indicate the number of resignations asked during this period.

(d) The number of trustees who refuse to resign. The records of this Department do not indicate the number of trustees who refuse to resign.

(e) The number who were removed after their failure to comply with the request to resign. The records of this Department do not indicate the number of trustees who were removed after they refused to resign.

(f) The names of the trustees affected in all these cases. List of 197 names attached hereto.

Respectfully,

JOHN D. PENNINGTON,

Secretary of Welfare.

Enclosure: List of names of members of Boards of Trustees of the Mothers' Assistance Fund, affected in changes (f).

Appel, Mrs. Marion B.

Bachman, Miss Edna A.
Bastress, Mrs. Carrie M.
Beardslee, Miss Verna
Beaver, Mrs. Rellie
Beckler, Mrs. Marie
Beemer, Mrs. Dorothy B.
Beery, Mrs. Elizabeth
Beggs, Mrs. Myrtle
Bingaman, Mrs. Florence E.
Bisbing, Mrs. Mabel
Blue, Miss Rebecca
Bolich, Mrs. Lena F.
Bolls, Mrs. Ethel R.
Bolls, Mrs. Lee A.
Bowlby, Mrs. Eva K.
Bowman, Miss Ella M.
Boyle, Mrs. E. R.
Brady, Mrs. Eva C.
Briggs, Mrs. Mabel A.
Brock, Mrs. Margaret B.
Brown, Mrs. Louise N.
Burdick, Mrs. Fantise R.
Burlingame, Mrs. Estelle M.
Butler, Mrs. Edna M.

Calvin, Mrs. Frances B.
Cameron, Mrs. W. O.
Campbell, Mrs. A. C.
Campbell, Mrs. Mary D.
Carling, Mrs. Ida
Carringer, Mrs. June H.
Chamberlain, Mrs. Florence
Chaflin, Miss Harriet M.
Clarke, Mrs. Mary M.
Cochran, Mrs. Gladys Cook
Codding, Mrs. Anna Hale
Coles, Mrs. Pearl L.
Colgraove, Mrs. Nellie B.
Conaway, Mrs. Mabel B.
Cook, Mrs. Mary C.
Corbett, Mrs. Mary A.
Coy, Mrs. H. Ella
Crain, Mrs. Ruth A.
Crawford, Mrs. Grace W.
Crawford, Mrs. Ruth M.
Crockett, Mrs. Mae H.
Crow, Mrs. Ada C.
Cunningham, Mrs. J. V.
Curren, Mrs. Margaret G.
Curry, Mrs. Laura H.

Davies, Mrs. Jessie P.
Davies, Mrs. Naomi B.
Davis, Miss Ann E.
Deminger, Mrs. Mabel H.
Denny, Miss Mary W.
Dissinger, Mrs. Rena M.
Doverspike, Mrs. Mary B.
Drew, Mrs. Blanche C.
Duff, Mrs. Maude E. K.

Edelman, Mrs. Lucy C.
Enterline, Mrs. Ida

Fasenmeyer, Mrs. G. B.
Feicht, Mrs. Edythe
Fickes, Mrs. May S.
Forringer, Mrs. Mary B.

Galt, Mrs. Virginia T.
Garner, Mrs. Franklin M.
Geary, Mrs. Elanor J. W.
Geary, Mrs. Pauline B.
Gelbach, Mrs. Carrie C.
Gillen, Miss Mattie
Gilmore, Mrs. Lena F.
Glausen, Mrs. Stacy G.
Gold, Mrs. Gertrude S.
Good, Mrs. Marion A.
Gray, Mrs. Linn
Greenwald, Mrs. Matilda C.
Gump, Mrs. H. Frank, Jr.
Guthrie, Mrs. Martha

Haines, Miss Laura C.
Haley, Mrs. Rena S.
Halkyer, Mrs. Celia
Hall, Mrs. Hele Pierce
Hall, Mrs. Vera R.
Hamilton, Mrs. E. C.
Hanlan, Miss Grace
Hartman, Mrs. Edith S.
Hartman, Mrs. Marion V.
Hatrick, Mrs. Elizabeth W.
Hawkey, Mrs. Lizzie B.
Hecker, Mrs. Ethel
Heim, Mrs. E. M.
Hensel, Miss Anna M.
Hogue, Mrs. Gertrude D.
Horne, Mrs. Caroline Q.
Hostetter, Mrs. Agnes S.
Hughes, Mrs. Ella B.
Hunter, Mrs. Grace
Hutchinson, Mrs. R. P.

Irwin, Miss Margaret F.

Jennings, Mrs. I. H.

Keiper, Miss Getrude M.
Kerns, Mrs. Mary A.
Kitchen, Mrs. Flora P.
Knox, Mrs. Theodosia W.
Krall, Mrs. Margaret L.
Kurtz, Mrs. Mary E.
Kyper, Mrs. Mary A.

Larimer, Mrs. Lester
Lehman, Mrs. Amanda
Lehman, Mrs. Flo F.
Lesher, Mrs. Nellie F.
Ley, Mrs. Nell W.
Lloyd, Mrs. Horatio G.
Long, Mrs. Mary E.
Longacre, Mrs. Matilda C.
Lubrecht, Mrs. L. L.

McAnulty, Mrs. Margaret
McClellan, Mrs. Josephine L
McClure, Mrs. Anna B.
McCoy, Miss Anna M.
McGinley, Miss Marcella
McGorvey, Mrs. Sarah R.
McIsaac, Mrs. Mary S.
McMahon, Mrs. Lillian R.
McMicken, Mrs. R. E.
McNitt, Mrs. Mary C.
Mather, Mrs. Mary R.
Merris, Mrs. H. T.
Miller, Mrs. Aula G.
Miller, Miss Carrie A.
Mitchell, Mrs. Richard
Monteith, Mrs. Catherine A.
Montz, Mrs. Laura
Mooney, Mrs. Mary
Murray, Mrs. Mary J.
Muthersbaugh, Miss Jessie G

Nelson, Mrs. Mary B.
Nesson, Mrs. Elizabeth
Nicholson, Mrs. Celia R.

O'Malley, Mrs. Anna B.
Owsley, Mrs. Sadie P.

Palmer, Mrs. Gladys C.
Passmore, Mrs. Christine D.
Penman, Mrs. C. B.
Pepperman, Mrs. A. L.
Perkins, Mrs. Mary A.
Peters, Mrs. Delma Y.
Pfahler, Mrs. Catherine
Polley, Mrs. Cora A.

Raab, Mrs. Ella R.
Raines, Mrs. Sarah S.
Rich, Mrs. Margaret M.
Riggs, Mrs. Catherine W.
Ritter, Mrs. Ella
Rossiter, Mrs. Uriah P.
Ryan, Mrs. Katherine G.
Ryon, Mrs. Effie A.

Sammel, Mrs. Helen R.
Sawtelle, Mrs. Mary M.
Scholl, Miss Marian A.
Seltzer, Mrs. Eloise A.
Selwitz, Mrs. Cordelia
Seyler, Mrs. Estelle
Shaw, Mrs. Harriet G.
Shearer, Mrs. Laura
Shearer, Mrs. Ruth R.
Shotts, Mrs. Stella B.
Shremp, Mrs. Zillah J.
Shreffler, Mrs. Catherine M.
Sloterbeck, Mrs. Lotta
Smith, Mrs. Agnes R. I.
Smith, Mrs. Esta Y.
Snedeker, Mrs. Ada V.
Solomon, Mrs. Amelia A.
Sponsler, Mrs. Mary Alice
Steckel, Mrs. Lillie C.
Sterrett, Mrs. Maude W.
Strang, Miss Gertrude S.
Stuart, Miss Margaret R.
Sweeney, Mrs. John
Sweet, Miss Martha

Taylor, Mrs. Sylva Y.
Thomas, Mrs. Jennie L.
Tierney, Mrs. Mary P.
Townsend, Mrs. E. N.

Walker, Mrs. Minnie
Warfield, Mrs. Bessie G.
Weaver, Mrs. Edith B.
Weiser, Miss Cottie M.
Wendt, Mrs. Helen B.
Whitney, Mrs. H. L.
Withers, Mrs. Flora C.
Wolf, Mrs. Gertrude F.
Wolfe, Mrs. Marguerite J.

Young, Mrs. Evelyn H.

Zeth, Mrs. Blanche H.

Mr. HARRIS. Mr. President, as sponsor of the resolution asking for this information, I desire to say that I do not question the honesty of the report, but I do question the accuracy of the report; and I desire to give notice now that I intend to present a resolution tomorrow asking the Senate to appoint a committee to reconcile the figures that I presented with those that are shown here by the Department of Welfare. I desire to say also that the report lacks information that the Senate desires, and that I hope will be given this Committee.

QUESTION OF PERSONAL PRIVILEGE

Mr. ARON. Mr. President, I rise to a question of personal privilege.

The PRESIDENT. The Senator from Philadelphia, Mr. Aron, will state his question of personal privilege.

Mr. ARON. Mr. President, last Thursday night, His Excellency, Governor Earle, attacked me and the other Republican Senators from Philadelphia in a vile and vi

cious manner, unbecoming his present station in the Commonwealth of Pennsylvania.

I shall not repeat for the sake of decency the many charges he hurled at me because my constituents know them to be false and unfounded.

A mere glance at my record substantiates this. Last week at the very moment that relief stopped and starvation began, where was the Governor? He was at the Bellevue-Stratford feeding on the fat of the land, and where was I. I was right here at my desk voting for $3,000,000 for immediate transfer, so the poor could be fed. I voted for the 10% net corporate Income Tax that would raise $10,000,000 for relief. I voted for the 3 mill tax increase on personal income which would produce $24,000,000 for relief and I stand ready to vote for additional taxes so that every man, woman and child may obtain full and adequate relief.

But that record does not please the Governor because I will not yield to his demands to tax the people of my district so as to provide a political slush fund for the November election. It is not relief money he is after. He has all that is needed but he wants to use the taxpayer's money to provide jobs for the Democrats. I will not be a party to that scheme. The Governor at first demanded $71,000,000 but the Republican Senate reduced that figure to $45,000,000 and it is now agreed by all that $45,000,000 is ample. I would rather see the $26,000,000 in the pockets of our taxpayers than give it to the Governor to build up a huge political machine.

My duty in this Senate is plain. I must keep the taxes down and I must provide adequate relief. That is the keynote of performance during this Extraordinary Session. There is no politics in this. When people are unemployed and hungry I don't ask them whether they are Republican or Democratic before I give them aid and so, while taxing the people you can't tax the Republicans any different than you tax the Democrats. Every man and woman alike must pay their taxes, no matter what party he belongs to. Again I say there is no politics in the selection of taxes to be levied.

Therefore the question recurs, how much money is needed and will the money be used solely for relief. If I permitted this Democratic Administration to tax my constituents and to spend that money for political henchmen, then I would be betraying my people.

Unfortunately the Administration has not met its responsibility. It has failed to provide us with sufficient information for a basis. Four weeks ago I was one of the signers of a letter addressed to His Excellency the Governor asking for information concerning relief. He did not reply. We tried to get information from WPA and we were stopped in Court.

Let it be understood that I stand for simple justice. We are the trustees of all the people of this Commonwealth, ten million souls. We tax the people, we spend their money, and in spending other people's money, we should be more careful than were we spending our own. The taxpayers of Pennsylvania are entitled to that protection. We must know what we are doing in handing out taxpayers money. I am not protecting the rich. I am not neglecting the poor. To me every man is free and equal, be he rich or poor.

At the same time we cannot, we dare not shirk a duty to our neighbor who through no fault of his, is unemployed, has no money and must be provided for. For that person and his family I will sell my last shirt, I will levy taxes from all and any source so as to provide him with full and ample relief.

No man, including Governor Earle, can decry my attitude on this question. The people of my district know it and as long as they continue to trust me, I have no fear from any man.

HOUSE MESSAGE

SENATE BILL NO. 8 RETURNED WITH AMENDMENTS

The Clerk of the House of Representatives being introduced returned to the Senate, Senate Bill No. 8 entitled:

A Joint Resolution proposing an amendment to section one, article eighteen of the Constitution of the Commonwealth of Pennsylvania.

with the information that the House has passed same with amendments, in which the concurrence of the Senate is requested.

Mr. REED. Mr. President, I move that Rule 21, which requires amended bills to be noted on the calendar, be in this case dispensed with, and that the Senate proceed to the consideration of the amendments made by the House of Representatives to the foregoing bill.

Mr. HARVEY. Mr. President, I second the motion.

The motion was agreed to.

Said amendments having been printed as required by the Constitution, were twice read as follows:

Amend section 1, page 1, by striking out at the beginning of line 11 the words "a majority" and inserting in lieu thereof the following: "at least two-thirds"; also line 15 by inserting after the word "next" the following: "general or municipal"; also page 2, line 1, by striking out after the word "published" the following: "and if in the General Assembly next afterwards chosen such proposed amendment or amendments shall be agreed to by a majority of the members elected to each House the Secretary of the Commonwealth shall cause the same again to be published in the manner aforesaid"; also line 11 by inserting after word 'by" the words "at least"; also line 13 by striking out after the word "Constitution" the following: "An amendment or amendments may be submitted at any general or municipal election but no amendment which has been submitted and has failed of approval shall be again submitted within a period of five years thereafter When two or more amendments shall be submitted they shall be voted upon separately"; also by inserting the following after line 19:

"(b) Any amendment or amendments that shall be agreed to by less than two-thirds but by at least a majority of the members elected to each house shall be entered on their journals with the yeas and nays taken thereon and the Secretary of the Commonwealth shall cause the same to be published three months before the next general or municipal election in at least two newspapers in every county in which such newspapers shall be published and if in the next session of the General Assembly such proposed amendment or amendments shall be agreed to by at least a majority of the members elected to each house the Secretary of the Commonwealth shall cause the same again to be published in the manner aforesaid and such proposed amendment or amendments shall be submitted to the qualified electors of the State in such manner and at such time at least three months after being

so agreed to by the two houses as the General Assembly shall prescribe and if such amendment or amendments shall be approved by at least a majority of those voting thereon such amendment or amendments shall become a part of the Constitution

(c) When two or more amendments shall be submitted they shall be voted upon separately"

On the question,

Will the Seante concur in the amendments?

Mr. REED (Dauphin). Mr. President, I ask that the Senate non-concur in the amendments made by the House.

Mr. SHAPIRO. Mr. President, may the Senate be informed as to the nature of the amendments?

Mr. REED (Dauphin). Mr. President, for the information of the Senator from Philadelphia, and of the Senate, the primary change wrought in the proposed constitutional amendment, which relates, as I think you all know, to future amendments, is that when any proposed constitutional amendment shall have been passed by the Senate and the House, by the constitutional majority of two-thirds or more votes, it shall go immediately to the people without action of any subsequent Legislature.

As I read it, they have also restored the provision which the bill, as it passed the Senate, sought to take out, which would speed up amendments under the five-year limitation as prescribed by the Supreme Court.

I would say that the proposed changes defeat entirely the purpose of the bill as it was passed by the Senate, and that the House has inserted amendments to the bill which were rejected by the Committee on Constitutional Changes. Therefore, I ask that the Senate do not concur in the House amendments.

And the question recurring,

Will the Senate agree to the amendments?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—14

Baumer,	McCreesh,	Rankin,	Roberts,
Cavalcante,	McGinnis,	Reed,	Ruth,
Frey,	Miller,	(Washington)	Shapiro,
Harris,	Pytko,	Rice,	

NAYS—31

Aron,	Harvey,	Pierson,	Sones,
Batchelor,	Homsher,	Prince,	Sordoni,
Bean,	Huffman,	Reed,	Staudenmeier,
Buckman,	Lanius,	(Dauphin)	Thompson,
Chapman,	Law,	Rodgers,	(Westmoreland)
Coyne,	Mallery,	Rupp,	Trainer,
Ealy,	McClure,	Salus,	Woodward,
Gelder,	Owlett,	Scott,	Ziesenheim,
Graff,			

Less than a majority of all the Senators having voted "aye" the question was determined in the negative.

Ordered, That the Clerk inform the House of Representatives accordingly.

REPORTS FROM COMMITTEES

Mr. COYNE, from the Committee on Insurance reported as amended, Senate Bill No. 41 (House Bill No. 55), entitled:

An Act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry, and its existing and newly created agencies; requiring employers to pay certain contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons; providing procedure and administrative details for the determination, payment, and collection of such contributions and the payment of such compensation; providing for cooperation with the Federal Government and its agencies; creating certain special funds in the custody of the State Treasurer; and prescribing penalties.

Also from the Committee on Executive Nominations reported with favorable recommendations the following nominations made by His Excellency, the Governor of the Commonwealth:

MEMBER OF THE STATE BOARD OF EXAMINERS FOR REGISTRATION OF NURSES

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 25, 1936.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Edieth Stewart Connell, 443 Berkley Road, Haverford, Montgomery County, for appointment as a member of the State Board of Examiners for the Registration of Nurses (to fill a vacancy), for a term of six years to compute from the date of confirmation, and until her successor is duly appointed and qualified.

GEORGE H. EARLE.

MEMBER OF THE BOARD OF TRUSTEES OF THE MANSFIELD STATE TEACHERS COLLEGE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, June 8, 1936.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following:

Walton B. Geiger, of Williamsport, Lycoming County, for appointment as a member of the Board of Trustees of the Mansfield State Teachers College, vice Edward R. Innes, of Canton, resigned, for a term of four years to compute from the date of confirmation, and until his successor is duly appointed and qualified.

GEORGE H. EARLE.

MEMBERS STATE REGISTRATION BOARD FOR PROFESSIONAL ENGINEERS

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 6, 1936.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following:

C. E. Myers, Lincoln-Liberty Bldg., Philadelphia, Philadelphia County, for appointment as a member of the State Registration Board for Professional Engineers (to fill a vacancy), for the term of six years to compute from the date of confirmation.

John Farris, Empire Bldg., Pittsburgh, Allegheny County, for appointment as a member of the State Registration Board for Professional Engineers (to fill a vacancy), for the term of six years to compute from the date of confirmation.

GEORGE H. EARLE.

NOTARIES PUBLIC

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 13, 1936.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public,

for terms of four years to compute from the date of confirmation:

ALLEGHENY COUNTY

Daniel A. Moritz, McKeesport.

DELAWARE COUNTY

Howard M. Kerry, Media.

LEHIGH COUNTY

Harold R. Fatzinger, Allentown.

GEORGE H. EARLE.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 14, 1936.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

ALLEGHENY COUNTY

Miss Sara Doole, Chamber of Commerce Bldg., Pittsburgh.

Adolph Hirsch, 535 Fifth Ave., Pittsburgh.

BERKS COUNTY

Howard M. Loose, Dauberville.

CAMBRIA COUNTY

Mrs. Lillian C. Hassell, Johnstown.

PHILADELPHIA COUNTY

J. Thompson Schell, 1228 Ridge Ave., Philadelphia.

WYOMING COUNTY

Leon Kromelbein, Tunkhannock.

GEORGE H. EARLE.

ALDERMAN

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 14, 1936.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Dorothy M. Goldstein, of 5562 Hobart Street, E. E. Pittsburgh, Allegheny County, for appointment as Alderman in the Fourteenth Ward of the City of Pittsburgh, Allegheny County, vice Sol S. Goldstein, deceased, until the first Monday in January, 1938.

GEORGE H. EARLE.

EXECUTIVE SESSION

By unanimous consent,

A motion was made by Mr. SONES

That Rule 38, which requires nominations made by the Governor, to lie on the table one day be dispensed with, and the Senate do now resolve itself into Executive Session, for the purpose of acting upon the foregoing nominations.

Which was agreed to.

Whereupon,

A motion was made by Mr. SONES

That the Senate do advise and consent to the nominations reported.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—47

Aron,	Harvey,	Prince,	Scott,
Batchelor,	Homsher,	Pytko,	Shapiro,
Baumer,	Huffman,	Rankin,	Sones,
Bean,	Kahle,	Reed,	Sordoni,
Buckman,	Lanius,	(Dauphin)	Staudenmeier,
Cavalcante,	Law,	Reed,	Thompson,
Chapman,	Mallery,	(Washington)	(Centre)
Coyne,	McClure,	Rice,	Thompson,
Ealy,	McCreesh,	Roberts,	(Westmoreland)
Frey,	McGinnis,	Rodgers,	Trainer,
Gelder,	Miller,	Rupp,	Woodward,
Graff,	Owlett,	Ruth,	Ziesenheim,
Harris,	Pierson,	Salus,	

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

Mr. SONES. Mr. President, I move that the Executive Session do now rise.

Mr. RICE. Mr. President, I second the motion.

The motion was agreed to.

RESOLUTION EXTENDING CONGRATULATIONS TO MR. E. J. LYNETT, SR.

Mr. THOMPSON (Centre) offered the following resolution, which was twice read, considered and agreed to.

In the Senate, July 15, 1936.

Whereas, E. J. Lynett, Sr., publisher of the Scranton Times, Scranton, Pennsylvania, celebrates today his eightieth birthday, and

Whereas, Mr. Lynett for many years has been an eminent leader in the journalistic profession in the Commonwealth of Pennsylvania, and

Whereas, Mr. Lynett's career has always been marked by courageous liberalism in every phase of his public activity, and

Whereas, He has been a distinguished citizen and leader in his home community, now therefore be it

Resolved, That the Senate of Pennsylvania congratulates his public spirited publisher and patriotic citizen upon this occasion, and be it further

Resolved, That a copy of this resolution be submitted to the said Mr. Lynett in token of the esteem in which he is held by the members of the Senate of Pennsylvania.

RECESS

Mr. BUCKMAN. Mr. President, in order that the Committee on Finance may hold another important meeting, I move that the Senate do now take a recess until 3 o'clock this afternoon.

Mr. WOODWARD. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS

The PRESIDENT. The time of recess having elapsed the Senate will be in order.

SENATE INSISTS UPON ITS NON-CONCURRENCE IN AMENDMENTS MADE BY THE HOUSE TO SENATE BILL NO. 8 AND APPOINTS COMMITTEE OF CONFERENCE

Mr. REED (Dauphin). Mr. President, I move that the Senate insist upon its non-concurrence in the amendments made by the House to the foregoing bill, and that a Committee of Conference be appointed to confer with a similar committee of the House (if the House shall ap-

point such committee) to consider the differences existing between the two Houses in relation to said bill.

Mr. LAW. Mr. President, I second the motion.

The motion was agreed to.

Ordered, That Mr. Reed (Dauphin), Mr. Thompson (Westmoreland) and Mr. Law be said Committee on the part of the Senate, and that the Clerk inform the House of Representatives accordingly.

ADJOURNMENT

Mr. HUFFMAN. Mr. President, I move that the Senate do now adjourn until tomorrow morning at 10:00 o'clock.

Mr. ROBERTS. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were required by Mr. BUCKMAN and Mr. McCLURE and were as follows, viz:

YEAS—15

Baumer,	Kahle,	Miller,	Roberts,
Cavalcante,	Law,	Pytko,	Rodgers,
Frey,	McCreesh,	Rankin,	Rupp,
Huffman,	McGinnis,	Rice,	

NAYS—24

Aron,	Gelder,	Reed,	Staudenmeier,
Batchelor,	Graff,	(Dauphin)	Thompson,
Bean,	Harvey,	Reed,	(Westmoreland)
Buckman,	Homsher,	(Washington)	Trainer,
Chapman,	Mallery,	Ruth,	Woodward,
Coyne,	McClure,	Salus,	Ziesenheim,
Ealy,	Pierson,	Scott,	

Present and not voting: Harris.

So the question was determined in the negative.

MOTION TO READ BILL THE FIRST TIME

Mr. BUCKMAN. Mr. President, I move that the bill reported from committee at today's session be read the first time.

Mr. HUFFMAN. Mr. President, I second the motion.

The motion was agreed to.

BILL ON FIRST READING

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 41 (House Bill No. 55), entitled:

An Act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies requiring employers to pay certain contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons providing procedure and administrative details for the determination payment and collection of such contributions and the payment of such compensation providing for cooperation with the Federal Government and its agencies creating certain special funds in the custody of the State Treasurer and prescribing penalties

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

ACTION ON CALENDAR DEFERRED

Mr. BUCKMAN. Mr. President, I move that action on all bills on today's calendar be deferred until tomorrow morning.

Mr. HUFFMAN. Mr. President, I second the motion.

The motion was agreed to.

ADJOURNMENT

Mr. BUCKMAN. Mr. President, I move that the Senate do now adjourn until tomorrow morning at 10 o'clock.

Mr. HUFFMAN. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 7:13 P. M. until tomorrow morning, July 16, 1936, at 10 o'clock.

HOUSE OF REPRESENTATIVES

WEDNESDAY, JULY 15, 1936

The House met at 12:00 o'clock noon.

The SPEAKER (Roy E. Furman) in the Chair.

PRAYER

The Reverend MARSHALL L. SHEPARD, a member of the House, offered the following prayer:

Gracious and Eternal God our Heavenly Father, we thank Thee that we enjoy today a measure of health and strength. May we lift our eyes to the hills from which cometh our help, recognizing that all help cometh from the Lord who made the heaven and the earth. May we go forward in our search for truth and righteousness, and the willingness to follow that truth wherever it may lead. In his Name and for His sake. Amen.

JOURNAL APPROVED

The SPEAKER. The Clerk will read the Journal of yesterday.

The Clerk proceeded to read the Journal of yesterday, when, on motion of Mr. FITCH, the further reading was dispensed with and the Journal approved.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presentated a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE BILL No. 100

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 14, 1936.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 100, Printer's No. 113, entitled "An Act to further amend the title to re-enact and further amend paragraph (e) of section one and to further amend section thirty-nine of the act approved the twentieth day of June one thousand nine hundred nineteen (Pamphlet Laws five hundred twenty-one) entitled as amended 'An act providing for the imposition and collection of certain taxes upon the transfer of property passing from a decedent who was a resident of this Commonwealth at the time of his death and of property within this Commonwealth of a decedent who was a non-resident of the Commonwealth at the time of his death defining and taxing transfers made in contemplation of death and making it unlawful for any corporation of this Commonwealth or national banking association located therein to transfer the stock of such corporation or banking association standing in the name of any such decedent until the tax on the transfer thereof has been paid and

providing penalties and citing certain acts for repeal' by defining as a transfer and fixing the right of survivorship in property as to which such right exists and providing for the extension of the Commonwealth's lien on real property for a further period of time."

GEORGE H. EARLE.

LEAVES OF ABSENCE

Mr. Lovett asked and obtained leave of absence for Mr. MENTZER for the remainder of the week.

Mr. LYNCH asked and obtained leave of absence for himself for the remainder of the week after today's session.

Mr. PANTON asked and obtained leave of absence for himself for the remainder of the week after today's session.

Mr. MURRIN asked and obtained leave of absence for himself for the remainder of the week after today's session.

Mr. HARKINS asked and obtained leave of absence for himself for the remainder of the week after today's session.

Mr. Holstrom asked and obtained leave of absence for Mr. KILROY for today's session.

Mr. RINN asked and obtained leave of absence for himself for the remainder of the week.

Mr. WITKIN asked and obtained leave of absence for himself for the remainder of the week.

Mr. KELDER asked and obtained leave of absence for himself for the remainder of the week after today's session.

Mr. FRANK E. SNYDER asked and obtained leave of absence for himself for the remainder of the week after today's session.

Mr. MERRELL asked and obtained leave of absence for himself for the remainder of the week after today's session.

Mr. SPROUL asked and obtained leave of absence for himself for the remainder of the week.

Mr. GILLETTE asked and obtained leave of absence for himself for the remainder of the week after today's session.

Mr. Surface asked and obtained leave of absence for Mr. SERRILL for the remainder of the week.

Mr. STONE asked and obtained leave of absence for himself for the remainder of the week after today's session.

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. WEISS asked and obtained permission of the House for the Committee on Ways and Means to meet during the Session of the House.

STATEMENT BY MR. JONES

Mr. JONES asked and obtained unanimous consent of the House to make the following statement:

Mr. Speaker and members of the House, we are all here today like a big, happy family, and I would like to verify one of the things that I mentioned in my speech last week when I was appealing for relief. I just received a letter postmarked July 13th, from my brother back home that I was telling you has seven children, and who was on relief, and this is what he says:—he heads it, "Hello Ben: Can't you speed up that relief problem a little bit? It is two weeks tomorrow since I got my relief, and you know pop water is not very strengthening for children, and there are thousands of others just as bad." Signed "Bill."

Now, I have been mentioning to my people back home and the fellows on the WPA,—and if you noticed was a committee of eight over here yesterday, and I told them I would endeavor down here during this session to try if we couldn't get an increase in pay on WPA, because, men, the money that they are getting up there on relief in Luzerne County is not enough for them to eat, and clothe, and dress like they should. I know families of eight or nine people that there is only one working and getting $60 per month.

I have a son, as I said before, who is a doctor, and who tells me that conditions up there are terrible, and in many of those families he found children that are undernourished, and it is just because they are not getting enough food, the right kind of food. I said I would try to make a gesture of trying to do something down here to increase their pay on WPA, so that they can feed those children so that they at least won't be undernourished.

I have a resolution, and before I even introduce it I would like you to know what it is, and then if you think it is all right I will introduce it; if you don't think it is all right, if you object, I won't introduce it.

POINT OF INFORMATION

Mr. BURKE. Mr. Speaker, I rise to a point of information.

The SPEAKER. The gentleman from Philadelphia will state his point of information.

Mr. BURKE. Mr. Speaker, does the gentleman have the floor with the consent of the House to make a statement?

The SPEAKER. The gentleman does have the floor for the purpose of making a statement.

Mr. JONES. Mr. Speaker and members of the House, the resolution is as follows:

Whereas, The Federal Government is employing thousands of workers on WPA projects at a wage which is wholly insufficient to provide the necessities of life for a family, to provide suitable clothing and to enable these workers to pay the bills owing to doctors, dentists, merchants and others; and

Whereas, These workers have no incentive to produce tangible results for the amount of wage paid since it is below the American standard of living and commits men, women and children to a state of undernourishment and a lack of proper clothing, and to an intolerable condition of physical and moral degradation, therefore be it

Resolved (if the Senate concur), That the General Assembly of Pennsylvania hereby most vehemently protests against the continued toleration of the deplorable circumstances of these people who, through no fault of their own, have been compelled to earn their daily bread from, and give their honest toil to, public works conducted for the purpose of furnishing unemployment relief. It is hereby declared that such labor should be adequately compensated, and every condition of abject poverty wiped out from the land; and be it further

Resolved, That this General Assembly hereby calls to the attention of His Excellency, Franklin D. Roosevelt, President of the United States, and of the Honorable Harry L. Hopkins, Administrator of the Works Progress Administration, the condition of the men and women, and their families employed on PWA projects and most

solemnly exhort them to take immediate steps to pay such workers a minimum wage of $100 a month, so that they may enjoy, at least, the barest necessities of life; and be it further

Resolved, That copies of these resolutions be forthwith forwarded by the Chief Clerk of the House of Representatives, to His Excellency, the President of the United States, and to the Honorable Administrator of the Works Progress Administration.

Now, members of the House, you know as well as I do that no family can live on $60 a month, I mean a family containing four, five or six children. When that order came out, it was not $60 or over, it was to employ 3,500,000 people at rates from $19 to $89 a month, but about 3,000,000 of those people are getting wages of $19 to $60—about three million of them. They call it a security wage, but is not a security wage, it is a starvation wage. I am asking the men on the other side, a lot of you fellows are laboring men like I am, and you wouldn't want to work for that money, and I though I would pull this this morning as a surprise, you have no orders to vote against it, you have a darn good excuse, if you thought it was all right if you would vote for it, and I am going to ask unanimous consent to introduce the resolution at this time.

The SPEAKER. Will the House give its unanimous consent to the introduction of the resolution? Are there objections?

Mr. ANDREWS. Mr. Speaker, I object.

The SPEAKER. The Chair hears objection and consent is not granted.

Mr. JONES. Mr. Speaker and members of the House, I accept his objection. I will introduce it when the resolution comes up.

STATEMENT BY MR. ANDREWS

Mr. ANDREWS asked and obtained unanimous consent to make the following statement:

Mr. Speaker and members of the House, I have always watched the crocodile tears coursing down the cheeks of my friend on the other side of the House whenever relief issues have been resolved, but I have noted that a great many of those who weep and sigh for the forlorn and the hungry do so after appropriation policies have been determined. It is very unusual to hear somebody say that $60 a month is not enough for a family after realizing that that individual has been a member of a group that contends that thirty-one cents a day an individual is too much. There has been no controversy concerning WPA wages, we haven't got down to that yet. There has been considerable controversy concerning the level of relief, and judging by the gentleman's statement, the gentleman who has just spoken, he is another one of those whose apology we can accept. Judging by his line of reasoning he deserves at least a temporary place on probation on this side of the House, and I am glad to see that he and others are sorry that they have decided to cut relief to such a low level, and realizing what they have done, they try to get an exit by making a place on the WPA.

STATEMENT BY MR. SHEPARD

Mr. SHEPARD asked and obtained unanimous consent to make the following statement:

Mr. Speaker and members of the House, we all get mail. The people in my district want relief, but from the tone of their communications, they seem to want relief based on an adequate tax program, and to witness that I would like to read this communication that I received from Philadelphia:

"We want relief. People are paying their taxes and the majority are willing that it go for relief to help out those whom 'economic royalists' would oppress even further.. Sincerely, Alice Healey."

This is written under date of July 13, 1936.

It is very interesting to note that the people who are interested in relief also in our district want relief based on a tax program that some of our friends on the other side so vigorously opposed.

STATEMENT BY MR. JOHN A. SMITH

Mr. JOHN A. SMITH asked and obtained unanimous consent to make the following statement:

Mr. Speaker and members of the House, we have considerable of a vehement appeal from the gentleman from Luzerne about the benefits to relief recipients. When it comes to vocal efforts and resolutions I should say that the gentleman and his associates have a perfect score, but resolutions and words do not feed the people. It requires money. The gentleman and his associates do not have a perfect record in providing those funds. The tapping of funds has very serious consequences. I am telling an incident in my own county because it is typical. A gentleman whom I know very well was tied down with typhoid fever for an entire summer, and the following summer he lost a daughter. After weeks and weeks in the hospital he had his farm wiped out from under him. Prostrate he went to town and got a job on the highway. Last Saturday night a week ago he said to me, "What are we going to do, If you keep on robbing the Highway funds, because now I am getting two days a week at about $3.50 a day, which is seven dollars a week, how can I sustain my family if you are going to continue to rob the funds where we are getting our sustenance."

So, Mr. Speaker, in spite of the vocal efforts and the resolutions from the other side of the House, I feel that there can be no clear case until the gentlemen have shown that they have made a more substantial contribution to the real funds that are back of the revenues necessary to carry on a relief program.

STATEMENT BY MR. MCCREARY

Mr. McCREARY asked and obtained unanimous consent to make the following statement:

Mr. Speaker and members of the House, I am not going to take up very much of your time. An article in a Philadelphia newspaper called by attention last evening to a matter that I have been thinking about for some time and perhaps you gentlemen have too. It has reference to the legal rate of interest in this State. I am not going to take the time to read the article, just excerpts from it. It states that the Reconstruction Finance Corporation have made a drastic reduction in the interest rate that it is charging all institutions, banks, and so forth that are calling on it for capital. They have reduced the interest rate in each case according to the institution asking for it. Banks seem to be the most favored, and they have reduced that rate from four per cent to three. We all know that the government this year or the last two or three years, we will say, has been making credit possible for more people on an easier or lesser amount of security than has ever happened before. Whether that is wise or foolish, it has been the case.

Most of you know that the legal rate of interest in this State has been six per cent for seventy-seven years. Previous to that time it had been eight per cent for a period of one hundred and thirty-five years. Now, seventy-seven years is a long time, many changes have come over this State in seventy-seven years, and it seems to me now that it is only fair if the Reconstruction Finance Corporation, a Federal institution, sees fit to reduce the legal rate of interest to all of these large institutions, that the common man that we hear so much about, the forgotten man if you will, should also be considered when that subject is considered. I do not claim for a moment to be an expert financier. I do not claim to be anything only a very common individual, one of the common people that Lincoln said that God must have loved because he made so many of them, but I do feel that it is time for a reduction in the legal rate of interest in this State. It would be difficult for me to describe what the consequences would be but I am just wondering whether it wouldn't be something like what happened to the railroads when they were forced to reduce their fares from three and one-half cents a mile down to two cents a mile, and they now claim an increased income of thirty-seven and one-half per cent because of that fact. You know and I do, if you talk to any of your bankers at home, that the banks are supposed to be and are at the present time full of capital that they cannot find a safe investment for. A director in a bank in my home town told me they had $300,000 in their bank that they would like to loan if they could but they could find no place to put it.

They still charge you six per cent and require you to make a payment of your interest every thirty or sixty days and sometimes ninety days, if you are one of those who are specially favored. They have got all of this money stored up and there are thousands of men throughout this State who would be glad to use this capital if they could get it. It is my honest conviction, members of the House, that you could not do a wiser thing than pass a bill reducing the legal rate of interest in this State from six to four per cent. In talking with different people in the Legislature who understand such matters they tell me that that does not require an amendment to the Constitution, that that legal rate was established by a simple law, and therefore, it can be repealed and changed by simple law, provided it is thought wise to do so.

Therefore, I hunted up in this law book, Pennsylvania Pamphlet Laws of 1858, seventy-seven years ago, and this is the way the law reads:

"That the lawful rate of interest for the loan or use of money, in all cases where no express contract shall have been made for a less rate, shall be six per cent per annum; and the first and second sections of the act passed second March, one thousand seven hundred and twenty-three, entitled 'An Act to reduce the interest of money from eight to six per cent per annum,' be and the same is hereby repealed.

"That when a rate of interest for the loan or use of money, exceeding that established by law, shall have been reserved or contracted for, the borrower or debtor shall not be required to pay to the creditor the excess over the legal rate; and it shall be lawful for such borrower or debtor, at his option, to retain and deduct such excess from the amount of any such debt; and in all cases where any borrower or debtor shall heretofore, or hereafter, have voluntarily paid the whole debt or sum loaned, together with interest exceeding the lawful rate, no action to recover back any such excess shall be sustained in any court of this commonwealth, unless the same shall have been commenced within six months from and after the time of such payment: Providing always, That nothing in this act shall affect the holders of negotiable paper, taken bona fide in the usual course of business."

That, members of the House, is the total contents of that law, but it established six per cent as the legal rate of interest in this State, and all business has been conducted on that basis for the last seventy-seven years. I would like now to ask whether it is not time, under the changed conditions and because of the restricted capital that can be obtained on this legal rate, if the time has not come, in the wisdom of this House, when some rule may be made to change and reduce this rate of interest. I understand, and so do you, that it can not be done at this special session, but the first move that can be made, if you are so inclined, is to have a committee appointed to look this thing over, investigate it, if you so feel, and have them report at the next regular session, when such matters as this can come properly before the House.

I am asking the permission to make this statement, members of the House, simply to pave the way for the introduction of such a resolution as this. I have talked to our Legislative Reference Bureau Chief and he has drawn up such a resolution, asking the Chair to appoint a committee of five to investigate this matter, to get all the information they can from other states, and if in their wisdom they see fit to make a report favorable to the reduction from six per cent to a lower rate, then in the wisdom of this House they can change that rate, if they so see fit.

ORDER OF THE DAY

Mr. JAMES W. PATTERSON. Mr. Speaker, I call for the order of the day.

The SPEAKER. The order of the day is resolutions.

RESOLUTION

Mr. JONES offered a resolution and asked unanimous consent for its immediate consideration.

The SPEAKER. Will the House give its unanimous consent for the immediate consideration of the resolution? Are there objections? The Chair hears objection and consent is not granted.

The resolution was filed with the Clerk under the rules.

STATEMENT BY MR. TURNER

Mr. TURNER. Mr. Speaker, I ask unanimous consent of the House to make a very brief statement.

The SPEAKER. Will the House give its unanimous consent to the gentleman from Delaware to make a statement? Are there objections?

Mr. JAMES W. PATTERSON. Mr. Speaker, may I ask the gentleman how brief it is.

Mr. TURNER. Mr. Speaker, about ten lines long.

Mr. JAMES W. PATTERSON. I have no objection, Mr. Speaker.

The SPEAKER. The Chair hears no objection and consent is granted.

Mr. TURNER. Mr. Speaker and members of the House, in view of the statement made by the gentleman from Philadelphia, Mr. Shepard, as to the viewpoint of some of his constituents, I would like to say that the only letter

I have received, the only communication I have received, either verbal or written, from any of my constituents, is contained in this letter, "it seems pretty clear to me it (the relief situation) will never grow less as long as it is run as a State political racket, as it is at present. The whole thing must be turned back to Counties or local communities, with some State help. Look what happened in New Jersey, with thirty to sixty per cent of the cases eliminated in less than thirty days. The same has happened in other states. Hold down the tax bills, and thereby reduce the size of the Governor's slush fund."

RESOLUTION

Mr. McCREARY offered a resolution and asked unanimous consent for its immediate consideration.

The SPEAKER. Will the House give its unanimous consent to the immediate consideration of the resolution? Are there objections? The Chair hears objection and consent is not granted. The resolution will be filed with the Clerk under the rules.

STATEMENT BY MR. GATES

Mr. GATES asked and obtained unanimous consent to make the following statement:

Mr. Speaker and members of the House, every man elected to this House made certain pledges and certain promises to the people in the county from which he came, and I presume that each and every one of you have tried to carry out those pledges, but that is a thing of the past. Your promise will avail you nothing. You have written into the record of the Legislative Journal of the State of Pennsylvania by the votes that you have cast on the various bills the record that you must face when you go back home. We are coming to the closing days of this Special Session, and I hope that we can have a gentleman's agreement that from now on these lip service resolutions, these political speeches which clutter up the Legislative Journal, on both sides of the House will stop, and that we get down to the business of the State and put the things through in this House for the benefit of the people of the State of Pennsylvania.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 51, entitled:

A Joint Resolution proposing an amendment to article nine section fifteen of the Constitution of Pennsylvania

The first section was read as follows:

Section 1 Be it resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met That the following amendment to the Constitution of the Commonwealth of Pennsylvania be and the same is hereby proposed in accordance with the eighteenth article thereof

That section fifteen of article nine of the Constitution of the Commonwealth of Pennsylvania be amended to read as follows

Section 15 No obligations which have heretofore been issued or which may hereafter be issued for the purpose of providing funds for the construction acquisition extension enlargement and improvement of water works subways underground railways or street railways or the appurtenances thereof by any municipal or quasi-municipal corporation other than Philadelphia now or hereafter authorized by law to issue obligations for such purposes shall be considered a debt of such municipal or quasi-municipal corporation within the meaning of section eight of article nine of the Constitution of Pennsylvania or of this amendment

(a) To the extent to be determined in such manner as may be provided by law that the net revenue derived from said property or properties averaged over the period of five years immediately preceding the acquisition extension enlargement and improvement of said property or properties or for a period of five successive years subsequent to the construction acquisition extension enlargement and improvement of said property or properties shall have been sufficient to meet the interest and sinking fund charges on such obligations or

(b) To the extent that such obligations shall be secured solely by a lien or liens on the property or properties to be constructed acquired extended enlarged and improved without any further liability being imposed on such municipal or quasi-municipal corporation with respect thereto

No obligations which may hereafter be issued for the purpose of providing funds for the construction acquisition extension enlargement and improvement of sewers or sewage treatment works or both by any municipal or quasi-municipal corporation other than Philadelphia shall be considered a debt of such municipal or quasi-municipal corporation within the meaning of section eight article nine of the Constitution of Pennsylvania or of this amendment to the extent that such obligations and the interest thereon rest alone for payment on sewer rentals or charges imposed upon users of the improvement without any further liability being imposed on such municipal or quasi-municipal corporation with respect thereto

Where any municipal or quasi-municipal corporation shall issue obligations to provide for any improvement as hereinbefore provided it may also issue obligations to provide for the interest and sinking fund charges accruing thereon until said improvement shall have been completed and in operation for a period of one year and in the case of obligations issued in accordance with clause (a) of this section said municipal or quasi-municipal corporations shall not be required by law to levy a tax to pay said interest and sinking fund charges until after said properties shall have been operated by said municipal or quasi-municipal corporations during said period of one year

Any municipal or quasi-municipal corporation other than Philadelphia authorized by law to issue obligations may incur indebtedness for any of the purposes in this amendment set forth in excess of seven per centum and not exceeding ten per centum of the assessed valuation of taxable property therein if said increase of indebtedness shall have been assented to by three-fifths of the electors voting at a public election in such manner as shall be provided by law

On the question,

Will the House agree to the section?

Mr. DENT. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend Sec. 1, page 1, line 12, by inserting after the word "works" the following: "power plants, sewerage disposal plants"

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The title was read and agreed to as follows:

A Joint Resolution proposing an amendment to article nine section fifteen of the Constitution of the Commonwealth of Pennsylvania

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 164 (Senate Bill No. 75), entitled:

A Joint Resolution proposing an amendment to article nine of the Constitution of the Commonwealth of Pennsylvania by adding theerto section one C

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED

Mr. COHEN. Mr. Speaker, I move that this bill be recommitted to the Committee on Constitutional Amendment for further study.

The motion was agreed to.

BILL ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 155 (Senate Bill No. 8), as follows:

A Joint Resolution proposing an amendment to section one article eighteen of the Constitution of the Commonwealth of Pennsylvania

Section 1 Be it resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met That the following amendment to the Constitution of the Commonwealth of Pennsylvania be and the same is hereby proposed in accordance with the eighteenth article thereof

That section one article eighteen of the Constitution of Pennsylvania is hereby amended to read as follows

Section 1 (a) Any amendment or amendments to this Constitution may be proposed in the Senate or House of Representatives and if the same shall be agreed to by at least two-thirds of the members elected to each House such proposed amendment or amendments shall be entered on their journals with the yeas and nays taken thereon and the Secretary of the Commonwealth shall cause the same to be published three months before the next general or municipal election in at least two newspapers in every county in which such newspapers shall be published and such proposed amendment or amendments shall be submitted to the qualified electors of the State in such manner and at such time at least three months after being so agreed to by the two Houses as the General Assembly shall prescribe and if such amendment or amendments shall be approved by at least a majority of those voting thereon such amendment or amendments shall become a part of the Constitution

(b) Any amendment or amendments that shall be agreed to by less than two-thirds but by at least a majority of the members elected to each house shall be entered on their journals with the yeas and nays taken thereon and the Secretary of the Commonwealth shall cause the same to be published three months before the next general or municipal election in at least two newspapers in every county in which such newspapers shall be published and if in the next session of the General Assembly such proposed amendment or amendments shall be agreed to by at least a majority of the members elected to each house the Secretary of the Commonwealth shall cause the same again to be published in the manner aforesaid and such proposed amendment or amendments shall be submitted to the qualified electors of the State in such manner and at such time at least three months after being so agreed to by the two houses as the General Assembly shall prescribe and if such amendment or amendments shall be approved by at least a majority of those voting thereon such amendment or amendments shall become a part of the Constitution

(c) When two or more amendments shall be submitted they shall be voted upon separately

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows: viz:

YEAS—187

Achterman,	Downey, J. J.,	McCreary,	Shepard,
Alexander,	Duffort,	McDermott,	Shortz,
Allen,	Eberharter,	McDevitt,	Shreiner,
Altenburg,	Eroe,	McElroy,	Shugarts,
Andrews,	Falkenstein,	McKinney,	Siegel,
Anthony,	Ferko,	Melchiorre,	Simon,
Arnold,	Finnerty,	Merrell,	Simpson,
Atkins,	Fitch,	Moomaw,	Sloan,
Aukerman,	Flanagan,	Mooney,	Smith, J. A.,
Baine,	Flinchbaugh,	Moore,	Smith, W. G.,
Baker, F. T.,	Forrest,	Moran,	Snyder, F. E.,
Baker, J. J.,	Gates,	Moul,	Snyder, J. L.,
Baldi,	Gerard,	Muir,	Sowers,
Barber,	Habbyshaw,	Munley,	Sproul,
Barnhardt,	Haberlen,	Murrin,	Stank,
Beadman,	Hagerty,	Nagel,	Stevens,
Bernhard,	Haluska,	Nothnagle,	Stewart,
Blumberg,	Hamilton, F. P.,	O'Keefe,	Stockham,
Boose,	Hamilton, R. S.,	Ominsky,	Stone,
Boyd, R.,	Harkins,	O'Neill,	Sumney,
Bover,	Harmuth,	Panton,	Surface,
Bradley,	Hartman,	Parks,	Sweeney,
Brancato,	Hermansen,	Patterson, C.,	Tahl,
Brennan,	Hetrick,	Patterson, J. W.,	Terry,
Brown, H. S.,	Hindman,	Pearson,	Tronzo,
Brown, J. E.,	Hirsch,	Peters,	Trout,
Brownfield,	Hoffner,	Pfaff,	Tumelty,
Brumbaugh,	Holland,	Phillips,	Turner,
Burke,	Holstrom,	Piole,	VanAllsburg,
Cannon,	Hoopes,	Powers,	VanSickle,
Caputo,	Horst,	Reising,	Wall,
Carson,	Jones,	Reynolds,	Wasserman,
Chervenak,	Kelder,	Rhys,	Weidemann,
Coakley,	Kelso,	Rinn,	Weiss,
Cochran,	Kenney,	Roan,	Welliver,
Cohen,	Kinney,	Robinson,	Welsh,
Coleman,	Klingler,	Rooney,	Westrick,
Condon,	Kobelak,	Root,	Wickersham,
Coolahan,	LaRue,	Royer,	Winner,
Cooper,	Linderman,	Ruffennach,	Witkin,
Cordier,	Long,	Sarraf,	Wood,
Davies,	Longaker,	Scanlon,	Woodside,
Decker,	Lovett,	Schaeffer,	Yeakel,
Dent,	Lynch,	Schrock,	Yourishin,
Diehl,	Male,	Schrope,	Zappala,
Dilley,	Mallen,	Schwab,	Furman,
Downey, G. E.,	Mason,	Shaw,	

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it with amendments in which the concurrence of the Senate is requested.

BILL ON THIRD READING

Mr. BLUMBERG. Mr. Speaker, I desire to call up at this time House Bill No. 160, Senate Bill No. 87, on page 2 of today's calendar, bills on third reading postponed.

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. BLUMBERG.

The House resumed the consideration on third reading of House Bill No. 160 (Senate Bill No. 87), entitled:

An Act abating under certain circumstances tax penalties and interest on certain city taxes in cities of the first class school districts of the first class and prohibiting the sale of real property for the non-payment of any such taxes for a certain period and preserving certain tax liens and providing for the extension thereof and for payment of costs in connection therewith

On the question recurring,

Will the House agree to the bill on third reading?

Mr. BLUMBERG. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend Section 3, Page 4, Line 14, by adding after the word "authority" the words "prothonotary and sheriff"

Amend Section 3, Page 4, Line 14, by striking out from said line the words "and advertising costs actually expended by the".

Amend Section 3, Page 4, Line 15, by striking out the word "sheriff".

The SPEAKER. Will the House give unanimous consent to the insertion of the amendments at this time? Is there objection? The Chair hears none and the amendments will be inserted in accordance with the instructions of the House?

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

REPORT FROM COMMITTEE

Mr. BAINE, from the Committee on Ways and Means, reported as committed, House Bill No. 165, entitled:

An Act to amend the act, approved the ninth day of April, one thousand nine hundred twenty-nine (Pamphlet Laws, three hundred forty-three), entitled "An act relating to the finances of the State government; providing for the settlement, assessment, collection, and lien of taxes, bonus and all other accounts due the Commonwealth, the collection and recovery of fees and other money or property due or belonging to the Commonwealth, or any agency thereof, including escheated property and the proceeds of its sale, the custody and disbursement or other disbursement of funds and securities belonging to or in the possession of the Commonwealth, and the settlement of claims against the Commonwealth, the resettlement of accounts and appeals to the courts, refunds of moneys erroneously paid to the Commonwealth, auditing the accounts of the Commonwealth, and all agencies thereof, of all public officers collecting moneys payable to the Commonwealth, or any agency thereof, and all receipts of appropriations from the Commonwealth and imposing penalties; affecting every department, board, commission, and officer of the State Government, every political subdivision of the State, and certain officers of such subdivisions, every person, association, and corporation required to pay, assess, or collect taxes, or to make returns or reports under the laws imposing taxes for State purposes, or to pay license fees or other moneys to the Commonwealth, or any agency thereof, every State depository and every debtor or creditor of the Commonwealth," as amended, by making further provision relative to the settlement, resettlement and collection of certain taxes, and further defining the powers and duties of the Department of Revenue with relation thereto,

BILL ON FIRST READING

Mr. BAINE asked and obtained unanimous consent to have the following bill read for the first time.

Agreeably to order.

The House proceeded to the first reading and consideration of House Bill No. 165, entitled:

An Act to amend the act, approved the ninth day of April, one thousand nine hundred twenty-nine (Pamphlet Laws, three hundred forty-three), entitled "An act relating to the finances of the State government; providing for the settlement, assessment, collection, and lien of taxes, bonus and all other accounts due the Commonwealth, the collection and recovery of fees and other money or property due or belonging t othe Commonwealth, or any agency thereof, including escheated property and the proceeds of its sale the custody and disbursement or other disbursement of funds and securities belonging to or in the possession of the Commonwealth, and the settlement of claims against the Commonwealth, the resettlement of accounts and appeals to the courts, refunds of moneys erroneously paid to the Commonwealth, auditing the accounts of the Commonwealth, and all agencies thereof, of all public officers collecting moneys payable to the Commonwealth, or any agency thereof, and all receipts of appropriations from the Commonwealth and imposing penalties; affecting every department, board, commission, and officer of the State Government, every political subdivision of the State, and certain officers of such subdivisions, every person, association, and corporation required to pay, assess, or collect taxes, or to make returns or reports under the laws imposing taxes for State purposes, or to pay license fees or other moneys to the Commonwealth, or any agency thereof, every State depository and every debtor or creditor of the Commonwealth," as amended, by making further provision relative to the settlement, resettlement and collection of certain taxes, and further defining the powers and duties of the Department of Revenue with relation thereto.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

BILL ON FINAL PASSAGE

Mr. McCREARY. Mr. Speaker, I desire to call up at this time House Bill No. 92, Printer's No. 172, on page 2, of today's calendar, bills on final passage postponed.

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. McCREARY.

The House resumed the consideration on final passage of House Bill No. 92, entitled:

An Act to provide revenue for state and county purposes and in cities coextensive with counties for city and county purposes imposing taxes upon certain classes of personal property providing for the assessment and collection of the same providing for the duties and compensation of prothonotaries and recorders in connection therewith conferring powers and imposing duties on certain county and city officers and on the State Department of Revenue and fixing penalties

On the question,

Shall the bill pass finally?

BILL POSTPONED

Mr. McCREARY. Mr. Speaker, I move that this bill be placed upon the postponed calendar.

The motion was agreed to.

RESOLUTION

CONGRATULATIONS EXTENDED PUBLISHER OF SCRANTON TIMES

Messrs. COLEMAN, MUNLEY and O'NEIL asked and obtained unanimous consent to offer the following resolution which was twice read, considered and unanimously adopted:

In the House of Representatives, July 15, 1936.

Whereas, this day marks the eightieth birthday of E. J. Lynett, Sr., Publisher of the Scranton Times, of Scranton, Pennsylvania, and

Whereas, Mr. Lynett by his distinguished journalistic service to the people over many years has contributed greatly to the welfare of this Commonwealth and

Whereas, He has been an active citizen and business man, a leader in the civic life of his community and

Whereas, His career has been one of consistent and courageous liberalism, now therefore, be it

Resolved, That the House of Representatives congratulates this patriotic and public-spirited publisher upon this occasion, and be it further

Resolved, That a copy of this resolution be transmitted to said Mr. Lynett, in token of the esteem in which he is held by the members of this House.

ANNOUNCEMENT

COMMITTEE MEETING

The Committee on Judiciary General will meet immediately after this session in Room 325.

RECESS

The SPEAKER. If there are no objections the Chair is about to declare a recess until 3:30 P. M. The Chair hears none and declares a recess until 3:30 P. M.

AFTER RECESS

The House reconvened at 3:30 P. M.

The SPEAKER (Roy E. Furman) in the Chair.

RESOLUTIONS INTRODUCED AND REFERRED

By Mr. JONES. (Concurrent) RESOLUTION No. 45.

In the House of Representatives, July 15, 1936.

Whereas, The Federal Government is employing thousands of workers on WPA projects at a wage which is wholly insufficient to provide the necessities of life for a family, to provide suitable clothing and to enable these workers to pay the bills owing to doctors, dentists, merchants and others; and

Whereas, These workers have no incentive to produce tangible results for the amount of wage paid since it is below the American standard of living and commits men, women and children to a state of undernourishment and a lack of proper clothing, and to an intolerable condition of physical and moral degradation, therefore be it

Resolved (if the Senate concur), That the General Assembly of Pennsylvania hereby most vehemently protests against the continued toleration of the deplorable circumstances of these people who, through no fault of their own, have been compelled to earn their daily bread from, and give their honest toil to, public works conducted for the purpose of furnishing unemployment relief. It is hereby declared that such labor should be adequately compensated, and every condition of abject poverty wiped out from the land; and be it further

Resolved, That this General Assembly hereby calls to the attention of His Excellency, Franklin D. Roosevelt, President of the United States, and of the Honorable Harry L. Hopkins, Administrator of the Works Progress Administration, the condition of the men and women, and their families, employed on WPA projects, and most solemnly exhort them to take immediate steps to pay such workers a minimum wage of $100 a month, so that they may enjoy, at least, the barest necessities of life; and be it further

Resolved, That copies of these resolutions be forthwith forwarded by the Chief Clerk of the House of Representatives to His Excellency, the President of the United States, and to the Honorable Administrator of the Works Progress Administration.

Referred to the Committee on Rules.

By Mr. McCREARY. RESOLUTION No. 46.

In the House of Representatives, July 15, 1936.

Whereas, The Reconstruction Finance Corporation has announced reductions in interest rates to various classes of boroughs ranging from 5% to 4% on industrial loans, 4% to 3½% for insurance company loans, and 4% to 3% for closed banks; and

Whereas, The legal interest rate in this State is 6%, a rate which has prevailed since 1858 prior to which a rate of 8% prevailed for a period of 135 years; and

Whereas, Large business concerns are, through the policy of the Reconstruction Finance Corporation, and because of their credit, enabled at this time to borrow money at rates well below the established legal rate; and

Whereas, The small individual business man, the farmer and the home owner is in most cases still required to pay the legal rate of interest when forced to the necessity of borrowing money from banks and other financial institutions; therefore be it

Resolved, That the Speaker of the House of Representatives be authorized to appoint a committee of five members of the House whose duty it shall be to make a study of the existing rates of interest and the trend, if any, towards lower rates of legal interest in order to ascertain whether or not it is feasible and timely that legislation be adopted reducing the legal rate of interest in this Commonwealth from 6% to 4% of some other rate;

Resolved, That said committee shall make a report to the next regular Session of the Legislature with its recommendations.

Referred to the Committee on Rules.

SENATE MESSAGE

AMENDED SENATE BILL NON-CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, informed that the Senate has non-concurred in the amendments made by the House of Representatives to Senate Bills numbered and entitled as follows:

SENATE BILL No. 8.

A Joint Resolution proposing an amendment to section one article eighteen of the Constitution of the Commonwealth of Pennsylvania.

Mr. HOMER S. BROWN. Mr. Speaker, I move that the House insist on its amendment non-concurred in by the Senate.

The motion was agreed to.

Ordered, That the Clerk inform the Senate accordingly.

REPORT FROM COMMITTEE

Mr. CHERVENAK, from the Committee on Constitutional Amendments, reported as committed, House Bill No. 162 (Senate Bill No. 6), entitled:

A Joint Resolution proposing an amendment to article nine section eight of the Constitution of the Commonwealth of Pennsylvania.

BILL ON FIRST READING

Mr. CHERVENAK asked and obtained unanimous consent for the following bill to be read for the first time.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 162 (Senate Bill No. 6), entitled:

A Joint Resolution proposing an amendment to article nine section eight of the Constitution of the Commonwealth of Pennsylvania.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

RESOLUTION

CONGRATULATING HON. LEO A. ACHTERMAN

Mr. WELSH asked and obtained unanimous consent to offer the following resolution which was twice read, considered and unanimously adopted.

In the House of Representatives, July 15, 1936.

From the delightful summer resorts of Monroe County has come each week during these sweltering days of the special session of 1936, a faithful legislator, who, although serving his first term as a member, heads the list, and first answers "aye" or "no" on every roll-call.

William and Clara Achterman, on July 15, 1895, became the justly proud parents of our esteemed colleague, Leo A. Achterman, whom, through careful nurture, they brought up to be a leader in the legal profession, in his political party, and in all things pertaining to the public welfare in the community in which he makes his home; therefore be it

Resolved, That we, the fellow-members of the Honorable Leo A. Achterman, hereby express our most sincere wishes for a happy birthday and a long continued life of happiness, health, prosperity and accomplishments, lasting throughout at least another period of forty-one years; and be it further

Resolved, That the Chief Clerk of the House be directed to forward a copy of these resolutions to the gentleman from Monroe, Mr. Achterman.

Mr. ACHTERMAN. Mr. Speaker and members of the House, I do wish to express my appreciation to the members for their kindness in expressing their feelings on this, my birthday. Beyond that I just cannot say a word. Thank you.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE BILL No. 73

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 15, 1936.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 73, Printer's No. 78, entitled, "An Act to enable persons associations partnerships and corporations to borrow money and secure the repayment thereof by the execution and recordation of chattel mortgages on any chattels of any kind or descriptions providing for bonds with confessions of judgments regulating the assignment and release of such mortgages and designating the operation and effect of the lien of such mortgages."

GEORGE H. EARLE.

ANNOUNCEMENT BY THE CLERK

The special committee, consisting of Messrs. Cohen, Burke, Andrews, Achterman, Eberharter, Omnisky, and O'Keefe, will meet immediately in the Conference Room.

RECESS

Mr. COHEN. Mr. Speaker, it will be necessary for the House to return here at 9:00 o'clock this evening. I understand that the Senate is now in process of passing tax bills, and it will be necessary in order to place them in a position for final action, that the House be here to concur in the amendments inserted by the Senate.

There is also other business requiring the attention of the House, and I therefore move you that the House do now recess until 9:00 o'clock this evening.

The motion was agreed to and the House took a recess until 9:00 o'clock P. M.

AFTER RECESS

The House reconvened at 9:00 o'clock P. M.
The SPEAKER (Roy E. Furman) in the Chair.

SENATE MESSAGE

APPOINTMENT OF CONFERENCE COMMITTEE ON SENATE BILL NO. 8

The Clerk of the Senate being introduced, informed that the Senate insists on its non-concurrence in the amendments made and insisted upon by the House of Representatives to Senate Bill No. 8, entitled:

A Joint Resolution proposing an amendment to section one article eighteen of the Constitution of the Commonwealth of Pennsylvania.

And has appointed Messrs. Reed (Dauphin), Thompson (Westmoreland) and Law, a committee of conference to confer with a similar committee of the House of Representatives (if the House of Representatives shall appoint such committee) on the subject of the differences existing between the two Houses in relation to said bill.

Mr. HOMER S. BROWN. Mr. Speaker, I move that the House insist upon its amendments non-concurred in by the Senate and that a Committee of Conference be appointed.

The motion was agreed to.

APPOINTMENT OF COMMITTEE OF CONFERENCE

The SPEAKER. The Chair appoints as a Committee of Conference on Senate Bill No. 8, Messrs. Homer S. Brown, Ominsky and Woodside.

Ordered, That the Clerk inform the Senate accordingly.

COMMUNICATIONS FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF RESOLUTION RECALLING HOUSE BILL No. 91 FROM THE GOVERNOR

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 15, 1936.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to infrom you that I have this day approved and signed a resolution of the House of Representatives and Senate recalling from the Governor House Bill No. 91, Printer's No. 124, for further consideration.

Accordingly, the original bill is herewith returned.

GEORGE H. EARLE.

COMMUNICATION AND BILL LAID ON TABLE

Mr. BLUMBERG. Mr. Speaker, in the absence of the sponsor I move that the bill together with the communication be laid upon the table.

The motion was agreed to.

ANNOUNCEMENT

There will be a Caucus of the Democratic members in the House Caucus Room immediately after recess.

RECESS

The SPEAKER. If there are no objections, the Chair is about to declare a recess for fifteen minutes. The Chair hears none and declares a recess for fifteen minutes.

AFTER RECESS

The SPEAKER (Roy E. Furman) in the Chair.

The time of recess having elapsed the House will be in order.

ANNOUNCEMENT

There will be a meeting of the Republican members in the Senate Caucus Room immediately.

RECESS

The SPEAKER. If there are no objections the Chair will declare a recess for ten minutes. The Chair hears none and declares a recess for ten minutes.

AFTER RECESS

The SPEAKER (Roy E. Furman) in the Chair.

The time of recess having expired the House will be in order.

RECESS

Mr. HOOPES. Mr. Speaker, I ask the House now to take a recess of ten minutes so that the Socialist member can have a cancus with the Page boys.

The SPEAKER. Where does the gentleman want to meet the Page boys?

Mr. HOOPES. In the rear of the House, Mr. Speaker. Ten minutes Democratic time.

The SPEAKER. If there are no objections the Chair will declare a recess for ten minutes to permit the Socialist member to meet with the Page boys in the Conference Room to the rear of the House. The Chair hears none and declares a recess for ten minutes.

AFTER RECESS

The SPEAKER (Roy E. Furman) in the Chair.

The Socialist recess having expired the House will be in order.

Mr. HOOPES. Mr. Speaker, I wish to report that our Caucus has unanimously decided to recommend to the House that the Page boys' salary be reduced from seven to five dollars a day. It is now two dollars.

ANNOUNCEMENTS

There will be a meeting of the sub-committee of the Judiciary General Committee on impeachment immediately after adjournment in Room 325.

There will be a meeting of the Committee on Rules this morning, July 16, at 10:45 in the Speaker's office.

ADJOURNMENT

Mr. COHEN. Mr. Speaker and members of the House, at the conclusion of this afternoon's session I requested the return of the membership of the House this evening, under the impression that there would be certain bills and messages forthcoming from the Senate to the House. When I came here I ascertained that those messages would not be forthcoming. I wish to thank the membership of this House for their attention during this session. I particularly appreciate that so many men are here. However, we are not in position to adjourn for the week: it will be necessary for us to stay over another day.

I therefore move that this House do now adjourn until eleven o'clock this morning.

The motion was agreed to and (at 12:36 A. M.) the House adjourned until Thursday, July 16, 1936, at 11:00 o'clock A. M.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Extraordinary Session of 1936.

Vol. 19. HARRISBURG, PA., THURSDAY, JULY 16, 1936. No. 36.

SENATE

THURSDAY, JULY 16, 1936

The Senate met at 10 o'clock A. M.

The PRESIDENT (Lieutenant-Governor Thomas Kennedy) in the Chair.

PRAYER

The Chaplain, Rev. William E. Howard, D. D., offered the following prayer:

Since Thou dost know all things, O God, Thou dost assuredly know the spirit of discord and discontent prevailing among Thy people, creating dissensions and divisions in the world. This is not in accord with Thy will, for Thou dost love all men with equal passion and dost desire them to live in harmony with Thee and with one another. We pray for our world, Oh God, beseeching Thee that the peace of God which passeth understanding may rule all hearts and all nations.

In our own Commonwealth may there be a distinct and speedy return to Thee and to the faith which our forefathers reposed in Thee. May all who are in authority, all leaders of thought in church, in State and in society be made subservient to the will of God. Grant us sufficient humility to realize that after all we are human and prone to err. Thou art divine and cannot err. So may we seek and find the true way out of the confusing maze which bewilders us by honestly striving to know and to do Thy will, and may we never forget that "righteousness exalteth a nation but sin is a reproach to any people." Amen.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. RICE, the further reading was dispensed with, and the Journal was approved.

QUESTION OF PERSONAL PRIVILEGE

Mr. REED (Dauphin). Mr. President, I rise to a question of personal privilege.

The PRESIDENT. The Senator from Dauphin Mr. Reed, will state his question of personal privilege.

Mr. REED (Dauphin). Mr. President and members of the Senate, I have received a petition dated July 13th, which was mailed at the post office on July 15th, which I received this morning, and which petition I not only desire to present to the Senate but to have read into the record. The petition is as follows:

PETITION

TO THE SENATE OF THE COMMONWEALTH OF PENNSYLVANIA

"July 13, 1936.

The organized unemployed workers of Harrisburg view the present relief stoppage as totally unnecessary, being the result of unscrupulous politics. We call upon the Senate to:

1. Pass immediately an appropriation of $100,000,000 for state relief purposes.

2. To investigate the possibilities of securing sums of money said to be owed to the State by the Federal Government.

3. To apply any such recovered money as additional appropriations especially for the much needed rent relief.

UNITED WORKERS PROTECTIVE LEAGUE
Affiliated to Workers Alliance of America
224 Chestnut St. Harrisburg."

Signed by "John Morrissey, Secretary
JOHN MORRISSEY"

and "John Justin, Chairman
JOHN JUSTIN"

I feel, Mr. President, that this petition not only should be presented to the Senate but that the Senator from Dauphin County should give a full, complete and candid public expression of his opinions as to the matters therein contained. The first prayer is that the Senate pass immediately an appropriation of $100,000,000 for State relief purposes. I have repeatedly stated upon the floor of the Senate that I do not know what the required amount for unemployment relief is, and I repeat that statement today. Since this Senate has been in session the Senate has been repeatedly attempting to ascertain facts and data so that the actual amount required for relief could be determined. Up to the present time we have not received that information.

The second request is, to investigate the possibilities of securing sums of money said to be owed to the State by the Federal Government. On this point also I have repeatedly addressed this Senate approximately one month ago a committee of the Republican members of the Senate of Pennsylvania addressed a communication to the Governor of this State, in order that facts which are in possession of the Governor might be given to this Senate; and up to the present time we have received no reply. Among those six questions requesting facts from the Governor we did request specific information with regard to funds which it is alleged are owing by

the Federal Government to Pennsylvania. One of those items is the sum of $15,000,000, being the balance due and owing by the Government at Washington to the State Emergency Relief Board under the agreement made during April of 1935 between Mr. Hopkins and the Governor of Pennsylvania and the Senate of Pennsylvania. We have repeatedly requested the Governor to give information as to what he proposes to do with regard to recovering that large sum of money; and, also, we have repeatedly asked him as to what, if any, efforts he proposes to make to secure the sum of $10,000,000 which it has been repeatedly alleged, and never denied, constitutes the sum which was advanced by the State Emergency Relief Board to W. P. A. to pay workers who had been taken off relief. My constituents have asked what investigation will be made. I do not propose an investigation, for the reason that it is my opinion that the Governor of Pennsylvania cannot be forced to answer. He can only be forced to answer by the pressure of public opinion.

The third request is, to apply any such recovered money as additional appropriations, especially for the much needed rent relief. On this proposition I have very great sympathy for the unemployed of Dauphin County. There are today numerous cases of eviction threatened, and some pending, in Dauphin County—cases of eviction of men who are unable to secure employment, men with families, who are being threatened that they will be dispossessed of their property. On that point I wish to assert on the floor of this Senate that I have during previous sessions of this Legislature sponsored anti-eviction bills, so that it might be possible to secure relief for the benefit of those who, through no fault of their own, are, with their dependents, threatened with eviction; but I desire to say that since receiving this petition I have investigated—I have made inquiry of the Director of the Legislative Reference Bureau, and he has authorized me to say, as his opinion—and his opinion corresponds with mine—that under the call of the Governor we are, during this Special Session of the Legislature, powerless to introduce or to procure any legislation of that kind. I want to say to my constituents in Dauphin County that I will personally make every effort in my power, with the State Emergency Relief Board, to see to it that these evictions shall not continue; but I also state positively, and after an investigation, that I believe that under the call of the Governor the only thing which this Legislature can do is to appropriate money to the State Emergency Relief Board; and for that reason, much as I regret it, I am powerless to carry out this third request in this petition, with which request I am in profound sympathy.

NOMINATION BY THE GOVERNOR

The Secretary to the Governor being introduced presented communication in writing from His Excellency the Governor of the Commonwealth, which was read as follows, and referred to the Committee on Executive Nominations:

NOTARY PUBLIC

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 16, 1936.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following person for appointment as a Notary Public, for a term of four years to compute from the date of confirmation.

PHILADELPHIA COUNTY

Harry Waber, 200 S. 12th St., Philadelphia.

GEORGE H. EARLE.

HOUSE MESSAGE

HOUSE INSISTS UPON ITS AMENDMENTS TO SENATE BILL NO. 8

The Clerk of the House of Representatives, being introduced, presented communication from the House of Representatives, informing the Senate that the House insists upon its amendments, nonconcurred in by the Senate, to Senate Bill No. 8, entitled:

A Joint Resolution proposing an amendment to section one, article eighteen of the Constitution of the Commonwealth of Pennsylvania.

AMENDMENTS TO CONSTITUTION—HOW MADE AND WHEN SUBMITTED

and has appointed Messrs. Brown (Allegheny), Ominsky (Philadelphia) and Woodside (Dauphin) as a Committee of Conference to confer with a similar committee of the Senate (already appointed) to consider the differences existing between the two houses in relation to said bill.

REPORT FROM COMMITTEE

Mr. REED (Dauphin)), from the Committee on State Government re-reported as amended, Senate Bill No. 90 (House Bill No. 98), entitled:

An Act to create a State Planning Board prescribing its powers and duties upon political subdivisions and making an appropriation.

RESOLUTION RELATIVE TO REPORT OF DEPARTMENT OF WELFARE ON MOTHERS' ASSISTANCE TRUSTEES

Mr. HARRIS offered the following resolution, which was twice read, as follows:

In the Senate of Pennsylvania, July 16, 1936.

Whereas, By Senate Resolution, Serial No. 33, a report was requested from the Department of Welfare asking certain information with respect to the resignation and dismissal of members of the Board of Trustees of the Mothers' Assistance Fund; and

Whereas, A report has been submitted by said Department, which is not responsive to the resolution, and from which a clear understanding of the facts cannot readily be gathered; therefore be it

Resolved, That the President Pro Tempore of the Senate is hereby authorized to appoint a committee of five Senators whose duty it shall be;

(a) To analyze the said report of the Department of Welfare filed pursuant to Resolution, Serial No. 33;

(b) To ascertain the accuracy of the statements made in said report;

(c) To gather and supply the information requested which said report failed to disclose; and

(d) To examine the records of the Department of Welfare for the purpose of supplying the information required to make said report in accurate form;

Resolved, That said committee shall make a report

the Senate as early as possible, and in the event that id report cannot be completed prior to the adjournent of this Session of the General Assembly, then to eport to the Senate when next in session.

Mr. HARRIS. Mr. President, I ask unanimous conent that Rule 39, which requires resolutions to be reerred to an appropriate committee, be suspended, and at the Senate do now proceed to the immediate conderation of the resolution just read.

The PRESIDENT. Is there objection?

Mr. McGINNIS. Mr. President, I object.

The PRESIDENT. The Chair hears objection.

Mr. McGINNIS. Mr. President, I desire to interrogate e Senator from Allegheny, Mr. Harris.

The PRESIDENT. Will the Senator from Allegheny, r. Harris, permit himself to be interrogated?

Mr. HARRIS. Mr. President, I shall be pleased to.

Mr. McGINNIS. Mr. President, does the Senator from llegheny, Mr. Harris, intimate that any information sked from the Department of Welfare has not been iven?

Mr. HARRIS. Mr. President, I said yesterday that I id not question the honesty of the report, but I did uestion its accuracy; and the report itself indicates ery plainly that they did not answer the questions. The eport so states.

Mr. McGINNIS. Mr. President, in what respect?

Mr. HARRIS. Mr. President, certain information was sked as to the number of trustees whose resignations ere requested by the Governor. The report says, "We o not have that information."

In another instance they say, "We do not have the nformation on whether or not, after the trustees were sked to resign, they complied with the request."

And through the report, in two or three places, they ay, "We do not have this information."

I am at a loss to understand why the Department of Welfare, or some other department under the State Adinistration, cannot supply this information.

Mr. McGINNIS. Mr. President, for what purpose is he information desired?

Mr. HARRIS. Mr. President, the information that I urnished the Senate a few weeks ago, I claim, is reable and accurate. It is not agreed to by the Departent of Welfare; and the purpose of the Committee, to e appointed under the resolution I just offered, is to ry to reconcile these two sets of figures.

Mr. McGINNIS. Mr. President, to what two sets of gures is the Senator from Allegheny, Mr. Harris, reerring?

Mr. HARRIS. Mr. President, the set of figures I preented here a few weeks ago and the set of figures preented by the Department of Welfare in its report.

Mr. McGINNIS. Mr. President, will the Senator from llegheny, Mr. Harris, advise us where he got his figures?

Mr. HARRIS. Mr. President, I will not divulge the ame of the person from whom I got the figures, unless receive permission to do so from that person. They re perfectly reliable, and I shall be glad to state their ource if I receive such permission.

Mr. CAVALCANTE. Mr. President, I desire to interogate the Senator from Allegheny, Mr. Harris.

The PRESIDENT. Will the Senator from Allegheny, Mr. Harris, permit himself to be interrogated?

Mr. HARRIS. Mr. President, I shall be very pleased to.

Mr. CAVALCANTE. Mr. President, is it not a fact that if the resignations were demanded by the Governor the Department of Welfare would not have that information in its possession?

Mr. HARRIS. Mr. President, that is a possibility; that is probably correct.

The PRESIDENT. As a matter of information, the Chair suggests that the information is probably the property of the Governor's office.

Mr. HUFFMAN. Mr. President, I move that the resolution just read be referred to the Committee on Judiciary General.

Mr. LAW. Mr. President, I second the motion.

The motion was agreed to.

MOTION TO PRINT RESOLUTION

Mr. LAW. Mr. President, I move that the resolution just presented be printed for the benefit of the members.

Mr. HUFFMAN. Mr. President, I second the motion.

The motion was agreed to.

RECESS

Mr. BUCKMAN. Mr. President, I move that the Senate do now take a recess for 15 minutes.

Mr. EALY. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS

The PRESIDENT. The time of recess having elapsed the Senate will be in order.

REPORTS FROM COMMITTEES

Mr. BUCKMAN, from the Committee on Insurance reported as amended, Senate Bill No. 106, entitled:

An Act establishing a system of unemployment compensation to be administered by a newly created independent administrative commission of five members appointed by the Governor, the President Pro Tempore of the Senate, the Speaker of the House of Representatives, the Auditor General, and the State Treasurer; requiring certain employers and employes to contribute to a fund from which such compensation shall be paid; requiring any employer to make certain reports and perform certain other duties; defining the rights of certain unemployed persons to receive compensation; defining the rights, poers and duties of said commission; establishing a civil service system for employes of the commission; transferring the existing system of free public employment offices from the Department of Labor and Industry to said commission; providing for the custody and control of said fund; providing the procedure for the determination and payment of such contributions and compensation; providing for cooperation with the Federal Government and certain of its agencies; and prescribing penalties.

Mr. FREY, from the Committee on State Government reported as committed, the following resolution, which was laid on the table:

JOINT LEGISLATIVE COMMITTEE TO PREPARE A PLAN OF PERMANENT ADMINISTRATION OF UNEMPLOYMENT RELIEF

In the Senate, May 12, 1936.

Whereas, a centralized administration of relief is unsuited in some respects to a protracted program of dealing with the consequences of unemployment

Whereas, the present constituted agencies for the care of the indigent throughout the Commonwealth are inadequate at the present time to assume the burden of the distribution of funds provided for unemployment relief, and

Whereas, private industry is failing to keep re-employment abreast of industrial and commercial recovery, and

Whereas, it appears to be the duty of the Commonwealth for some period in the future to provide against the social consequences of unemployment

Resolved (if the House of Representatives concur) That the President pro tempore of the Senate appoint three Senators and the Speaker of the House of Representatives appoint three members of the House of Representatives to serve as a committee whose duty it shall be to prepare a plan of permanent administration of unemployment relief, which plan shall co-ordinate the activities of the Commonwealth and its municipal subdivisions, and to draft legislation which incorporates such plan, or plans and to report the same to the regular session of the Legislature in 1937.

Resolved, That the said committee shall have power to issue subpoenas under the hand and seal of its chairman requesting and commanding any person or persons to appear before them and to answer such questions touching matters properly being inquired into by the committee and to produce such books, papers, records and documents as the committee may deem necessary. Such subpoena may be served upon any person and shall have the force and effect of subpoenas issued out of the Courts of this Commonwealth. Each member of said committee shall have the power to administer oaths and affirmations to witnesses appearing before the committee. Any person who shall willfully neglect or refuse to testify before said committee or to produce any books, papers, records or documents shall be subject to the penalties provided by the laws of the Commonwealth in such cases.

Resolved, That the Senate and the House of Representatives will appropriate the sum of Five Thousand Dollars ($5000.00) to pay the expenses of the Committee in prosecuting its study of such legislation, the summoning of witnesses, postage, secretarial and clerical hire, the attendance of members at meetings and other expenses.

BILL INTRODUCED

Mr. ZIESENHEIM. Mr. President, I ask unanimous consent to read a bill in place at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. ZIESENHEIM, read in place and presented to the Chair, Senate Bill No. 115, entitled:

A joint resolution consisting of a Commission to examine into realty taxation in the Commonwealth of Pennsylvania and other states and countries and to prepare and submit bills to carry into effect its recommendations prescribing the powers and duties of said Commission and making an appropriation.

Which was committed to the Committee on Finance.

NOMINATIONS BY THE GOVERNOR

The Secretary to the Governor being introduced, presented communications in writing from His Excellency, the Governor, of the Commonwealth, which was read as follows, and referred to the Committee on Executive Nominations:

NOTARIES PUBLIC

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 16, 1936.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

DAUPHIN COUNTY

Harry H. Schick, Harrisburg.

LUZERNE COUNTY

Albert N. Wallace, Wilkes-Barre.

MONTGOMERY COUNTY

Miss Elizabeth M. Gaynor, Conshohocken.

GEORGE H. EARLE.

HOUSE MESSAGES

HOUSE BILL FOR CONCURRENCE

The Clerk of the House of Representatives being introduced, presented for concurrence bill of the House of Representatives as follows:

House Bill No. 51 (Senate Bill No. 116), entitled:

A Joint Resolution purposing an amendment to article nine, section fifteen, of the Constitution of the Commonwealth of Pennsylvania.

Which was committed to the Committee on Constitutional Changes.

RESOLUTION RECALLING FROM THE GOVERNOR HOUSE BILL NO. 63

He also presented extracts from the Journal of the House of Representatives, which was twice read as follows:

In the House of Representatives.

Resolved (if the Senate concur), That House Bill No. 63, entitled:

An Act to amend section five hundred one of the act approved the first day of May, one thousand nine hundred and twenty-nine (Pamphlet Laws nine hundred five), entitled "Vehicle Code," by requiring extra fees for the assignment of special registration plates.

Mr. REED (Dauphin). Mr. President, I move that the resolution be laid on the table.

Mr. BUCKMAN. Mr. President, I second the motion.

The motion was agreed to.

SENATE BILL NO. 87 RETURNED WITH AMENDMENTS

He also returned to the Senate Senate Bill No. 8 (House Bill No. 160), entitled:

An Act abating under certain circumstances tax penalties and interest on certain city taxes in cities of the first class, school districts of the first class and prohibiting the sale of real property for the non-payment of any such taxes for a certain period and preserving certain tax liens and providing for the extension thereof.

with the information that the House has passed the same with amendments, in which the concurrence of the Senate is requested.

Mr. SHAPIRO. Mr. President, I move that Rule 21 which requires amended bills to be noted on the calendar be in this case dispensed with and the Senate proceed to the consideration of the amendments made by the House of Representatives to the foregoing bill.

Mr. CAVALCANTE. Mr. President, I second the mo-
on.

The motion was agreed to.

Said amendments, having been printed as required by
ie Constitution were twice read, as follows:

Amend section 2, page 3, line 13 by striking out before
ie word "delinquent" the word "such"; also line 19 by
riking out after the word "default" the word "in" and
serting in lieu thereof the word "under"; also line 19
y striking out after the word "provisions" the word
iereof" and inserting in lieu thereof the following: "of
iis Act"; also section 3, page 4, line 14 by inserting after
ie word "authority" the following: "and advertising costs
:tually expended by the sheriff;" also by adding after
ne 15 the following: "and no other costs to be demand-
)le from him or the taxing authority;" also section 4,
age 4, line 24 by striking out after the word "on" the
ords "or before;" also section 6, page 5, line 13 by strik-
g out after the word "accounts" the word "by" and in-
rting in lieu thereof the word "of."

On the question,

Will the Senate concur in the amendments?

Mr. SHAPIRO. Mr. President, I have seen the amend-
ents and they are satisfactory.

Mr. BUCKMAN. Mr. President, they may be satis-
ctory to the Senator from Philadelphia, Mr. Shapiro,
ut I think the rest of us are entitled to know what the
mendments are.

Mr. SHAPIRO. Mr. President, I will be very glad to
olate the custom, and do as others have not done. These
e amendments to the Tax Abatement bill covering first-
ass cities and school districts. The amendments deal
nly with the costs to be paid by the delinquent tax-
ayers upon a desire to have the judgement mortgage
tisfied on the record.

And the question recurring,

Will the Senate agree to the amendments?

The yeas and nays were taken agreeably to the pro-
sions of the Constitution, and were as follows, viz:

YEAS—42

ron,	Homsher,	Prince,	Salus,
atchelor,	Huffman,	Pytko,	Scott,
aumer,	Kahle,	Reed,	Shapiro,
ean,	Lanius,	(Dauphin)	Staudenmeier,
uckman,	Law,	Reed,	Thompson,
avalcante,	Mallery,	(Washington)	(Centre)
oyne,	McClure,	Rice,	Thompson,
rey,	McCreesh,	Roberts,	(Westmoreland)
elder,	McGinnis,	Rodgers,	Trainer,
raff,	Miller,	Rupp,	Woodward,
arris,	Owlett,	Ruth,	Ziesenheim,
arvey,	Pierson,		

NAYS—0

A majority of all the Senators having voted "aye" the
uestion was determined in the affirmative.

Ordered, That the Clerk inform the House of Represen-
tives accordingly.

BILL OVER IN ORDER

Mr. HUFFMAN. Mr. President, I ask unanimous con-
nt that Senate Bill No. 28 (House Bill No. 19), on final
ssage, entitled:

An Act to amend section two and three of the act, ap-
oved the sixteenth day of May, one thousand nine hun-
ed thirty-five (Pamphlet Laws, two hundred eight), en-
led "An act to provide revenue for State purposes by im-
posing an excise tax, for a limited period of time, on the net incomes of certain corporations, joint-stock associations, and limited partnerships; prviding for the assessment and collection of the tax, and appeals to courts; conferring powers, and imposing duties on certain persons, corporations, joint-stock associations, limited partnerships, State, and county officers, boards, and departments: making an appropriation, and providing penalties," by further defining net income and increasing the rate of tax for a limited period of time.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON FINAL PASSAGE

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 30 (House Bill No. 27), as follows:

An Act to amend the act approved the twenty-second day of June one thousand nine hundred thirty-five (Pamphlet Laws four hundred fourteen) entitled "An act to provide revenue for State purposes imposing taxes upon certain classes of personal property providing for the assessment collection and lien of the same and the distribution of the proceeds thereof imposing duties on executors administrators registers of wills recorders of deeds prothonotaries and court clerks and on persons copartnerships associations banks national banks trust companies and other corporations receiving deposits of money and on certain corporations and limited partnerships conferring powers and imposing duties on certain State officers and departments imposing penalties and making an appropriation" by increasing the rate of tax imposing said tax on additional shares of stock and on the same value of certain equitable interests changing the listing date the date of filing reports and the date and manner of payment of the tax providing for certain exemptions from said tax and making further provision with regard to penalties

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That Sections three four five six seven eight nine ten eleven twelve thirteen fourteen fifteen sixteen seventeen eighteen nineteen twenty twenty-one twenty-two twenty-three and twenty-four of the act approved the twenty-second day of June one thousand nine hundred thirty-five (Pamphlet Laws four hundred fourteen) entitled "An act to provide revenue for State purposes imposing taxes upon certain classes of personal property providing for the assessment collection and lien of the same and the distribution of the proceeds thereof imposing duties on executors administrators registers of wills recorders of deeds prothonotaries and court clerks and on persons copartnerships associations banks national banks trust companies and other corporations receiving deposits of money and on certain corporations and limited partnerships conferring powers and imposing duties on certain State officers and departments imposing penalties and making an appropriation" be and the same are hereby amended to read as follows

Section 3 Tax on Mortgages Judgments Et Cetera Imposition and Rate of Tax Exceptions All personal property of the classes hereinafter enumerated owned held or possessed by any resident whether such personal property be owned held or possessed by such resident in his own right or as active trustee agent attorney-in-fact or in any other capacity for the use benefit or advantage of any other person copartnership unincorporated association company joint-stock company or association limited partnership bank or corporation and the equitable interest in any such personal property owned held or possessed by any resident where the legal title to such personal property is vested in a trustee agent or attorney in fact domiciled in another state and where such residence is entitled to receive all or any part of the income therefrom is hereby made taxable annually for State purposes at the rate of [one mill] four mills on each dollar of the value thereof

as of a date to be fixed annually in the manner provided in section five of this act and no failure to assess or return the same shall discharge such owner or holder thereof from liability therefor that is to say

All mortgages all moneys owing by solvent debtors whether by promissory note or penal or single bill bond or judgment all articles of agreement and accounts bearing interest all public loans whatsoever except those issued by this Commonwealth or the United States and those made taxable for State purposes all loans issued by any corporations association company or limited partnership created or formed under the laws of this Commonwealth or of the United States or of any other state or government including car-trust securities and loans secured by bonds or any other form of certificate or evidence of indebtedness whether the interest be included in the principal of the obligation or payable by the terms thereof except such loans as are made taxable for State purposes by section [nineteen] eighteen hereof all shares of stock in any bank corporation association company or limited partnership created or formed under the laws of this Commonwealth or of the United States or of any other state or government except shares of stock in any bank bank and trust company national banking association savings institution building and loan association corporation or limited partnership [that may be] employing a substantial portion of its property in this Commonwealth and which is liable to a tax on its shares or its capital stock for State purposes under the laws of this Commonwealth or relieved from the payment of tax on its shares or capital stock for State purposes by the laws of the Commonwealth all moneys loaned or invested in other states territories the District of Columbia or foreign countries all other moneyed capital in the hands of individual citizens of the State all stages omnibuses hacks cabs and other vehicles used in transporting passengers for hire except steam and street passenger railway cars owned or used or possessed within this Commonwealth by any person or persons or by any corporate body or bodies all annuities yielding annually over two hundred dollars ($200) Provided That this section shall not apply to bank notes or notes discounted or negotiated by any bank or banking institution savings institution or trust company nor to loans shares of stock or other securities held by bankers or brokers solely for trading purposes nor to accounts or debit balances owing by customers of bankers or brokers in the usual courses of business nor to interest-bearing accounts in any bank or banking institution savings institution or trust company and provided That the provisions of this act shall not apply to building and loan associations or to savings institutions having no capital stock and if at any time either now or hereafter any persons individuals or bodies corporate have agreed or shall hereafter agree to issue his their or its securities bonds or other evidences of indebtedness clear of and free from the said [one mill] four mills tax herein provided for or have agreed or shall hereafter agree to pay the same nothing herein contained shall be so construed as to relieve or exempt him it or them from paying the said [one mill] four mills tax on any of the said securities bonds or other evidences of indebtedness as may be held owned or owing to the said savings institution having no capital stock And provided further That the provisions of this act shall not apply to fire companies firemen's relief owned by or owing to the said savings institution having no capital stock secret and beneficial societies labor unions and labor union relief associations and all beneficial organizations paying sick or death benefits or either or both from funds received from voluntary contributions or assessments upon members of such associations societies or unions And provided further That corporations limited partnerships and joint-stock associations liable to tax on capital stock for State purposes shall not be required to make any report or pay any further tax under this section on the mortgages bonds and other securities owned by them in their own right but corporations limited partnerships and joint-stock associations holding such securities as trustees executors administrators guardians or in any other manner shall return and pay the tax imposed by this section upon all securities so held by them as in the case of individuals And provided further That none of the classes of property made taxable by this section for State purposes shall be taxed or taxable for any local purpose under the laws of this Commonwealth except for county purposes and in cities coextensive with counties for city and county purposes as now provided by law And provided further That the provisions of this section shall not apply to personal property of the class hereinabove enumerated hereafter received from any person or persons copartnership or unincorporated association or company non-resident in or not located within this Commonwealth or from any joint-stock company or association limited partnership bank or corporation formed erected or incorporated by under or in pursuance of any law of the United States or of any state or government other than this Commonwealth and not doing business within this Commonwealth by any person or persons copartnership unincorporated association company joint-stock company or association limited partnership bank or corporation as active trustee agent attorney-in-fact or in any other capacity for the use benefit or advantage of any person or persons copartnership or unincorporated association or company nonresident in or not located within this Commonwealth or for the use benefit or advantage of any joint-stock company or association limited partnership bank or corporation formed erected or incorporated by under or in pursuance of any law of the United States or of any state or government other than this Commonwealth and not doing business within this Commonwealth

The words "substantial portion of its property" as used in this section shall be construed to mean any property other than office furniture and fixtures which is necessary and actually used for the exercise of a corporate franchise in this Commonwealth

The value of the equitable interest in any personal property made subject to tax by this section shall be measured by ascertaining the value of the personal property in which such resident has the sole equitable interest or in case of divided equitable interests in the same personal property than by ascertaining such part of the value of the whole of such personal property as represents the equitable interest of such resident therein

Section 4 Returns and Payment of Tax (a) For the purpose of ascertaining the amount of tax payable under the third section of this act it shall be the duty of every resident liable to pay such tax on or before the fifteenth day of [March] February of each year to transmit to the department upon a form prescribed prepared and furnished by the department a return in duplicate the original under oath or affirmation of

(1) The aggregate actual value of each of the different classes of property made taxable by the third section of this act held owned or possessed by such resident as of the date fixed annually in the manner provided in section five of this act either in his own right or as trustee agent attorney-in-fact or in any other capacity for the use benefit or advantage of any other person copartnership unincorporated association company limited partnership joint-stock association or corporation

(2) The amount of interest dividends or other income derived from each class of such property at any time during the preceding calendar year and

(3) Such other information as may be required by the department concerning such property The duplicate unsworn return shall be forwarded by the Department of Revenue to the county commissioners Board of Revision of Taxes or board for the assessment and revision of taxes as the case may be of the county from whih the return was made for its use and information

The failure of any taxable resident to receive or procure a return form shall not excuse him from making a return

(b) The return so made shall be sworn or affirmed to by the person making the same if an individual and in the case of copartnerships unincorporated associations and joint-stock associations and companies by some member thereof and in the case of limited partnerships and corporations by the president chairman or treasurer thereof

(c) Any agent duly authorized by the department is hereby authorized to administer the oath or affirmation to any person or officer making the return prescribed by this

section for the taking of which oath or affirmation no charge shall be made Any such agent who shall make any charge for administering such oath or affirmation shall be deemed guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding five hundred dollars ($500.00) or to undergo imprisonment not exceeding one (1) year either or both in the discretion of the court

(d) The tax imposed by section three hereof shall be due and payable when such return is required to be filed and every resident at the time of making every return shall compute and pay to the department the tax due the Commonwealth by such resident

Section 5 Listing Date The department shall on or before the [first] fifteenth day of [February] January one thousand nine hundred [thirty-six] thirty-seven and annually thereafter fix a day as of which the property made taxable by the third section of this act shall be listed and assessed The day so fixed shall be between the first and the fifteenth days of the [immediately preceding] month of January both inclusive and the day so fixed shall be printed or stamped on the forms for making returns of all such property [if] If through inadvertence mistake or otherwise the department fails to designate or fix such date or if such date does not appear on the form for making return of such property the date as of which such property shall be listed and assessed shall be the immediately preceding first day of January

[Section 6 Original Assessment Notice The Department shall originally assess the tax imposed by the third section of this act on the basis of the return duly made Promptly after the date of such original assessment the department shall give or send by mail or otherwise a notice thereof to the taxpayer If the taxpayer is dissatisfied with the original assessment so made he may petition for a reassessment in the manner hereinafter provided]

Section [7] 6 Estimated Assessment Notice If any resident liable for or believed by the department to be liable for the tax imposed by the third section of this act shall fail to refuse to file a return in the manner and within the time prescribed by this act the department shall make an estimated assessment against him The department shall promptly thereafter give or send by mail or otherwise notice of such estimated assessment to such resident At any time within thirty (30) days after notice of such estimated assessment is so given or sent such resident may file a return under oath or affirmation with the department [and if the department is satisfied that such return is correct and includes all property made taxable by the third section of this act or that such resident owned held or possessed no such taxable property it shall assess the tax if any on the basis of the return so made together with a penalty of ten per centum of the gross amount of taxable property returned] and at that time shall compute and pay to the department the tax due by him to the Commonwealth with interest thereon at the rate of six per centum per annum from the time such property should have been returned [to the date of assessment and shall cancel the estimated assessment] together with a penalty of ten per centum of the amount of the tax due Any resident against whom an estimated assessment is made who shall fail or refuse to file a return and compute and pay the tax interest and penalty in the manner and within the time provided in this section shall have no right to appeal therefrom or to petition for a reassessment and in any suit for the collection of a tax so assessed shall not be permitted to set up as a defense that he owned held or possessed no property made taxable by the third section of this act or any other matter of defense whatsoever If any resident shall file a return [is filed] before an estimated assessment is made but not within the time required by this act [a penalty of ten per centum shall be added to the amount of property so returned and the tax assessed on the basis thereof with interest at the rate of six per centum per annum from the time such property should have been returned to the date of assessment] such resident at that time shall compute and pay to the department the tax due by him to the Commonwealth with interest thereon at the rate of six per centum per annum from the time such property should have been returned together with a penalty of ten per centum of the tax due

Section [8] 7 Additional Assessment Notice If any taxable resident shall fail to include in any return all of his property made taxable by the third section of this act or shall fail to compute and pay tax thereon as required in this act the department shall make an additional assessment of tax against such resident [of] on the amount of such omitted property together with a penalty of ten per centum of such [amount and interest thereon at the rate of six per centum per annum from the time such property should have been returned to the date of assessment] additional assessment Promptly thereafter the department shall give or send by mail or otherwise notice thereof to such resident If such resident is dissatisfied with the additional assessment so made he may petition for a reassessment in the manner hereinafter provided

Section [9] 8 Assessments Made at any Time within Five Years An additional assessment or estimated assessment as heretobefore provided may be made by the department at any time within five (5) years after any property owned held or possessed or alleged to have been so owned held or possessed by an resident should have been returned by him for taxation notwithstanding he shall have paid a tax assessed on the basis of returns previously made or filed and nothwithstanding the department shall have made previous additional or estimated assessments against such resident In any such case no credit shall be given for any penalty formerly assessed and paid

Section [10] 9 Petition for Reassessment Appeal (a) Any resident against whom [any original assessment or] an additional assessment is made may petition the department for a reassessment Notice of an intention to file such a petition or to appear and be heard shall be given to the department [prior to the time the amount becomes due and payable to wit Within] within [thirty (30)] ninety (90) days after notice of such [original assessment or] additional assessment is given or sent by the department to the taxpayer as provided in this act The department shall hold such hearings in each county as may be necessary to hear and determine petitions for reassessment at such places and at such times as may be determined by rules and regulations of the department and each petitioner who has duly notified the department of an intention to file a petition to file a petition for reassessment or to appear and be heard shall be notified by the department of the time when and the place where such hearings shall be held All such petitions shall set forth specifically and in detail the grounds upon which it is claimed the [original or] additional assessment is erroneous or unlawful and shall be accompanied by an affidavit under oath or affirmation certifying to the correctness of the facts stated therein If no petition for reassessment is filed with the department the petitioner may in lieu thereof appear at the hearing and present his petition orally in which event all testimony or statements of facts shall be made under oath or affirmation

(b) If such petitioner is dissatisfied with the action of the department on his petition for reassessment [or if any resident against whom an estimated assessment is made and who has duly thereafter made a return as heretofore provided is dissatisfied with the refusal of the department to assess the tax on the basis of the return so made and to cancel the estimated assessment] he shall have the right to appeal to the court of common pleas of the proper county at any time within [thirty (30)] sixty (60) days after notice of such action [or refusal] is given to him by the department If any resident shall fail to give due notice of an intention to petition for a reassessment and to file a petition for reassessment or to appear and be heard after due notice of his intention to do so or to appeal to the court of common pleas within the time and in the manner herein set forth the right to do so shall be forever barred and any such resident so failing shall not thereafter be permitted in a suit for the recovery of such tax to set up any ground of defense which might have been determined either by the department or the court of common pleas as aforesaid In all cases of petitions for reassessment and appeals the burden of proof shall be on the

petitioner or appellant as the case may be and every appeal to the court of common pleas under this section shall specify all the objections to the assessment and any objection not specified in the appeal shall not be considered by the court

Section [11] 10 Information at Source Reports (a) The executor of every will and the administrator of every estate at the time of filing with the register of wills or clerk of the orphans' court the inventory and appraisal of such estate or of any affidavit setting forth the real and personal estate of such decedent for the purpose of determining the transfer inheritance tax imposed theron by existing law shall in addition thereto file with such register of wills or clerk of the orphans' court a statement in duplicate under oath or affirmation setting forth the items included in such inventory or affidavit which may be liable to the tax imposed by the third section of this act The register or clerk with whom the same is filed shall forthwith send one copy thereof to the department It shall be the duty of the department to proceed at once to assess the tax due from such decedent with interest and penalties as heretofore provided in this act and to present a claim therefor through the Department of Justice to the orphans' court of the proper county or to proceed by action or suit at law through the Department of Justice in any court of competent jurisdiction for the recovery thereof or to take any or all appropriate steps or procedure necessary for the collection of such tax

(b) It shall be the duty of the recorder of deeds in each and every county in this Commonwealth to keep a daily record separate and apart from all other records of every mortgage or article of agreement given to secure the payment of money entered in his office for recording which record shall set forth the following information to wit The date of the mortgage or agreement the names of the parties thereto the just sum of money secured the precise residence of the mortgagee or person to whom interest is payable a brief description of the real estate upon which such mortgage is secured and the date or several dates when the said sum or portion of the said sum shall become due and payable and a like daily record of every assignment of a mortgage or an article of agreement given to secure the payment of money and also the number of mortgages and agreements together with the amount of same and the names of the parties thereto which shall have been that day satisfied of record For the purpose of obtaining with accuracy th precise residence of all mortgagees assignees and persons to whom interest is payable on articles of agreements it shall be the duty of the recorder of deeds in each county whenever a mortgage assignment or agreement given to secure the payment of money shall be presented to him for record to refuse the same unless the mortgage assignment or agreement has attached thereto and made part thereof a certificate signed by the mortgagee assignee or person entitled to interest or his duly authorized attorney or agent setting forth the precise residence of such mortgagee assignee or person entitled to interest and such certificate shall be recorded with the mortgage assignment or agreement Every recorder of deeds on the first Monday of each month shall file the aforesaid daily record or a copy thereof with the department

(c) It shall be the duty of the prothonotary or clerk of the court of common pleas in each and every county in this Commonwealth forthwith upon the passage of this act to keep a daily record separate and apart from all other records of every single bill bond judgment or other instrument securing a debt entered of record in his office Such daily record shall set forth the following information to wit The date of the instrument the names of the plaintiff and defendant together with the precise residence of the plaintiff or person to whose use such bill bond judgment or other obligation to pay money is marked whenever such residence can be ascertained the just sum secured and the date or several dates when the said sum or portion of the same shall become due and payable with the further information whether any of said bonds or judgments are accompanied with mortgages and also the number of every single bill bond judgment or other instrument securing a debt together with the amount of same and the names of the plaintiff and defendant thereto which shall have been that day satisfied The prothonotary or clerk of the court of common pleas shall file the aforesaid daily record or a copy thereof with the department on the first Monday of each month

Section [12] 11 Compensation of Recorders and Prothonotaries The several recorders of deeds prothonotaries and court clerks as aforesaid shall be entitled to receive ten cents for each and every mortgage judgment or lien assignment or satisfaction thereof reported to the department as heretofore required in this act Such fees shall be paid by the respective county treasurers on the presentation of proper vouchers certified by the department and shall be applied in like manner as other fees received by such recorders prothonotaries or clerks Provided That no fee shall be allowed in any case where the residence of any plaintiff mortgagee or assignee is omitted in such reports And provided further That the amount allowed any prothonotary or clerk or recorder of deeds under this act shall not exceed the sum of six hundred dollars ($600.00) per annum

Section [13 Payment and] 12 Due Date All taxes [penalties and interest resulting from any original] whether a report is filed as herein required or whether an estimated or additional assessment is made by the department shall be due and payable [within thirty (30) days after notice of such original or additional assessment is given or sent by the department as heretofore provided if no petition for reassessment is taken or within thirty (30) days after notice of the determination of such petition if no appeal is taken All taxes penalties and interest resulting from any estimated assessment made by the department shall be due any payable within thirty (30) days after the expiration of the time within which a return may be made in such cases if no return is made and thirty (30) days after notice of the assessment made on the basis of such return is given or sent as heretofore provided if such return is made and the tax assessed on the basis thereof] on the fifteenth day of February of each year

Section [14] 13 Interest The tax imposed by the third section of this act shall bear interest at the rate of twelve per centum per annum from the date such tax is due and payable until paid except that any tax found due as the result of an appeal to the court of common pleas or any appellate court shall bear interest at the rate of six per centum per annum from the date the tax was originally due and payable until paid [Any balance finally found due by the department as a result of a reassessment shall bear interest at the rate of twelve per centum per annum from the time such amount was originally due and payable until paid]

Section [15] 14 Lien of Taxes (a) All taxes imposed under the third section of this act together with all penalties and interest shall be considered a public account after [being assessed] becoming due and payable in the manner prescribed in this act and as such shall be a lien upon the franchises and real property of the resident against whom the same are assessed after the same has been entered and docketed of record by the prothonotary of the county where the resident's franchises or property are situated.

(b) The department may at any time transmit to the prothonotaries of the respective counties of the Commonwealth to be by them entered of record certified copies of all liens for taxes imposed by the third section of this act and penalties and interest upon which record it shall be lawful for writs of scire facias to issue and be prosecuted to judgment and execution in the same manner as such writs are ordinarily employed

Section [16] 15 Credits for Overpayment The Board of Finance and Revenue may allow a credit for any taxes imposed by the third section of this act and penalties and interest thereon [alleged to have been] paid [as the result of an error of law or of fact or of both law and fact] to the Commonwealth and which the Commonwealth is not rightfully or equitably entitled Claims for such credits shall be made in accordance with the provisions of "The Fiscal Code" relative to petitions for refunds of taxes No petition for such credit shall be considered by the board unless filed with the board within two (2) years of the payment alleged to have been erroneously made

Upon the allowance of any such petition the credit so determined may be applied against any amount due or subsequently becoming due by such petitioner on account of taxes imposed by the third section of this act and penalties and interest thereon or may be assigned in whole or in part to any other taxable resident to be applied against any amount due or subsequently becoming due by such resident on account of taxes imposed by the third section of this act and penalties and interest thereon Upon the allowance of a petition for credit the board shall issue its certificate under its hand and seal and no credit claimed whether assigned or not shall be allowed unless evidenced by such certificate

Section [17] 16 Penalties Costs (a) Every person or officer who shall wilfully and corruptly make a false and fraudulent return of property made taxable by the third section of this act shall be guilty of wilful and corrupt perjury and upon conviction thereof shall be subject to punishment as provided by law

(b) Any wilful failure on the part of recorders of deeds or prothonotaries or clerks to carry out the duties imposed upon them by section [eleven] ten of this act shall be deemed a misdemeanor and upon conviction thereof the person or persons so failing to comply shall be sentenced to pay a fine not exceeding five hundred dollars ($500.00) or to undergo imprisonment not exceeding one (1) year or both in the descretion of the court

(c) Every register of wills who shall fail to send copies of affidavits filed with him by executors or administrators to the department as required by section [eleven] ten of this act shall be guilty of a misdemeanor and upon conviction thereof the register so failing shall be sentenced to pay a fine not exceeding five hundred dollars ($500.00) or to undergo imprisonment not exceeding one (1) year or both in the descretion of the court

(d) Every executor or administrator who fails to file the affidavit with the register of wills as required by section [eleven] ten of this act shall be subject to a penalty of twenty-five dollars ($25.00) for the first day and ten dollars ($10.00) for each succeeding day during which such affidavit is not filed to be collected by the department through the Department of Justice in the same manner as debts are by law collected

(e) Whenever any person acting for or on behalf of the department shall in good faith institute legal proceedings for any violations of the provisions of this act and for any reason shall fail to recover costs of record such costs shall be a charge upon the proper county as shall such costs in the event defendant is imprisoned for failure to pay fine or costs or both and shall be audited and paid as are costs of like character in said county

Section [18] 17 Enforcement Rules and Regulations Inquisitorial Powers of the Department (a) The department is hereby charged with the enforcement of the provisions of this act and is hereby authorized and empowered to prescribe adopt promulgate and enforce rules and regulations relating to any matter or thing pertaining to the administration and enforcement of the provisions of this act and the collection of taxes penalties and interest imposed by this act

(b) The department or any agent authorized in writing by it is hereby authorized to examine the books papers and records of any resident in order to verify the accuracy of any return made or if no return was made to ascertain and assess the tax imposed by the third section of this act Every such resident is hereby directed and required to give the department or its duly authorized agent the means facilities and opportunity for such examinations and investigations as are hereby prothorized to examine any person under oath concerning any property which was or should have been returned for taxation and to this end may compel the production of books papers and records and the attendance of all persons whether as parties or witnesses whom it believes have knowledge of such property The procedure for such hearing or examination shall be the same as that provided by "The Fiscal Code" relating to inquisitorial powers of fiscal officers

Any information gained by the department as a result of any returns investigations hearings or verifications required or authorized by this act and any information gained by the county commissioners Board of Revision of Taxes or board for the assessment and revision of taxes as the result of duplicate returns received from the department shall be confidential except for official purposes and any person or agent divulging such information shall be deemed guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not in excess of five hundred dollars ($500.00) or to undergo imprisonment for not more than three (3) years or both in the discretion of the court

(c) The powers conferred by this act upon the department relating to the administration or enforcement of this act shall be in addition to but not exclusive of any other powers heretofore or hereafter conferred upon the department by law

Section [19] 18 Tax on Script Bonds Et Cetera Imposition and Rate of Tax All script bonds certificates and evidences of indebtedness issued and all script bonds certificates and evidences of indebtedness assumed or on which interest shall be paid by any and every private corporation incorporated or created under the laws of this Commonwealth or the laws of any other state or of the United States and doing business in this Commonwealth and all script bonds certificates and evidences of indebtedness issued are hereby made taxable [for the year one thousand nine hundred and thirty-six and annually thereafter] for State purposes during the calendar year one thousand nine hundred thirty-six on reports filed for the calendar year one thousand nine hundred thirty-five or for the fiscal year beginning in the calendar year one thousand nine hundred thirty-five at the rate of one mill on each dollar of the nominal value thereof and during the calendar year one thousand nine hundred thirty-seven on reports filed for the calendar year one thousand nine hundred thirty-six or the fiscal year beginning in the calendar year one thousand nine hundred thirty-six at the rate of four mills on each dollar of the nominal value thereof which tax shall be in addition to the tax imposed for State purposes by section seventeen of the act approved the seventeenth day of June one thousand nine hundred and thirteen (Pamphlet Laws five hundred seven) and its amendments or supplements Provided That Whenever under the provisions of this section any private corporation shall become liable for such taxes upon evidences of indebtedness by it assumed or on which it shall pay interest it shall be the duty of such corporation not later than ten (10) days thereafter to give notice in writing to any person who may at such time be liable for the payment of any taxes upon such evidence of indebtedness under the provisions of the third section of this act that the corporation has assumed such indebtedness or the payment of the interest thereon and will deduct and pay the taxes imposed thereon by this section Such notice shall also be given before the first day of October of each and every subsequent year during which such corporation is liable for the payment of such interest Where any private corporation shall assume such evidences of indebtedness or the payment of interest thereon prior to the first day of October in any year and shall give notice as hereinbefore provided such corporation shall be relieved from the duty of deducting and paying the taxes imposed by this section for the balance of such year but shall deduct and pay said taxes for the ensuing year and the person to whom such notice shall be given shall for such ensuing year be relieved from the payment of tax under the provisions of the third section of this act upon such evidences of indebtedness so assumed or on which the corporation shall pay interest Where any private corporation shall assume such evidences of indebtedness or the payment of interest thereon on or subsequent to the first day of October in any year and shall give the notice as hereinbefore provided such corporation shall be relieved from the duty of deducting and paying the tax upon such evidences of indebtedness by it assumed or on which it shall pay interest for the balance of such year for the ensuing year and the person to whom notice is so given shall pay the tax for the period for which the corporation is relieved upon such evidences of indebtedness so assumed or on which the corporation shall pay interest as provided for in the third section of this act Neglect or failure on the part of any corporation upon

assuming any evidences of indebtedness or becoming liable for the payment of interest thereon to give the notice as herein provided and within the time prescribed shall make such corporation liable for the payment of taxes from the time when such evidences of indebtedness are assumed or for the entire period for which interest shall be paid Neglect or failure to give such notice before the first day of October of each and every subsequent year during which such corporation is liable for the payment of such interest shall make the corporation liable for such taxes for the year following without any deductions from interest due as hereinbefore provided Provided That this section shall not apply to bank notes or notes discounted or negotiated by any bank or banking institution savings institution or trust company nor to interest-bearing accounts in any bank banking institution savings institution or trust company And provided further That the provisions of this act shall not apply to building and loan associations or to savings institutions having no capital stock and if at any time either now or hereafter any persons individuals or bodies corporate have agreed or shall hereafter agree to issue his their or its securities bonds or other evidences of indebtedness clear of and free from the said (one mill) four mills tax herein provided for or have agreed or shall hereafter agree to pay the same nothing herein contained shall be so construed as to relieve or exempt him it or them from paying the said [one mill] four mills tax on any of the said such securities bonds or other evidences of indebtedness as may be held owned by or owing to the said savings institution having no capital stock And provided further That the provisions of this act shall not apply to fire companies firemen's relief associations life or fire insurance corporations having no capital stock secret and beneficial societies labor unions and labor union relief associations and all beneficial organizations paying sick or death benefits or either or both from funds received from voluntary contributions or assessments upon members of such associations societies or unions And provided further That corporations limited partnerships and joint-stock associations liable to tax on capital stock for State purposes shall not be required to pay any further tax under this section on the mortgages bonds and other securities owned by them in their own right but corporations limited partnerships and joint-stock associations holding such securities as trustees executors administrators guardians or in any other manner shall be liable for the tax imposed by this section upon all securities so held by them as in the case of individuals And provided further That none of the classes of property made taxable by this section for State purposes shall be taxed or taxable for county school or other local purposes

It is the intent of this act that all scrip bonds certificates and evidences of indebtedness made taxable under this section are not taxable under the third section of this act and that only such scrip bonds certificates and evidences of indebtedness which cannot be made taxable under this section are to be taxed under the third section of this act.

Section [20] 19 Collection of Tax The tax for State purposes imposed upon obligations of private and public corporations by section [nineteen] eighteen of this act shall be collected in the same manner as the tax imposed for State purposes upon such obligations by section seventeen of the act approved the seventeenth day of June one thousand nine hundred thirteen (Pamphlet Laws five hundred seven) and its amendments or supplements it being the true intent and meaning of this act that the provisions of the law in force at the time of the passage of this act relating to the manner of the collection of the State tax upon such obligations shall remain unaffected by this act.

Section [21] 20 Disposition of Tax Interest Fees Fines Forfeitures and Penalties All taxes and interest that shall be received recovered paid or collected under the provisions of this act shall be paid into the State Treasury through the department

All moneys paid into the State Treasury from taxes for the first year for which a tax is imposed by the provisions of this act shall be used only for unemployment relief purposes and for such purposes are hereby appropriated and all moneys paid into the State Treasury during the second year this act is in effect shall be credited to the General Fund

Section [22] 21 Constitutional Construction If any section sentence clause or part of this act is for any reason held to be unconstitutional the decision of the court shall not affect or impair any of the remaining provisions of this act It is hereby declared as the legislative intent that this act would have been adopted had such unconstitutional sentence section clause or part thereof not been included herein

Section [23] 22 Effect on Other Acts of Assembly Nothing contained in this act shall be deemed to repeal or modify the act approved the seventeenth day of June one thousand nine hundred thirteen (Pamphlet Laws five hundred seven) entitled "An act to provide revenue for State and county purposes and in cities coextensive with counties for city and county purposes imposing taxes upon certain classes of personal property providing for the assessment and collection of the same providing for the duties and compensation of prothonotaries and recorders in connection therewith and modifying existing legislation which provided for raising revenue for State purposes" and its amendments or supplements The taxes imposed by this act shall be in addition to all other taxes which are now or hereafter imposed by law

Section [24] 23 Effective Date This act shall become effective immediately upon its final enactment and shall remain in force for the assessment and collection of taxes under section three of this act for the calendar years one thousand nine hundred and thirty-six and one thousand nine hundred and thirty-seven and for the collection of taxes under section [nineteen] eighteen of this act during the calendar years one thousand nine hundred and thirty-six and one thousand nine hundred and thirty-seven on reports filed for the calendar years one thousand nine hundred and thirty-five and one thousand nine hundred and thirty-six or for the fiscal years beginning in the calendar years one thousand nine hundred and thirty-five and one thousand nine hundred and thirty-six

Section 2 This act shall become effective immediately upon its final enactment

and the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

Mr. WOODWARD. Mr. President, I move to reconsider the vote by which Senate Bill No. 30 (House Bill No. 27), on final passage, passed third reading?

The PRESIDENT. How did the Senator vote?

Mr. WOODWARD. Mr. President, I voted "aye."

Mr. ARON. Mr. President, I second the motion.

The PRESIDENT. How did the Senator vote?

Mr. ARON. Mr. President, I voted "aye."

The motion was agreed to.

And the question recurring?

Will the Senate agree to the bill on third reading?

Mr. WOODWARD. Mr. President, I ask unanimous consent to amend section 3, page 4, by striking out all of line 16; amend section 3, page 4, by striking out at the beginning of line 17, the words "wealth and which is"; amend section 3, page 7, by striking out all of lines 16, 17, 18, 19 and 20.

Mr. PRESIDENT, I am requested by both sides of the House to offer the following amendment, which strikes out the amendment offered by me and inserted in House Bill No. 27, and which interferes with the Franchise Tax agreement, that this language should be stricken out of House Bill No. 27.

The PRESIDENT. Is there objection? The Chair hears none.

The amendment was agreed to.

On the question,

Will the Senate agree to the bill on third reading as amended?

It was agreed to.

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—31

Aron,	Kahle,	Reed,	Shapiro,
Baumer,	Lanius,	(Washington)	Staudenmeier,
Bean,	Law,	Rice,	Thompson,
Cavalcante,	McCreesh,	Roberts,	(Centre)
Coyne,	McGinnis,	Rodgers,	Thompson,
Frey,	Miller,	Rupp,	(Westmoreland)
Harris,	Owlett,	Ruth,	Trainer,
Harvey,	Pytko,	Salus,	Woodward,
Huffman,		Scott,	

NAYS—12

Batchelor,	Graff,	McClure,	Reed,
Buckman,	Homsher,	Pierson,	(Dauphin)
Faly,	Mallery,	Prince,	Ziesenheim,
Gelder,			

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

QUESTION OF PERSONAL PRIVILEGE

Mr. OWLETT. Mr. President, I rise to a question of personal privilege.

The PRESIDENT. The Senator from Tioga will state his question of personal privilege.

Mr. OWLETT. Mr. President, I desire to state the reason for my vote on this bill. At the last session of the General Assembly I strenuously opposed the one-mill personal property tax. This bill adds three more mills and makes it four mills. I think it is a vicious and unsound tax, and I feel as much as I ever did feel, that it is not a sound form of taxation. The Senate was faced with the necessity of either taking the bills submitted by the Democratic House, or having relief fail. Rather than have the people of Pennsylvania go hungry, and faced with no other alternative than to vote for this bill, I cast my vote for this bill.

BILLS ON FINAL PASSAGE

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 34 (House Bill No. 39), as follows:

An Act to provide for the participation of the Commonwealth of Pennsylvania in a National Celebration of the One Hundred Fiftieth Anniversary of the Framing the Signing the Ratification by Pennsylvania and the Final Adoption and Promulgation of the Constitution of the United States to be held at Philadelphia and elsewhere on the fifteenth sixteenth and seventeenth days of September one thousand nine hundred thirty-seven and subsequent anniversary dates in connection therewith and making an appropriation

Whereas The Congress of the United States has created the United States Constitution Sesquicentennial Commission to provide for a suitable commemoration on behalf of the Nation of the One Hundred Fiftieth Anniversary of the Framing Signing Ratification Adoption and Promulgation of our Federal Constitution to be held at Philadelphia and elsewhere on the fifteenth sixteenth and seventeenth days of September one thousand nine hundred thirty-seven and on the subsequent appropriate anniversary dates and

Whereas Pennsylvania is more deeply concerned in the public commemoration of those exalted events than any other State not alone by reason of the services of her eight distinguished sons in the original Constitutional Convention but as well because she provided her Capitol the old State House of Pennsylvania now known as the Hall of Independence as the scene for those epoch-making actions extending her hospitality therefor to the Governors and peoples of the then confederated United States and

Whereas It is desired to make of said celebrations memorable occasions of national reunion and

Whereas To commemorate these momentous events Pennsylvania again should offer to the Government of the United States and to the entire Nation invitations to the same inviting the entire Nation to rejoice where the Constitution was born and should herself as the Keystone State commemorate the birth of our Government under law on the soil of this Commonwealth and

Whereas Fifty years ago on the occasion of the Centennial Celebration of the Constitution Pennsylvania by the act approved the third day of June one thousand eight hundred eighty-seven (Pamphlet Laws three hundred thirty-eight) provided a suitable commemoration for the Commonwealth and extended its hospitality to the Government of the United States to the Governors and peoples of the other States of the Union and of foreign governments providing a suitable appropriation therefor and

Whereas the General Assembly by earlier acts has created the Pennsylvania Historical Commission to represent the Commonwealth in such matters

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the Department of Public Instruction through the Pennsylvania Historical Commission is hereby authorized and directed for and on behalf of the Commonwealth of Pennsylvania to arrange for tre participation of the Commonwealth of Pennsylvania in any national celebration of the aforementioned historical events

In performing its duties under this act the Department of Public Instruction through the Pennsylvania Historical Commission shall appoint such committee or committees of representative citizens as it may find desirable the same however to include the Governor the Chief Justice of the Supreme Court the Lieutenant Governor the President Pro Tempore of the Senate and the Speaker of the House and shall cooperate with the United States Constitution Sesquicentennial Commission and county municipal or other authorized committees or commissions including the Pennsylvania Federation of Historical Societies and other historical associations

Section 2 The sum of twelve thousand five hundred dollars ($12,500) or so much thereof as may be necessary is hereby appropriated to the Department of Public Instruction for the use of the Pennsylvania Historical Commission in carrying out the purposes of this act

Section 3 This act shall become effective immediately upon its final enactment

And said bill having been read at length the third time, and agreed to, and the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—43

Aron,	Homsher,	Pierson,	Salus,
Batchelor,	Huffman,	Prince,	Scott,
Baumer,	Kahle,	Pytko,	Shapiro,

Bean,	Lanius,	Reed,	Staudenmeier,
Buckman,	Law,	(Dauphin)	Thompson,
Cavalcante,	Mallery,	Reed,	(Centre)
Coyne,	McClure,	(Washington)	Thompson,
Ealy,	Harris,	Rice,	(Westmoreland)
Frey,	McCreesh,	Roberts,	Trainer,
Gelder,	McGinnis,	Rodgers,	Woodward,
Graff,	Miller,	Rupp,	Ziesenheim,
Harvey,	Owlett,	Ruth,	

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 85 (House Bill No. 81), as follows:

An Act to amend section one of the act approved the twenty-fifth day of April one thousand nine hundred and thirty-five (Pamphlet Laws eighty-two) entitled "An act requiring certain cities to allow members of the fire departments twenty-four consecutive hours of rest each week and fourteen days vacation each year except in emergency cases" by providing that the provisions of said act shall be mandatory and prohibiting any diminution of salary or compensation and exempting cities of the third class from the provisions of said act

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of the act approved the twenty-fifth day of April one thousand nine hundred and thirty-five (Pamphlet Laws eighty-two) entitled "An act requiring certain cities to allow members of the fire departments twenty-four consecutive hours of rest each week and fourteen days vacation each year except in emergency cases" is hereby amended to read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That any city except cities of first class and second class A and third class having fire departments shall [allow and permit] grant every member of such fire departments [to have] twenty-four consecutive hours of rest without diminution of the salary or compensation fixed by ordinance or resolution of such city in every calendar week except in emergency cases for the suppression of riots or tumults or the preservation of the public peace in times of war riot conflagration or public celebrations and in addition thereto [to have] shall grant to every member of such fire department an annual vacation of not less than fourteen days without diminution of the salary or compensation fixed by ordinance or resolution of such city provided however that nothing in the provisions of this act shall be so construed as to prevent cities of the third class having fire departments from allowing or permitting every member of such fire department to have at least twenty-four consecutive hours of rest in every calendar week except in the emergency cases above provided for nor to prevent such third class cities from permitting every member of such fire department to have an annual vacation of not less than fourteen days without diminution of the salary or compensation fixed by ordinance or resolution of such city

This act shall become effective immediately upon its final enactment

And said bill having been read at length the third time, and agreed to, and the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—42

Aron,	Harvey,	Prince,	Salus,
Batchelor,	Homsher,	Pytko,	Scott,
Baumer,	Huffman,	Reed,	Shapiro,
Bean,	Kahle,	(Dauphin)	Staudenmeier,
Buckman,	Lanius,	Reed	Thompson,
Cavalcante,	Mallery,	(Washington)	(Centre)
Coyne,	McClure,	Rice,	Thompson
Ealy,	McCreesh,	Roberts,	(Westmoreland)
Frey,	McGinnis,	Rodgers,	Trainer,
Gelder,	Miller,	Rupp,	Woodward,
Graff,	Owlett,	Ruth,	Ziesenheim,
Harris,	Pierson,		

NAYS—1

Law,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

BILLS OVER IN ORDER

Mr. OWLETT. Mr. President, I ask unanimous consent that Senate Bill No. 43 (House Bill No. 26), on third reading, entitled:

An Act to further amend section one of the act approved the thirteenth day of June one thousand nine hundred seven (Pamphlet Laws six hundred forty) entitled "An act to provide revenue by levying a tax upon the shares of stock of companies incorporated under the provisions of section twenty-nine of an act entitled 'An act to provide for the incorporation and regulation of certain corporatins' apprved April twenty-ninth one thousand eight hundred and seventy-four and the supplements thereto for the insurance of owners of real estate mortgages and others interested in real estate from loss by reason of defective titles liens and encumbrances and of companies entitled to the benefits of and of companies having any of the powers of companies entitled to the benefits of an act entitled 'An act conferring upon certain fidelity insurance safety deposit trust and savings companies the powers and privileges of companies incorporated under the provisions of section twenty-nine of an act entitled "An act to provide for the incorporation and regulation of certain corporations" approved April twenty-ninth Anno Domini one thousand eight hundred and seventy-four and of thesupplements thereto' approved June twenty-seventh one thousand eight hundred and ninety-five commonly known as title insurance or trust companies" by increasing the rate of tax for a limited period of time and by further modifying the method of computing the tax.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. BUCKMAN. Mr. President, I ask unanimous consent that Senate Bill No. 44 (House Bill No. 28), on third reading, entitled:

An Act to further amend section one of the act approved the fifteenth day of July one thousand eight hundred and ninety-seven (Pamphlet Laws two hundred ninety-two) entitled "An act to provide revenue by taxation" by increasing the rate of tax.

go over in its order.

The PRESIDENT. Is there objection?

Mr. SHAPIRO. Mr. President, I can see the reason

for having Senate Bill No. 43 go over in order, because it might be affected by the same amendments as the amendments discussed by Senator Woodward, but as to Senate Bill No. 44, which is a mill's tax on savings institutions, I do not think they are in any way companion bills, they are bills with the same kind of tax, but with two different kinds of taxpayers; one of them does not depend upon the other.

Mr. BUCKMAN. Mr. President, that may be true, but I look upon them as bills that go together, and inasmuch as one went over in order, I thought it would be proper for the other to go over in order.

Mr. SHAPIRO. Mr. President, I cannot see the reason for putting it over in its order. It was one of the agreed tax measures, and I cannot see the reason why it should not be passed. I cannot see the real reason for it going over in order.

Mr. HUFFMAN. Mr. President, This is one of two companion bills to Senate Bill No. 27; Nos. 26 and 28 are the two in question. This one should go over in order because it needs amendments—there are amendments to be offered, and since they affect different types of banking institutions, it is my judgment that they can be both passed on Monday, or whenever we need them.

Mr. SHAPIRO. I see the force of it and I withdraw my objection.

The PRESIDENT. Is there objection to this bill going over in its order? The Chair hears none.

Mr. WOODWARD. Mr. President, at the request of His Honor, the Mayor of Philadelphia, I ask unanimous consent that Senate Bill No. 46, on third reading, entitled:

An Act relating to proceedings for the forfeiture of rights, privileges or franchises of corporations making claim against street railway traction or motor power companies in certain cases and providing for the disposition of rights privileges or franchises forfeited and for contracts relating thereto.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 48 (House Bill No. 68), as follows:

An Act authorizing the Department of Forests and Waters to make a survey and investigation with respect to flood control and the coordination of any Federal and State flood control program and making an appropriation

Whereas Numerous projects have been proposed in the Commonwealth for flood prevention and flood control and

Whereas It is of utmost importance that such projects be studied and correlated so that they may form part of a properly developed plan for flood control covering the entire Commonwealth and

Whereas A study should be made to determine how such projects may be constructed in the interest of flood control and

Whereas The construction of flood control works by the Federal Government with or without the financial cooperation of this and adjoining states should be carefully reviewed by some Commonwealth agency to the end that such projects may be most advantageously coordinated with any State program for flood control therefore

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the Department of Forests and Waters is hereby authorized and directed to make a survey and study of the various watersheds of the Commonwealth for the purpose of determining for the benefit of this Commonwealth and the Federal Government where and in what manner flood control may be secured

Section 2 The Department of Forests and Waters shall make a complete report of its investigation and flood control survey to the next General Assembly convening in January one thousand nine hundred and thirty-seven not later than February first one thousand nine hundred and thirty-seven so that the General Assembly may be fully advised in order that appropriate legislation may be enacted with a view of adopting a comprehensive flood control and water conservation program

Section 3 The sum of fifty thousand dollars ($50,000) or so much thereof as may be necessary is hereby specifically appropriated to the Department of Forests and Waters for the payment of the salary compensation and wages of engineers experts clerks assistants and employes deemed necessary in making the investigation survey and report authorized by this act for the payment of postage traveling expenses mileage charges to the Department of Property and Supplies for the use of automobiles telephone toll charges telegrams expenses of operating and maintaining automobiles and other motor equipment for printing and for all other incidental expenses necessary for carrying into effect the provisions of this act

And said bill having been read at length the third time, and agreed to, and the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—43

Aron,	Harvey,	Pierson,	Salus,
Batchelor,	Homsher,	Prince,	Scott,
Baumer,	Huffman,	Pytko,	Shapiro,
Bean,	Kahle,	Reed,	Staudenmeier,
Buckman,	Lanius,	(Dauphin)	Thompson,
Cavalcante,	Law,	Reed,	(Centre)
Coyne,	Mallery,	(Washington)	Thompson,
Ealy,	McClure,	Rice,	(Westmoreland)
Frey,	McCreesh,	Roberts,	Trainer,
Gelder,	McGinnis,	Rodgers,	Woodward,
Graff,	Miller,	Rupp,	Ziesenheim,
Harris,	Owlett,	Ruth,	

NAYS—0

Majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 35 (House Bill No. 40), as follows:

An Act to provide for the commemoration by the Commonwealth of Pennsylvania of the Three Hundredth Anniversary of the Earliest Settlement the First Courts of Law and the First Capital within what is now Pennsylvania and making an appropriation

Whereas The landing of the ships Kalmar Nyckel and Fogel Grip on the Delaware in March one thousand six hundred thirty-eight thereby establishing the Colony of New Sweden on land water included in the Royal Grant to William Penn vests this Tercentenary of the first white permanent settlement within the bounds of Pennsylvania with a peculiar relation to the Commonwealth and

Whereas Pennsylvania's state sovereignty in reality began with Johan Printz who under plenary power reposed in him by the Swedish Crown planted her first capital under permanent government on Tinicum Island (now in Delaware County) and was himself her first Chief Executive or Governor here were her first law courts and here three years later was consecrated to the Glory of God and the practice of Sweden's historic Church the first building of any branch of the Church universal within Pennsylvania's bounds and

Whereas Through varying vicissitudes this settlement was continued under English rule the founding Swedes were held in high esteem and during the Duke of York's government on the Delaware three of his six councilors were native Swedes while all the justices of the earliest English tribunal on the soil of Pennsylvania the Upland Court were Swedes save one and

Whereas The establishment of Penn's government under Colonel William Markham at Upland now Chester on August third one thousand six hundred eighty-one was followed by the coming of the great Quaker himself in October one thousand six hundred eighty-two and upon his arrival there began a coalition in government unique in the annals of colonization and New Sweden merged into his Holy Experiment of a hoped-for perfect democracy in the province of Pennsylvania and the counties of New Castle Kent and Susser-on-Delaware which counties later became the sister State of Delaware and

Whereas Under the tolerant religious and civil principles bodied forth in the Proprietary's Bill of Rights New Sweden and Pennsylvania lived on under the latter's name and although Penn's English Irish Welsh and German colonists were among the last great group to settle in the thirteen original states such was the character or quality of our forefathers and so beneficent their government that both New Sweden and its successor Pennsylvania were the only colonies that not only lived at peace with the Indians and with neighboring colonies but developed quickly into the greatest richest and most populous province among the original thirteen colonies and Philadelphia early became the greatest city of this young America and Pennsylvania soon was recognized as truly the keystone in the great arch of states and

Whereas This General Assembly is mindful both of this goodly heritage of faith of character and of the achievements of our forefathers in founding the civilization upon which our Commonwealth is based and the honorable pride of our citizens therein and

Whereas the General Assembly by earlier acts and The Administrative Code of one thousand nine hundred and twenty-nine has created the Pennsylvania Historical Commission to represent the Commonwealth in such matters

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the Department of Public Instruction is hereby authorized and directed to act for and on behalf of the Commonwealth of Pennsylvania in arranging a suitable commemoration of the aforementioned inspiring events

In performing its duties under this act the Department of Public Instruction through the Pennsylvania Historical Commission shall have power to appoint such committee or committees of representatives citizens as it may find desirable the same however to include the Governor the Lieutenant Governor the President Pro Tempore of the Senate the Speaker of the House and the President and Secretary of the Pennsylvania Federation of Historical Societies and shall cooperate with similar commissions of the States of Delaware New Jersey or Maryland and with the Pennsylvania Federation of Historical Societies and other historical associations including the Swedish Colonial Society the Swedish Tercentenary Commission and with the respective Governments of the United States Sweden and Finland

Section 2 The sum of twelve thousand five hundred dollars ($12,500) or so much thereof as may be necessary is hereby appropriated to the Department of Public Instruction for the use of the Pennsylvania Historical Commission in carrying out the purpose of this act

Section 3 This act shall become effective immediately upon its final enactment

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

REQUEST TO PUT BILL OVER IN ORDER

Mr. OWLETT. Mr. President, I ask unanimous consent that Senate Bill No. 41 (House Bill No. 55), on second reading, entitled:

An Act establishing a system of unemployment compensation to be administered by a newly created independent administrative commission of five members appointed by the Governor President Pro Tempore of the Senate the Speaker of the House of Representatives the Auditor General and the State Treasurer establishing a civil service system for employes of the commission transferring the existing system of free public employment offices from the Department of Labor and Industry to the commission requiring employes to pay certain contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons providing procedure and administrative details for the determination payment and collection of such contributions and the payment of such compensation providing for cooperation with the Federal Government and its agencies creating certain special funds in the custody of the State Treasurer and prescribing penalties.

go over in its order.

The PRESIDENT. Is there objection?

Mr. SHAPIRO. Mr. President, I would like to interrogate the Senator from Tioga, Mr. Owlett.

The PRESIDENT. Will the Senator from Tioga, Mr. Owlett, permit himself to be interrogated?

Mr. OWLETT. Mr. President, I will.

Mr. SHAPIRO. Mr. President, I would like to ask the Senator from Tioga, Mr. Owlett, what is the purpose of having this bill go over in order.

Mr. OWLETT. Mr. President, it is for the purpose of offering an amendment to make the Act comply with the Federal Act insofar as it applies to the number of employees that an employer must have to be brought within the Federal Act. Mr. President, the Federal Act exempts all employers having eight or less employees, while the Moomaw bill brings in every employer, even if he has just one employee, and compels him to pay this tax. It brings in a large number of people who are not subject to the tax under this Act, and I desire to offer an amendment and am having an amendment prepared taking out the provision with eight or less employees, so that it will exempt small business-men and the small merchant.

Mr. SHAPIRO. I would like to ask the Senator from Tioga if he is aware that Senate Bill No. 106, which has just been reported out by the Senator from Bucks, Mr. Buckman, contains the very provision he talks about, which complies with the Federal law so far as the number of employees is concerned, and in all other respects these two bills are practically the same.

Mr. OWLETT. Mr. President, as I understand it, this is what is known as a Democratic Administration bill, and I know nothing about any other bill. This bill brings in

every employer, even if he has only one employee, and I desire to offer an amendment to this bill, and I ask that it go over in its order.

Mr. SHAPIRO. Mr. President, I would like to object to that request: First, I desire to offer some amendments to this bill at this time, and, second, because the time is too short to pass another bill on such an important piece of legislation.

I want to call attention to the fact that this bill is now reported from committee as amended, and as now amended there are only two distinct differences between it and Senate Bill No. 106; one of the differences is the one amendment by the Senator from Tioga, and the other a difference in the method of administration, whether it shall be one "pool" fund or a "reserve" fund and the Administration bill has a "pool fund" and the No. 106 bill has a "semi-reserve" fund. Senate No. 106 also differs in that it requires a contribution by employees, which this bill does not require. If there are any other amendments to be offered, that is one thing, but if not, this matter is to be delayed again, and I desire at this time to offer amendments to House Bill 55 (Senate Bill No. 41), and, therefore, I object to its going over in its order.

The PRESIDENT. The Chair hears objection.

MOTION TO POSTPONE BILL

Mr. OWLETT. Mr. President, objection having been made to the bill going over in its order. I move that further consideration of the bill be postponed for the present.

Mr. McCLURE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the resolution?

The yeas and nays were required by Mr. SHAPIRO and Mr. CAVALCANTE and were as follows, viz:

YEAS—21

Aron,	Gelder,	Owlett,	Thompson,
Batchelor,	Graff,	Pierson,	(Westmoreland)
Bean,	Harvey,	Reed,	Trainer,
Buckman,	Homsher,	(Dauphin)	Woodward,
Coyne,	Mallery,	Salus,	Ziesenheim,
Ealy,	McClure,	Scott,	

NAYS—22

Baumer,	Lanius,	Pytko,	Rupp,
Cavalcante,	Law,	Reed,	Ruth,
Frey,	McCreesh,	(Washington)	Shapiro,
Harris,	McGinnis,	Rice,	Staudenmeier,
Huffman,	Miller,	Roberts,	Thompson,
Kahle,	Prince,	Rodgers,	(Centre)

So the question was determined in the negative.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 41, (House Bill No. 55), entitled:

An Act establishing a system of unemployment compensation to be administered by a newly created independent administrative commission of five members appointed by the Governor President Pro Tempore of the Senate the Speaker of the House of Representatives the Auditor General and the State Treasurer establishing a civil service system for employes of the commission transferring the existing system of free public employment offices from the Department of Labor and Industry to the commission requiring employers to pay certain contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons providing procedure and administrative details for the determination payment and collection of such contributions and the payment of such compensation providing for cooperation with the Federal Government and its agencies creating certain special funds in the custody of the State Treasurer and prescribing penalties.

The first section of the bill was read as follows:

ARTICLE I

PRELIMINARY PROVISIONS

Section 1 Enacting Clause Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That

Section 2 Short Title This act shall be known and may be cited as the "Unemployment Compensation Law"

Section 3 Declaration of Public Policy Economic insecurity due to unemployment is a serious menace to the health morals and welfare of the people of the Commonwealth Involuntary unemployment and its resulting burden of indigency falls with crushing force upon the unemployed worker and ultimately upon the Commonwealth and its political subdivisions in the form of poor relief assistance Security against unemployment and the spread of indigency can best be provided by the systematic setting aside of financial reserves to be used as compensation for loss of wages by employes during periods when they become unemployed through no fault of their own The principle of the accumulation of financial reserves the sharing of risks and the payment of compensation with respect to unemployment meets the need of protection against the hazards of unemployment and indigency The Legislature therefore declares that in its considered judgment the public good and the general welfare of the citizens of this Commonwealth require the exercise of the police powers of the Commonwealth in the enactment of this act for the compulsory setting aside of unemployment reserves to be used for the benefit of persons unemployed through no fault of their own

Section 4 Definitions The following words and phrases as used in this act shall have the following meanings unless the context clearly requires otherwise

(a) "Board" means the Unemployment Compensation Commission established by this act

(b) "Compensation" means money payments payable to individuals with respect to their unemployment as provided in this act

(c) "Contribution" means the money payments required to be paid into the Unemployment Compensation Fund by employers with respect to employment which payments shall be used for the creation of financial reserves for the payment of compensation as provided in this act

(d) "Employe" means every individual whether male female citizen alien or minor who is or subsequent to January first one thousand nine hundred thirty-six was engaged for hire by an employer in an employment subject to this act

(e) "Employers" means every (1) individual (2) copartnership (3) association (4) corporation domestic or foreign) (5) the legal representative trustee in bankruptcy receiver or trustee of any individual copartnership association or corporation or (6) the legal representative of a deceased person (I) who or which employed or employes or may employ any individual in employment subject to this act within each of twenty (20) different weeks during the year one thousand nine hundred thirty-six or any calendar year thereafter whether or not such weeks are consecutive or (II) who or which has elected to become fully subject to this act and whose election remains in force

Where an employer maintains more than one place of employment within this Commonwealth all of the employes at the several places of employment shall be treated for the purposes of this act as if employed by a single employer

Any individual copartnership association or corpora-

tion who or which is not subject to this act may elect to become subject thereto by filing with the commission his or its written application and if such application is approved by the commission the election shall become binding for not less than two calendar years

(f) "Employment" means all personal work including personal work in interstate commerce performed under any contract of hire express or implied written or oral including all contracts entered into by helpers and assistants of employes whether paid by the employer or employe if employed with the knowledge actual or constructive of the employer in which all or the greater part of the work is performed within this Commonwealth

The word "employment" shall not be construed to include

(1) Agricultural labor

(2) Domestic service in a private home

(3) Service performed as an officer or member of the crew of a vessel on the navigable waters of the United States

(4) Service performed by an individual in the employ of his son daughter or spouse and service performed by a child under the age of twenty-one (21) in the employ of his father or mother

(5) Service performed in the employ of the United States Government or of any instrumentality of the United States

(6) Service performed in the employ of a state a political subdivision thereof or an instrumentality of one or more states or political subdivisions.

(7) Service performed in the employ of a corporation community chest fund or foundation organized and operated exclusive for religious charitable scientific literary or educational purposes or for the prevention of cruelty to children or animals no part of the net earnings of which inures to the benefit of any private shareholder or individual

(g) "Employment Office" means a public employment office or branch thereof operated by the commission

(h) "Full-time Weekly Wage" means the weekly wage for a full week's work as determined by the rules and regulations of the commission

(i) "Social Security Act" means the act enacted by the Congress of the United States approved the fourteenth day of August one thousand nine hundred thirty-five entitled "An act to provide for the general welfare by esablishing a system of Federal old-age benefits and by enabling the several states to make more adequate provision for aged persons blind persons dependent and crippled children maternal and child welfare public health and the administration of their unemployment compensation laws to establish a Social Security Board to raise revenue and for other purposes" as amended

(j) "Social Security Board" means the Social Security Board established by the Social Security Act

(k) "State" includes Alaska Hawaii and the District of Columbia

(l) "Suitable Work" means all work which the employe is capable of performing except work in which (1) the position offered is vacant due directly to a strike lockout or other labor dispute or (2) the wages hours or other conditions of the work offered are substantially less favorable to the employe than those prevailing for similar work in the locality or (3) as a condition of being employed the employe would be required to join a company union or to resign from or refrain from joining any bona fide labor organization

(m) "Total Unemployment" means that an employe during a particular week has had no work for which wages are payable to him

(n) "Unemployment Trust Fund" means the Unemployment Trust Fund established by the Social Security Act

(o) "Wages" means all remuneration for employment including the cash value of all remuneration paid in any medium other than cash

(p) "Week" means any calendar week ending at midnight Saturday or the equivalent thereof as determined in accordance with general rules adopted by the commission

(q) "Week of Employment" means each week occurring after January first one thousand nine hundred thirty-seven within which an employe performed work in an employment subject to this act for an employer subject to this act and in which the employe has earned such fair and reasonable proportion of his full time weekly wages as the commission after thorough study and investigation shall prescribe by rule or regulation provided that the proportion so prescribed by the commission shall be uniform with respect to all employes subject to this act

Section 5 Constitutional Construction The provisions of this act are severable and if any provisions hereof are held unconstitutional such decision shall not be construed to impair any other provision of this act It is hereby declared as the legsilative intent that this act would have been adopted had such unconstitutional provision not been included herein

Section 6 Suspension of Act under Certain Circumstances If the tax imposed by Title IX of the Social Security Act or any amendments thereto or any other Federal tax against which contributions under this act may be credited shall for any cause become inoperative with the result that contributions under this act or some portion thereof may no longer be credited against such Federal tax or in the event that the Social Security Board shall not approve the provisions of this act then the Governor of the Commonwealth shall forthwith by proclamation declare that the provisions of this act by virtue of that fact be suspended in their entirety and any unobligated funds in the Unemployment Compensation Fund or returned by the United States Treasurer because such Social Security Act is inoperative shall be refunded to the employers proportionately to their total contributions under regulations of the commission

ARTICLE II

ADMINISTRATION OF ACT

Section 201 Creation and Organization of Commission This act shall be administered by an independent administrative commission to be known as the "Unemployment Compensation Commission" which is hereby created and which shall consist of five members who shall be appointed as follows One by the Governor with the approval of the Senate one by the President Pro Tempore of the Senate one by the Speaker of the House of Representatives one by the Auditor General and one by the State Treasurer The chairman of the commission shall at all times be the member appointed by the Governor As promptly as possible after the passage of this act the respective appointing powers shall appoint the members of said commission who shall serve subject to removal by the respective appointing powers for terms running concurrently with the term of office of the appointing power and until their successors are duly appointed Appointments to fill vacancies shall be for the unexpired portion of the term of the officer making the appointment and until a successor is appointed The compensation of each member shall be seven thousand five hundred dollars ($7,500) per annum They shall not be permitted to engage in any business or profession during the terms of their service nor shall any of them serve as an officer or committee member of any political organization during said period Any three members shall constitute a quorum and no vacancy or vacancies shall impair the right of the commission to exercise all of its powers

Section 202 Duties Powers and Functions of Commission

(a) Duties and Powers in General The commission shall have power and authority to adopt amend or rescind such rules and regulations to employ such persons make such expenditures require such reports make such investigations and take such other action as it deems necessary or suitable to the administration of this act Such rules and regulations shall be effective upon publication in such manner not inconsistent with the provisions of this act as the commission may prescribe The commission shall determine its own organization and methods of procedure in accordance with the provisions of this act and shall have an official seal which shall be judicially noticed Biennially the commission shall submit to the Governor a report covering the administration and opera-

ion of this act during the two preceding calendar years nd shall make such recommendations for amendments o this act as the commission deems proper

(b) General Commission Rules Rules and regulaions which apply to all or to all of a class of employers mployes or other persons or agencies shall be known s general commission rules and may be adopted amended r rescinded by the commission only after public hearng or opportunity to be heard thereon of which appropriate public notice shall be given Such rules shall beome effective ten days after filing with the Secretary of tate and publication in one or more newspapers of general circulation as defined by law in this State

(c) Publication and Notice The commission shall ause to be printed for distribution to the public the text f this act the commission's general rules and its bienial reports to the Governor and any other material the ommission deems relevant and suitable and shall furish the same to any person upon application therefore he commission may further require that employers shall ost any printed notices statements or rulings of the comission issued hereunder in a conspicuous place or places onvenient for the inspection thereof by their employes

(d) Personnel Subject to the other provisions of this ct the commission is authorized to appoint fix the comensation and prescribe the duties and powers of such fficers accountants attorneys experts and other persons s may be necessary in the performance of its duties ll positions shall be filled by persons so selected and ppointed on a nonpartisan merit basis as hereinafter rovided The commission shall not employ appoint or ngage any person who is an officer or committee member of any political party organization The commission ay delegate to any person appointed hereunder such ower and authority as it deems reasonable and proper or the effective administration of this act and may in s discretion bond any person handling moneys or signg checks hereunder.

(e) Advisory Councils The Governor shall appoint State Advisory Council and may appoint such local dvisory councils as the commission recommends comosed in each case of equal numbers of (1) employer epresentatives (2) employe representatives and (3) epresentatives of the general public not to exced a total f twelve who shall serve for terms not to exceed six ears and without compensation but shall be reimbursed or their necessary expenses Such council or councils hall aid the commission in formulating policies and dissing problems related to the administration of this ct in insuring impartiality and freedom from political nfluence in the solution of such problems and in prearing reports and recommendations to the Legislature hey shall meet at least twice in each year and submit eir reports and recommendations at least annually to he Governor

(f) Employment Stabilization The commission with he advice and aid of the advisory councils shall take all ppropriate steps to reduce and prevent unemployment o encourage and assist in the adoption of practical ethods of vocational training retraining and vocational uidance to investigate recommend advise and assist in he establishment and operation by municipalities counies school districts and the State of reserves for public orks to be used in times of business depression and nemployment to promote the re-employment of unemployed workers through the State to make studies of artial unemployment and recommendations in respect o provisions for the payment of compensation hereunder or partial unemployment such recommendations to be ubmitted to the Governor prior to January first one housand nine hundred and thirty-seven to make studies f unemployment in seasonal industries and unemployent of individuals normally employed for short periods t full time and submit recommendations as to provisions o give fair and reasonable protection to the reserve ccounts of employers in such industries or employers f such individuals from liability for unemployment hich occurs otherwise than during the normal season r period of employment in such industry or of such ndividuals such recommendations to be submitted to he Governor prior to January first one thousand nine hundred and thirty-seven and to make studies and recommendations regarding the liability of employers' reserve accounts for compensation hereunder to individuals who voluntarily leave their employment or are discharged therefrom for misconduct but who obtain other employment before claiming compensation hereunder and to these ends to carry on and publish the results of such investigations and such research as the commission may deem advisable

(g) Records and Reports The commission shall require every employer whether or not subject to this act under the definition set forth in section one hundred and four (g) to keep true and accurate employment records containing such information as it may prescribe Such records shall be open to inspection and be subject to being copied by the commission or its authorized representatives at any reasonable time and as often as may be necessary The commission may require from any such employer any sworn or unsworn reports with respect to persons employed by it which the commission deems necessary for the effective administration of this act but such reports shall not be made public or opened to public inspection but claimants hereunder shall be supplied upon request with information from such records as far as pertinent to the presentation of their claims All reports and records of employers required by or furnished to the commission may be used by it for statistical purposes and published in connection therewith in any manner which will not disclose the employer's identity

(h) Cooperation with Federal Agencies In the administration of this act the commission shall cooperate to the fullest extent consistent with the provisions of this act with the Social Security Board It shall make such reports in such form and containing such information as the Social Security Board may from time to time require and shall comply with such provisions as the Social Security Board may from time to time find necessary to assure the correctness and verification of such reports Upon request therefor the commission shall furnish to any agency of the United States charged with the administration of public works or assistance through public employment the name address ordinary occupation and employment status of each recipient of compensation and such recipient's rights as to further compensation under this act

(i) Adjustment of Contributions and Benefits In the event that the Federal excise tax imposed in title nine of the Social Security Act or the credit allowed thereunder for contributions to State plans are increased or reduced by further act of Congress then in that event the commission shall have power by reasonable and proper rules to adjust the amount of contributions required hereunder and benefits payable hereunder in proportion to such increase or reduction

(j) Reciprocal Agreements The commission shall be authorized to make such agreements with appropriate authorities to other States having similar laws or of the Federal Government and to prescribe such rules in collaboration with such authorities as it may deem necessary and advisable in order to affect a fair and reasonable adjustment in the requirement of contributions and in the payment of benefits with respect to the employment of employes who remove from one state to another or whose employment is regularly in more than one state or otherwise to carry out the objectives of the unemployment compensation acts of this and other states or of the Federal Government

(k) General Powers The commission shall also have all the powers generally vested in independent administrative commissions by the Administrative Code of nineteen hundred and twenty-nine and its amendments

Section 203 Transfer of Employment Offices The system of free public employment offices established under the judisdiction and control of the Bureau of Employment in the Department of Labor and Industry as provided in the act approved the fourteenth day of June one thousand nine hundred and fifteen (Pamphlet Laws eight hundred thirty-three) shall be and is hereby transferred to the jurisdiction and control of the commission and shall be known as the employment service thereof

The commission may from time to time appoint a full-time salaried director of said division and shall appoint engage and employ all such other officers or employes as is deems necessary to administer manage and control said employment offices Such director and all other persons so appointed engaged or employed shall be selected in accordance with the provisions of section five hundred and two (d) and five hundred and thirteen of this act subject also to the provisions of the act onf Congress approved by the President the sixth day of June one thousand nine hundred and thirty-three the provisions and benefits of which were accepted in this Commonwealth by the act approved the twenty-seventh day of December one thousand nine hundred and thirty-three (Pamphlet Laws one hundred ten)

The commission shall maintain and establish free public employment offices including those now in existence such number and in such places as it may deem necessary for the proper administration of this act All duties and powers heretofore conferred on any other department agency or officer of this Commonwealth relating to the establishment maintenance and operation of such employment offices shall be and are hereby vested in the commission

The commission through its employment service shall be charged with the duty of cooperating in the administration of this act with the United States employment service or with any official or agency thereof having powers and duties under the provisions of the aforesaid act of Congress approved the sixth day of June one thousand nine hundred and thirty-three so as to secure to this Commonwealth the benefits thereof and to carry out the purposes of said act approved the twenty-seventh day of December one thousand nine hundred and thirty-three as well as the other purposes of this act If the provisions of this act should be suspended pursuant to section one hundred and three hereof then said system of public employment offices shall be transferred back to the jurisdiction and control of the Department of Labor and Industry and shall be operated as heretofore in the same manner as though this act had not been passed

Section 204 Duties and Powers of Employment Offices Subject to such rules as the commission may prescribe employment offices established or maintained under section five hundred and three hereof shall (1) receive and record registration of unmeployed individuals hereunder (2) administer the payment of benefits hereunder (3) receive and approve or reject claims by employes for benefits hereunder subject to review by the commission or its designated agent (4) certify to the commission or to its designated agent the eligibility or non-eligibility of employes to receive benefits hereunder and (5) do and perform all their now existing duties and functions so far as consistent herewith

Section 205 Selection of Personnel

(a) No officer except members of the commission and no employe shall be appointed or be employed by the Unemployment Compensation Commission except as provided in this section Any officer or employes transferred under the provisions of this act shall be deemed employes and may be retained under the provisions of htis section without examination The Unemployment Compensation Commission is hereby authorized to prescribe from time to time by rule or regulation the qualifications to be possessed by persons desiring employment under it The qualifications shall be such as will best promote the efficient operation and management of its affairs but in all cases persons appointed shall be citizens of the United States and residents of this Commonwelath

(b) Every person desiring employment under the Unemployment Compensation Commission shall file with the commission an application under oath or affirmation which shall be in such form and shall set forth such information as the commission shall prescribe Provided however That the commission shall not require an applicant to furnish a photograph of him or herself and that no application blank shall require the color religion or political affiliation of the applicant to be designated

(c) Upon receiving such application the Unemployment Compensation Commission shall transmit the same to the Department of Public Instruction which shall determine whether under the rules or regulations of the Unemployment Compensation Commission the applicant is qualified for the employment he seeks If so the applicant shall be admitted to competitive examination when examinations shall next be held for positions in the class of employment he seeks Such competitive examinations shall be practical in character and as far as may be possible shall relate to those matters which will fairly test the relative capacity and fitness of the persons examined to perform the duties of the service to which they seek to be appointed

(d). The Department of Public Instruction shall conduct such examinations at such places in the Commonwealth as to make it reasonably convenient and inexpensive for applicants to attend them The department may divide the State into districts for the purpose of conducting such examinations

(e) Every candidate admitted to such examinations shall be given a number so that when his paper is marked and graded it will be impossible for the person passing upon the examination papers to ascertain his identity until his grade has been established The examination papers of such candidates shall be marked by committees composed of representatives of the department and of persons not employed by the Commonwealth in any other capacity designated by the presidents of the colleges and universities receiving State aid from the Commonwealth All such examination papers shall be graded on a basis of one hundred per centum and less Such examination papers shall immediately thereafter be filed and the applicants listed Any person who shall have been a member of the armed forces of the United States during a war or expedition for which the Government of the United States issued a campaign badge whose separation from said service was honorable whether by discharge or otherwise shall receive in addition to his rating on his examination paper an additional rating of five per centum (%) All such outside examiners shall receive compensation at the rate of fifteen dollars ($15) per day for their services payable from the Unemployment Compensation Fund The number of committees which may be necessary shall be determined by the department and each committee shall consist of three persons The selections made by the president of State-aided colleges and universities shall be submitted to the department in writing by each such president and the department shall designate commttee members from the lists so submitted in rotation

(f) Except as hereinbefore or hereinafter provided all offices places and employments under the Unemployment Compensation Commission shall be filled by selections from persons who have satisfactorily passed the examinations The persons receiving the highest grade shall be first appointed and so on

(g) If a list of eligible certified by the Department of Public Instruction is available for any position another examination shall not be given until after the expiration of twelve months from the date of the last examination for that position Such subsequent examination may be held in the discretion of the Unemployment Compensation Commission at any time after the expiration of such twelve month period and when such subsequent examination has been held and the list therefrom duly certified by the department of Public Instruction the previous list shall expire and no further appointment shall be made from such previous list Provided that when a position is to be filled by appointment from a list of eligible and a list of persons eligible for appointment to such position is not available examinations shall be held for that position at the earliest convenient date after the vacancy occurs

(h) Vancancies in positions in the competitive class whether such positions be newly created or vacated for any reason by any former incumbent shall be filled so far as practicable by promotion from among persons holding positions in a lower grade In all cases a person to be promoted shall have serve not less than six months in a position under the commission Promotion shall be based on merit and upon the superior qualifications of the person promoted as shown by his previous service

(i) In the event it is not deemed practicable to fill a vacancy by promotion in the manner prescribed in the

oregoing paragraph such vacancy shall be filled by appointment from an eligible list of the person next in line or appointment from such list except that no such appointment may be made to any position having a rate of ompensation higher than that paid to any employe or mployes who have been appointed from the same list vtihin six months prior to the date of the current appointment and in order that this may be carried out he commission shall make such changes as it deems advisable in the then status of any employe or employes vho have been appointed from the same list within six nonths prior to the date of the current appointment Provided however That such changes are not required except vhere they are necessary to insure that the most recent ppointment shall be to a position which does not have higher rate of compensation then that paid to any emloye or employes who been appointed from the same ist within six months prior to the date of the current ppointment

(j) The tenure of any person holding a position under he provisions of this act shall be during good behavior ut any such person may be removed demoted suspended vithout pa" or with reduced pay transferred reprimanded emperance immorality profanity discourteous treatment f the public or other employes wilful disobedience violaion of the provisions of this act or of the rules and egulations of the commission or for any other failure of r restored to his position or another position with such ay as may be equitable for any of the following causes ncompetency inefficiency insubordination dishonesty ingood behavior or any other act or acts which are incmpatible with or inimical to the public service No person shall be required to contribute to any political fund nor support any political party or organization nor shall ny such person be removed or otherwise prejudiced for efusing to do so

(k) Whenever it is necessary because of lack of work r lack of funds or whenever it is advisable in the interests of economy to reduce the staff of the commission t may lay off employes In the event that the commission decides to abolish one or more positions or to temporarily employes of the commission equal to the number of posif funds or in the interests of economy then a number of discontinue the same because of lack of work or lack ions to be so abolished or discontinued shall be laid off

(l) When it becomes necessary for any employe to be emoved demoted suspended without pay or with reduced ay transferred reprimanded or restored to a former position or another position with such pay as will be equitable for any of the above named causes or when it is necessary because of lack of work or lack of funds or in the interes of economy to lay off an employe or in the event the commission decides to abolish or temporarily discontinue one or more positions because of lack of work lack of funds or in the interest of economy he employe or employes selected to be removed in any of the manners so mentioned shall have a right to appeal for a hearing and consideration of his case or otherwise to e filled employes who have been previously placed on eave of absence because of the abolishment or temporary iscontinuance of a position or other reduction in personnel of economy such employes shall be recalled to service because of lack of w rk lack of funds or in the interest within their proper classificatio" and in the order of their rank before any appointment can be made from a list created and certified at a later date then the list from which the furloughed employe was originally appointed

(m) In the foregoing section the terms "promotion" "transfer" and "demotion" shall be interpreted as follows

"Promotion" means a change from one position to another position having a higher rate of compensation or nvolving a change of duties or responsibilities or either or both

"Transfer" means a change from one position to another position at the same rate of compensation

"Demotion" means a change from one position to another position having a lower rate of compensation or n which different and less responsible duties are inolved or either or both whether made for the purpose f better adjusting personnel to the needs of the commission or as a disciplinary measure

ARTICLE III

CONTRIBUTIONS BY EMPLOYERS

Section 301 Contributions by Employers of Eight or More Employes Each employer who has employed eight or more employes in employment shall pay for each calendar year beginning with the calendar year one thousand nine hundred thirty-six contributions into the Unemployment Compensation Fund which shall be equal to but not more than the amount of the maximum credit allowable to taxpayers for such calendar year by Section nine hundred two of the Social Security Act against the Federal excise tax with respect to employment payable by employers under Section nine hundred one of the Social Security Act Such payments shall be made at such times and in such manner as the commission shall prescribe Such contributions in order to be no more and no less than the maximum credit allowance under the Social Security Act against such Federal excise tax shall be equal to the following percentages of total wages paid or payable by the employer for such calendar year

(1) Nine-tenths of one per centum for the calendar year one thousand nine hundred thirty-six

(2) One and eight-tenths per centum for the calendar year one thousand nine hundred thirty-seven and

(3) Two and seven-tenths per centum for the calendar year one thousand nine hundred thirty-eight and each calendar year thereafter

Section 302 Contributions by Employers of Less Than Eight Employes Each employer other than employers subject to Section three hundred one of this act who has employed employes in employment shall pay for each calendar year beginning with the calendar year one thousand nine hundred thirty-six contributions into the Unemployment Compensation Fund which shall be equal to but not more wages paid or payable by the employer for such calendar year

(1) Nine-tenths of one per centum for the calendar year one thousand nine hundred thirty-six

(2) One and eight-tenths per centum for the calendar year one thousand nine hundred thirty-seven and

(3) Two and seven-tenths per centum for the calendar year one thousand nine hundred thirty-eight and each calendar year thereafter

Section 303 Period and Termination of Contributions (a) Any employer who or which becomes subject to this act during any calendar year shall be subject to this act during the whole of such calendar year

(b) Any employer subject to this act shall cease to be so subject only upon written application to the commission and finding by the commission that he has not had any employe in employment subject to this act within each of twenty different weeks during the previous or current calendar year whether or not such weeks are consecutive

Section 304 Reports by Employers Each employer shall file with the commission such reports at such times and containing such information as the commission shall require for the purpose of ascertaining and paying the contributions as required by this act

Section 305 Payment of Contributions Concurrently with each report the employer shall pay to the commission the amount of contributions imposed by this act for the period covered by the report but the commission may in proper cases upon request made permit an extension of time for the payment of contributions due The amount of the contribution in respect of which an extension is granted shall be paid (with interest at the rate of one-half of one per centum per month) on or before the expiration of the period of extension granted shall be paid (with interest at the rate of one-half of one per centum per month) on or before the expiration of the period of extension

Section 306 Fractions of a Cent In the payment of any contributions a fractional part of a cent shall be disregarded unless it amounts to one-half cent or more in which case it shall be increased to one cent

Section 307 Interstate Commerce No employer required by this act to pay contributions shall be relieved from compliance therewith on the ground that he is engaged in

interstate commerce or that this act does not distinguish between employes engaged in interstate commerce and those engaged in interstate commerce

Section 308 Interest on Past Due Contributions Contributions unpaid on the date on which they are due and payable as prescribed by the commission shall bear interest at the rate of one per centum per month from the date they become due until paid

Section 309 Collection of Contributions and Interest If after notice by the commission any employer fails neglects or refuses to pay any contributions due or the interest due thereon the amount due shall be collected by civil action in the name of the Commonwealth Civil actions brought under this section to collect contributions or interest thereon from any employer shall be heard by the court at the earliest possible date and shall be entitled to preference upon the calendar of the court over all other civil actions except petitions for judicial review under this act and cases arising under the Workmen's Compensation Law of this Commonwealth

Section 310 Priorities Under Legal Dissolutions and Distributions In the event of any distribution of an employer's assets pursuant to an order of any court under the laws of this Commonwealth including any receivership assignment for benefit of creditors adjudicated insolvency composition or similar proceeding contribution or installments thereof or interest thereon then or thereafter due shall be paid in full prior to all other claims except taxes claims arising under the Workmen's Compensation Law of this Commonwealth and claims for wages of not more than two hundred and fifty dollars to each claimant earned within six months of the commencement of the proceeding In the event of an employer's adjudication in bankruptcy judicially confirmed extension proposal or composition under the Federal Bankruptcy Act of one thousand eight hundred ninety-eight as amended contributions and interest then or thereafter due shall be entitled to such priority as is provided in Section sixty-four (b) of that Act (United States Code Title II Section one hundred four (b)) as amended

Section 311 Deduction of Contributions No employer shall deduct the contributions required to be paid by him or any part thereof from the remuneration of individuals in his employ.

Section 312 Refunds and Adjustments If not later than one year from the payment of any contribution or interest thereon an employer shall make application for an adjustment thereof in connection with subsequent contribution payments or if such adjustment cannot be made for a refund thereof and the commission shall determine that such contribution or interest or any portion thereof was erroneously collected the commission shall allow such employer to make an adjustment thereof without interest in connection with subsequent contribution payments by him or if such adjustment cannot be made the commission shall refund said amount without interest out of the Unemployment Compensation Fund For like cause and within the same period an adjustment or refund may be so made on the initiative of the commission

ARTICLE IV

COMPENSATION

Section 401 Qualifications Required to Secure Compensation Compensation shall be payable to any employe who is or becomes totally unemployed on or after after January first one thousand nine hundred thirty-eight and who

(a) Has accumulated at least thirteen weeks of employment within the fifty-two weeks preceding his registration as unemployed

(b) Has registered for work at a designated employment office at such times and in such manner as the commission may prescribe

(c) Has made a claim for compensation in the proper manner prescribed by the commission

(d) Is able to work and available for work and

(e) Has been totally unemployed for a waiting period of at least three weeks prior to any week for which he claims compensation Such three weeks shall not include any week in which the employe was ineligible for compensation under Section four hundred two of this act or was ineligible for compensation under any provision of this section excepting however paragraphs (a) and (c) of this section Three weeks of total unemployment need not be consecutive but may be accumulated over the period of fifty-two consecutive weeks preceding any week for which he claims compensation Provided That this requirement shall not interrupt the payment of compensation for consecutive weeks of unemployment

Section 402 Ineligibility for Compensation An employe shall be ineligible for compensation for any week in which his unemployment is due to

(a) Failure without good cause either to apply for suitable work when so directed by the employment office or to accept suitable work when offered to him by the employment office In determining whether or not any work is suitable for an individual the commission shall consider the degree of risk involved to his health safety and morals his physical fitness and prior training and experience and the distance of the available work from his residence

(b) Voluntarily leaving work

(c) A strike in which he is directly involved

Section 403 Amount and Payment of Weekly Compensation Compensation shall be payable at the rate of fifty per centum of the employes' full-time weekly wage but the amount shall not be more than fifteen dollars nor less than five dollars a week Compensation shall be computed to the nearest multiple of five cents Compensation shall be paid through employment offices at such times and in such manner as the commission may prescribe

Section 404 Weeks of Compensation An employe's compensation shall be limited by and charged against his most recent fifty-two weeks of employment in the chronological order in which such weeks occurred and in the proportion of one week of compensation for each four weeks of employment No week of employment shall be counted in computing such fifty-two weeks of employment unless such week occurs within the one hundred four consecutive weeks preceding the date of his first registration in connection with any continuous period of unemployment Provided that no week of employment shall be so counted that occurred prior to January first one thousand nine hundred thirty-seven Not more than thirteen weeks of compensation shall be thus payable to any employe in any period of fifty-two consecutive weeks

Section 405 Duties of Employers Each employer shall post in a conspicuous place or places in his establishment or establishments any printed statement or notice required by the rules and regulations of the commission

Section 501 Initial Determination The designated representative of the commission at the employment office at which any claim for benefit is filed hereinafter referred to as a "deputy" shall promptly examine the claim and on the basis of the facts found by him determine whether or not such claim is valid and if valid the week with respect to which compensation shall commence the weekly benefit payable and the maximum duration thereof The claimant and the employer or employers against whose reserve account such compensation is chargeable shall be promptly notified of said decision and the reasons therefor Unless the claimant or such employer or employers shall within five days after the delivery of such notifications or within seven days after such notification was mailed to his or their last known address file an appeal from such decision and apply for a hearing such decision shall be final and compensation shall be paid or denied in accordance therewith In the event that a hearing is requested compensation with respect to the period prior to the final determination of the commission shall be paid only after such final determination but such compensation if allowed upon such final determination shall be paid regardless of any further appeal which may be taken If the decision is reversed on such further appeal compensation so paid shall be charged to the fund's pooled account

Section 502 Appeals Unless such appeal is withdrawn a referee appointed by the commission shall after affording the parties reasonable opportunity for a fair hearing af-

firm modify or reverse the findings of fact and the decision of the deputy the parties shall be duly notified of such referee's findings of fact and decision thereon and unless within ten days after the date thereof the commission permits any of the parties to conduct a further appeal before it or directs a reopening of such decision and a further hearing thereon before such referee such decision shall at the end of said ten-day period become the final determination of the commission A complete record shall be kept of each case before a referee and all testimony taken shall be stenographically recorded but need not be transcribed unless the disputed claim is further appealed

Section 503 Referees The commission shall appoint one or more full-time salaried referees to hear and decide disputed claims hereunder No referee or other employe of the commission shall sit in the hearing of any case in which he himself is an interested party The commission may designate an alternate to serve in the absence or disqualification of any referee

Section 504 Commission Review The commission on its own motion or upon application of any of the interested parties may within ten days after the date of any decision by a referee order a rehearing of such decision or determine to conduct a review of the same Upon such review the commission shall file a decision which shall be the final determination of the commission affirming modifying or reversing the decision of the referee No member of the commission shall participate in the review of a case in which he himself is an interested party

Section 505 Continuous Jurisdiction Upon its own initiative or upon application of any party in interest the commission may at any time for proper cause review an award of benefits or the denial of a claim therefor in accordance with the procedure prescribed in respect to claims and in accordance with such review may issue a new decision which may award terminate continue increase or decrease such benefits Such new order shall not affect any benefits paid before the date thereof under authority of the prior order and shall be subject to review as provided in this section

Section 506 Rules and Procedure The manner in which claims shall be presented the reports thereon required from the claimant and from employers and the conduct of hearings and appeals shall be in accordance with rules prescribed by the commission for determining the rights of the parties whether or not such rules conform to common law or statutory rules of evidence and other technical rules of procedure

Section 507 Oaths and Subpoenas In the discharge of the duties imposed by this section referees and the members of the commission shall have power to administer oaths and affirmations take depositions certify to official acts and issue summons and subpoenas to compel the attendance of witnesses and the production of books papers correspondence memoranda and other records deemed necessary as evidence In case of refusal to obey a summons or subpoena issued to any person any court of this State within the jurisdiction of which the inquiry is carried on or within the jurisdiction of which said person guilty of refusal to obey is found or resides or transacts business upon application by a referee or by the commission or any member thereof shall have jurisdiction to issue to such person its subpoena requiring such person to appear before it there to give testiquestion or to produce such evidence as may be required Any failure to obey such subpoena of the court may be punished by said court as a contempt thereof

Section 508 Protection against Self-Incrimination No person shall be excused from attending and testifying or from producing books papers correspondence memoranda and other records before the commission or in obedience to the subpoena of a referee or of the commission in any cause or proceeding instituted by the commission on the ground that the testimony or evidence documentary or otherwise required of him may tend to incriminate him or subject him to a penalty or forfeiture but no individual shall be prosecuted or subjected to any panelty or forfeiture for or on account of any transaction matter or thing concerning which he is compelled after hearing claimed his privilege against self-incrimination to testify or produce evidence documentary or otherwise except that such individual so testifying shall not be exempt from prosecution and punishment for perjury committed in so testifying

Section 509 Witness Fees Witnesses subpoenaed pursuant to this section shall be allowed fees at a rate fixed by the commission Such fees shall be deemed a part of the expense of administering this act

Section 510 Finality of Decision Any decision made by a deputy or by a referee shall become the final determination of the commission unless appealed from or reopened as hereinbefore provided but any such final determination by the commission shall nevertheless be subject to appeal to the Superior Court as hereinafter provided

Section 511 Appeal to Superior Court An appeal to the Superior Court may be taken by any party claiming to be aggrieved but only after he has exhausted his remedies before the commission. In any such appeal the commission shall be made the party defendant Every appeal to the Superior Court must be taken within thirty days after the final determination of the commission The appeal shall be by petition and shall state the grounds upon which a judicial review is sought A copy of such appeal petition shall be served upon a member or agent of the commission and sufficient additional copies shall be left with the commission to enable it to furnish a copy to every party in interest in the proceeding who has not joined in the appeal The commission shall file an answer in the Superior Court within thirty days after the petition has been served on it and shall at the same time file with the court certified copies of all documents and papers a record of all testimony taken and all findings of fact and decisions thereon The commission may also in its discretion certify to such court questions of law involved in any decision by it In any appeal to the Superior Court findings of fact of the referee or of the commission as the case may be unless unsupported by the evidence or affected by fraud shall be conclusive and the decision of the Superior Court shall be based upon questions of law Such cases shall be given precedence over all other civil cases except cases arising under the Workmen's Compensation Law In order to take an appeal to the Superior Court it shall not be necessary to enter exceptions to the rulings of the referee or of the commission and no bond shall be required for entering an appeal. No appeal to the Superior Court shall act as a supersedeas

Section 512 Final Order of the Commission Upon final determination of any appeal to the Superior Court the commission shall enter an order in accordance with the decree of said court and take such action in the case as may be directed by said decree

ARTICLE VI

UNEMPLOYMENT COMPENSATION FUND AND ADMINISTRATION FUND

Section 601 Unemployment Compensation Fund There is hereby created a special fund to be known as the Unemployment Compensation Fund All contributions together with interest thereon received or collected by the commission from employers under the provisions of this act shall be paid into the Unemployment Compensation Fund and shall be credited by the commission to a ledger account to be known as the Employers' Contribution Account All moneys in the Unemployment Compensation Fund shall be mingled and undivided All moneys from time to time received and credited to the Employers' Contribution Account shall be paid promptly by the commission into the Unemployment Trust Fund

As often as may be necessary the commission shall requisition from the Unemployment Trust Fund such amounts as shall be necessary to provide adequate funds for the payment of compensation as provided in this act Upon receipt of such requistioned funds the commission shall deposit them into the Unemployment Compensation Fund to the credit of a ledger account to be known as the Compensation Account and shall expend such moneys solely for the payment of compensation as provided by

this act All moneys to the credit of the Compensation Account shall be mingled and undivided The commission shall pay all compensation authorized by this act out of moneys standing to the credit of the Compensation Account

Section 602 Administration Fund There is hereby created a special fund to be known as the Administration Fund which shall consist of all moneys or other property received by the commission from the United States of America or any agency thereof including the Social Security Board or from any other source whatsoever to be used for the administration of this act Also all fines and penalties collected under the provisions of this act shall be paid into this fund The commission shall pay all costs required for the administration and operation of this act out of the Administration Fund

Section 603 State Treasurer as Custodian The State Treasurer shall be the custodian of the Unemployment Compensation Fund and the Administration Fund He shall give a bond or bonds with corporate sureties conditioned upon the faithful performance of his duties as custodian of such funds in such amount or amounts as shall be determined and fixed by the Executive Board Premiums for such bond or bonds shall be paid by the commission out of the moneys in the Administration Fund All moneys belonging to such funds (exclusive of moneys on deposit in the Unemployment Trust Fund as provided in Section 601) shall be deposited by the State Treasurer in any banks or public depositories in which general funds of the Commonwealth may be deposited but no public deposit insurance charge or premium shall be paid out of moneys in the Unemployment Compensation Fund Any law to the contrary notwithstanding all payments from such funds shall be made by the State Treasurer upon requisitions presented to him by the commission

Section 604 Budgetary Provisions Not Applicable The provisions of Article six of The Administrative Code of one thousand nine hundred twenty-nine as amended shall not apply to the funds created under the provisions of this act

ARTICLE VII

PROTECTION OF RIGHTS AND COMPENSATION

Section 701 Certain Agreements Void Penalty No agreement by any employe to waive release or commute his rights to compensation or any other rights under this act shall be valid No agreement by an employe or by employes to pay all or any portion of any employer's contributions required under this act from any employer shall be valid No employer shall directly or indirectly make or require or accept any deduction from the remuneration of individuals in his employ to finance contributions required from him under this act or require or accept any waiver by an employe of any right hereunder Any employer or officer or agent of an employer who violates any provision of this section shall be guilty of a misdemeanor and upon conviction shall be sentenced for each offense to pay a fine of not less than one hundred dollars nor more than one thousand dollars or be imprisoned for not more than six months or both

Section 702 Limitation of Fees No employe shall be charged fees of any kind in any proceeding under this act by the commission or any of its officers or agents Any individual claiming compensation in any proceeding before the commission may be represented by counsel or other either charge or receive any greater fee for such services duly authorized agent but no such counsel or agent shall htan is approved by the commission Any person who violates any provision of this subsection shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not less than fifty dollars nor more than five hundred dollars or be imprisoned for not more than six months or both

Section 703 No Assignment of Compensation Exemptions No assignment pledge or encumbrance of any right to compensation which is or may become due or payable under this act shall be valid and such rights to compensation shall be exempt from levy execution attachment or any other remedy whatsoever provided for the collection of debt Compensation payments received by an employe so long as they are not mingled with other funds of the employe shall be exempt from any remedy whatsoever for the collection of all debts except debts incurred for necessaries furnished to such individual or his spouse or dependents during the time when such individual was unemployed No waiver of any exemption provided for in this subsection shall be valid

ARTICLE VIII

PENALTY PROVISIONS

Section 801 False Statements and Representations to obtain or Increase Compensation Whoever makes a false statement or representation knowing it to be false or knowingly fails to disclose a material fact to obtain or increase any compensation or other payment under this act either for himself or for any other person shall upon conviction in a summary proceeding be sentenced to pay a fine of not less than twenty nor more than fifty dollars and in default of the payment of such fine and costs shall be sentenced to imprisonment for not longer than thirty days and each such false statement or representation or failure to disclose a material fact shall constitute a separate offense

Section 802 False Statements and Representations to Prevent or Reduce Compensation Any employer or any officer or agent of any employer or any other person who makes a false statement or representation knowing it to be false or who knowingly fails to disclose a material fact to prevent or reduce the payment of compensation to any employe entitled thereto or to avoid becoming or remaining subject hereto or to avoid or reduce any contribution or other payment required from an employer under this act or who wilfully fails or refuses to make any such contribution or other payment or to furnish any reports required hereunder or who wilfully fails or refuses to produce or permit the inspection or copying of records as required hereunder shall upon conviction in a summary proceeding be sentenced to pay a fine of not less than twenty dollars nor more than two hundred and in default of the payment of such fine and costs shall be sentenced to imprisonment for not longer than thirty days and each such false statement or representation or failure to disclose a material fact and each day of such failure or refusal shall constitute a separate offense

Section 803 Violation of Act and Rules and Regulations Any person who shall wilfully violate any provision of this act or any rule or regulation thereunder the violation of which is made unlawful or the observance of which is required under the terms of this act and for which a penalty is neither prescribed herein nor provided by any other applicable statute shall upon conviction in a summary proceeding be sentenced to pay a fine of not less than twenty nor more than two hundred dollars and in default of the payment of such fine and costs shall be sentenced to imprisonment for not longer than thirty days and each day such violation continues shall be deemed to be a separate offense

Section 804 Liability to Repay Compensation Unlawfully Received Any person who by reason of the nondisclosure or misrepresentation by him or by another of a material fact (Irrespective of whether such non-disclosure or misrepresentation was known or fraululent) has received any sum as compensation under this act while any conditions for the receipt of compensation imposed by this act were not fulfilled in his case or while he was disqualified from receiving compensation shall be liable to repay to the Unemployment Compensation Fund a sum equal to the amount so received by him and such sum shall be collectible in the manner provided in this act for the collection of past due contributions

ARTICLE IX

SAVING CLAUSE REPEALS EFFECTIVE DATE

Section 901 Saving Clause The General Assembly reserves the right to amend or repeal all or any part of this act at any time and there shall be no vested right of

any kind against such amendment or repeal All the rights privileges or immunities conferred by this act or by acts done pursuant thereto shall exist subject to the power of the General Assembly to amend or repeal this act at any time

Section 902 Repeals All acts or parts of acts inconsistent herewith are hereby repealed

Section 903 Effective Date This act shall become effective immediately upon its final enactment

On the question,

Will the Senate agree to the section?

Mr. SHAPIRO. Mr. President, I move to amend section 4, page 3, line 11 by striking out after the word "Review" and before the word "established" the word: [Commission] and inserting in lieu thereof the following: "Board of Review; amend section 4, page 3, line 21 by striking out the bold-faced bracket before "(d)"; amend section 4, page 3, line 22 by striking out the bold-faced bracket after the word "Pennsylvania"; amend section 4, page 3, line 23 by striking out after "[(e)]" and before the word "'Employe'" the following: [(d)] and inserting in lieu thereof the following: (e); amend section 4, page 3, line 28 by striking out after "[(f)]" and before the word "'Employer'" the following: [(e)] and inserting in lieu thereof the following: (f); amend section 4, page 3, line 29 by inserting a parenthesis before the word "domestic," thus: (domestic); amend section 4, page 4, line 4 by striking out at the end of the line after the word "employs" the following: [or may]; amend section 4, page 4, line 5 by striking out at the beginning of the line before the word "any" the word: [employ]; amend section 4, page 4, line 5 by striking out after the word "any" and before the word "in" the word: [individual] and inserting in lieu thereof the following: "employe (whether or not the same employe)"; amend section 4, page 5, line 2 by striking out at the end of the line after the word "[department]" the following: [com-]; amend section 4, page 5, line 3 by striking out at the beginning of the line before the word "his" the following: [mission] and inserting in lieu thereof the word: "department"; amend section 4, page 5, line 4 by striking out after the word "[department]" and before the word "the" the word: [commission] and inserting in lieu thereof the word: "department"; amend section 4, page 5, line 7 by striking out after "[(g)]" and before the word "'Employment'" the following: [(f)] and inserting in lieu thereof the following: (g); amend section 4, page 5, line 8 by inserting after the word "performed" and before the word "under" the following: "for remuneration or"; amend section 4, page 5, line 9 by striking out at the end of the line after the word "oral" the following: [in-]; amend section 4, page 5 by striking out lines 10 to 13, inclusive; amend section 4, page 5 line 14 by striking out at the beginning of the line before the word "[or]" the following: of the work is performed within this Commonwealth]; amend section 4, page 5, line 21 by inserting at the end of the line after "wealth]" the following: "which (1) is performed in this Commonwealth by an employe exclusive however of any personal work within this Commonwealth which is incidental to the employe's personal work performed elsewhere or (2) is performed elsewhere but is incidental to personal work in this Commonwealth provided contributions are not required and paid with respect to such personal work performed elsewhere under an unemployment compensation law of any other state"; amend section 4, page 6, line 4 by striking out after the word "of" and before the word "instrumentality" the word: [any] and inserting in lieu thereof the word: "an"; amend section 4, page 6, line 16 by striking out after "[(h)]" and before the word "'Employment" the following: [(g)] and inserting in lieu thereof the following: (h); amend section 4, page 6, line 17 by striking out at the end of the line after the word "[department]" the following: [com-]; amend section 4, page 6 by striking out line 18 and inserting in lieu thereof the word: "department"; amend section 4, page 6, line 19 by striking out after "[(i)]" and before the word "'Full-time" the following: [(h)] and inserting in lieu thereof the following: (i); amend section 4, page 6, line 19 by striking out at the end of the line after the word "weekly" the word: [wage]; amend section 4, page 6, line 20 by striking out at the beginning of the line before the word "as" the following: [for a full week's work] and inserting in lieu thereof the following: rate of wages of an employe for the full-time weekly hours of work customary in his trade or occupation or in the establishments in which he was employed"; amend section 4, page 6, line 21 by striking out at the end of the line after the word "[department]" the word: [commission] and inserting in lieu thereof the word: "department"; amend section 4, page 6, line 22 by striking out the bold-faced brackets before "(j)"; amend section 4, page 6, line 22 by striking out at the end of the line after the word "the" the following: [depart-]; amend section 4, page 6, line 23 by striking out at the beginning of the line before the word "to" the following: [ment with the approval of the Governor] and inserting in lieu thereof the following: "secretary subject to the provisions of section two hundred eight of this act"; amend section 4, page 6, line 27 by striking out the bold-faced bracket after "sentative"; amend section 4, page 6, line 28 by striking out after "[(1)]" and before the word "'Social" the following: [(i)] and inserting in lieu thereof the following (1); amend section 4, page 7, line 4 by striking out after the word "several" and before the word "to" the word: [states] and inserting in lieu thereof the word: "States"; amend section 4, page 7, line 10 by striking out after "[(m)]" and before the word "'Social" the following: [(j)] and inserting in lieu thereof the following: "(m)"; amend section 4, page 7, line 12 by striking out after "[(n)]" and before the word "'State" the following: [(k)] and inserting in lieu thereof he following: "(n)"; amend section 4, page 7, line 14 by striking out after "[(o)]" and before the word "'Suitable" the following: [(1)] and inserting in lieu thereof the following: "(o)"; amend section 4, page 7, line 24 by striking out after "[(p)]" and before the word "'Total" the following [(m)] and inserting in lieu thereof the following: "(p)"; amend section 4, page 7, line 27 by striking out after "[(q)]" and before the word "'Unemployment" the following: [(n)] and inserting in lieu thereof the following: "(q)"; amend section 4, page 8, line 1 by striking out after "[(r)]" and before the word "'Wages'" the following: [(o)] and inserting in lieu thereof the following: "(r)"; amend section 4, page 8, line 4 by striking out after "[(s)]" and before the word "'Week'" the following: [(p)] and inserting in lieu thereof the following: "(s)"; amend section 4, page 8, by striking out line 7 and inserting in lieu thereof the word: "department"; amend section 4, page 8, line 8 by striking out after "[(t)]" and before the word "Week" the following. [(q)] and inserting in lieu thereof the following "(t)"; amend section 4, page 8, line 14

by striking out after the word "[department]" and before the word "after" the word: [commission] and inserting in lieu thereof the word: 'department"; amend section 4, page 8, line 16 by striking out at the end of the line after the word "[department]" the following: [com-]; amend section 4, page 8, line 17 by striking out at the beginning of the line before the word "shall" the following: [mission] and inserting in lieu thereof the word: "department"; amend section 6, page 9, line 4 by striking out at the end of the line after the word "tax" the following: [or in the event that the Social Security Board]; amend section 6, page 9, line 5 by striking out at the beginning of the line before the word "then" the following: [shall not approve the provisions of this act]; amend section 6, page 9, line 13 by striking out after the word "contributions" and before "[de-" the following: [under regulations of the]; amend section 6, page 9, line 14 by striking out at the end of the line after "partment]" the word: [commission] and inserting in lieu thereof the following: "In paying such refunds the department shall deduct from an employer's proportionate share any unpaid contributions that were due and payable by him at the time this act is suspended as aforesaid Subject to the provisions of this section refunds shall be made in accordance with the rules and regulations of the department"; amend section 201, page 9, line 17 by striking out the bold-faced bracket before the word "Section"; amend section 201, page 9, line 29 by striking out the bold-faced bracket after "recom-"; amend section 201, page 10, line 1 by striking out the bold-faced bracket before "mendations"; amend section 202, page 10, line 6 by striking out at the end of the line after the word "act" the following: [The secretary shall also have power]; amend section 202, page 10 by striking out lines 7 and 8 and inserting in lieu thereof the following: "subject to the provisions of section two hundred eight of this act"; amend section 203, page 10, line 13 by striking out after the word "of" and before the word "and" the word: [employees] and inserting in lieu thereof the word: "employes"; amend section 203, page 10, line 18 by striking out at the end of the line after the word "shall" the following: [commence on July first one thousand]; amend section 203, page 10 by striking out line 19; amend section 203, page 10, line 20 by striking out at the beginning of the line before the word "respectively" the following: [six years] and inserting in lieu thereof the following: expire on July first one thousand nine hundred thirty-eight July first one thousand nine hundred forty and July first one thousand nine hundred forty-two; amend section 203, page 10, line 29 by striking out the bold-face bracket after the word "shall" amend section 203, page 11, line 1 by striking out the bold-face bracket before the word "be"; amend section 203, page 11, line 19 by striking out at the end of the line after the word "act" the following: [Any investigation hearing or appeal]; amend section 203, page 11 by striking out lines 20 to 26, inclusive; amend section 203, page 11 line 27 by striking out at the beginning of the line before the word "The" the following: [quorum of the board]; amend section 203, page 11, line 28 by striking out the bold-faced bracket after the word "of"; amend section 203, page 12, line 1 by striking out the bold-faced bracket before the word "of"; amend section 203, page 12, line 1 by striking out the bold-faced bracket before the word "the"; amend section 203, page 12, line 2 by striking out at the end of the line after the word "appeals" the word: [and]; amend section 203, page 12 by striking out lines 3 and 4; amend section 203, page 12, line 5 by striking out at the end of the line after the word "secretary" the following: [with the approval of the Governor]; amend section 203, page 12, line 6 by inserting after the word "referees" and before the word "as" the following: subject to the provisions of section two hundred eight of this act; amend section 204, page 12, line 29 by striking out the bold-faced bracket after the word "expenses"; amend section 204, page 13, line 1 by striking out the bold-faced bracket before the word "incurred"; amend section 206, page 13, line 18 by inserting after the word "employer" and before the word "shall" the following: (whether or not liable for the payment of contributions under this act); amend section 206, page 13, line 29 by striking out the bold-faced bracket after "mem-"; amend section 206, page 14, line 1 by striking out the bold-faced bracket before "bers"; amend section 207, page 14, line 28 by striking out the bold-faced bracket after "em-"; amend section 207, page 15, line 1 by striking out the bold-faced bracket before "ployment"; amend section 207, page 15, line 8 by striking out the bold-faced bracket after the word "States"; amend page 15 by inserting between lines 8 and 9 the following section:

Section 208 Civil Service; Selection of Personnel; Additional Duties of Secretary and Board.

(a) No individual shall be appointed or employed by the department for the purpose of administering this act except as provided in this section.

(b) The members of the board shall be exempt from the provisions of this section. All persons who, at the time this act becomes effective, are employed in the Federal-State Employment service in the department shall be exempt from the requirement of taking competitive examinations as provided herein and from appearing on lists of eligibles but shall be subject to all other provisions of this section in the same manner as other individuals. All individuals seeking employment in such Federal-State Employment Service shall after this act takes effect be subject to all of the provisions of this section.

(c) Until such time as the board certifies lists of eligibles for any grade of employment, but in no event later than January first, one thousand nine hundred thirty-seven, the secretary is hereby authorized to make provisional appointments without examinations in such grades of employment for which no lists of eligibles have been certified provided that a person so appointed shall cease to be so employed within thirty days after a list of eligibles has been certified by the board to the secretary for the grade or employment in which he or she is employed unless reappointed from such list of eligibles as provided in this section.

(d) The secretary shall by rules and regulations establish classes of employment composed of all of the various positions to be created for the purpose of administering this act and shall divide such classes into a reasonable number of grades and shall specify a salary range for each grade. All appointments shall be made

at the lowest salary for the grade in which the appointment is made provided that all persons who, at the time this act becomes effective, are employed in the Federal-State Employment Service in the department shall in no case receive a salary which is less than the salary that they were receiving at the time this act became effective. The secretary may increase the salary of any employe who has servied the six-month probationary period under this act to not more than the maximum provided for his grade of employment.

(e) The secretary shall prescribe by rules and regulations the qualifications to be possessed by persons desiring employment in the various grades of employment in the administration of this act. The qualifications shall be such as will best promote the most efficient administration of this act and shall provide that persons applying for positions in the offices designated by the secretary as central administrative offices shall be citizens of the United States and legal residents of Pennsylvania and persons applying for positions in district offices shall be citizens of the United States and legal residents in the district in which such office is located.

(f) Every individual desiring employment under the provisions of this act shall file with the board an application under oath or affirmation which shall be in a form prescribed by the board provided that such application shall be the same for all individuals desiring the same grade of employment and shall be so drawn as to reveal the qualifications as prescribed by the secretary. In no case shall the board require of the applicant any information pertaining to his religious or political affiliations. Upon receiving such applications the board shall determine whether the applicant is qualified for the employment which he or she seeks under the qualifications prescribed by the rules and regulations of the secretary, if so, the applicant shall be admitted to the next competitive examination in the grade of employment which he or she seeks. Such competitive examinations shall be practical in their character and so far as may be possible shall relate to those matters which will fairly test the relative capacity and fitness of persons examined to discharge the duties of the service into which they seek to be appointed. Such competitive examinations shall be written, but in arriving at a final rating of applicants for such administrative and professional grades of employment as are so designated by the board the board may take into consideration such educational training, and vocational experience as is related to the grades of employment for which applicants are being examined provided that the same standards shall apply with respect to all applicants in the same grade of employment.

(g) The board shall conduct such examinations at such places in the Commonwealth as to make it reasonably convenient and inexpensive for applicants to attend them. Every candidate admitted to such examinations shall be given a number so that when his paper is marked and graded it will be impossible for the person passing upon the examination papers to ascertain the candidate's identity until his written examination rating has been established. In order that applicants admitted to such examinations may be identified before their appointment, finger prints in the manner prescribed by the board shall be taken of all applicants.

(h) Examination papers of such candidates shall be marked by a committee composed of one member of the board designated by the board and one person not employed by the Commonwealth in any other capacity from each of the colleges and universities receiving State-aid from the Commonwealth and designated by the presidents of such colleges and universities. All such examining committee members shall receive compensation at the rate of fifteen dollars per day for their services and reimbursement for necessary expenses. The members of such examining committees may employ necessary clerks and assistants who shall be approved by the respective presidents of such State-aided colleges and universities. Subject to the approval of the secretary the number of clerks and assistants so employed and the amount of their compensation shall be determined by the board. All such examination papers shall be rated on a basis of one hundred per centum and less. Such examination papers shall immediately thereafter be filed.

(i) The board shall certify to the secretary for each administrative district and for the state as a whole lists of the names of persons receiving a passing mark and shall rank such persons in the order of magnitude commencing with the highest rating for the specified grade of employment. Such list shall be known as a list of eligibles and shall be valid until the next examination is held for the same grade of employment, but in no event for a period of less than one year, unless no more than two names remain on a list of eligibles, in which case a new examination may be held, but those whose names remained on the list of eligibles shall be retained on the new list for a period of at least one year from the date of their original certification.

In certifying lists of eligibles for the various grades in any class of employment, the board shall certify persons taking identical examinations on all lists of eligibles for all grades in such class of employment for which they are qualified.

(j) The secretary shall make appointments to positions created under this act including positions in the Federal -State Employment Service in the department and shall fill vacancies as they may occur from the lists of eligibles certified to him by the borad. In making appointments therefrom the secretary shall select from the three persons ranking highest on the list of eligibles for the grade of employment in the administrative districts or in the state as a whole, as the case may be, the applicant most suitable for the position in the grade of employment for which a vacancy exists taking into consideration his vocational experience, education, and personal qualifications with sole reference to merit and fitness for the position to be filled. If upon inquiry by the secretary a person on the list of eligibles is found to be not available for employment or cannot be located, his name shall not for the time being be considered among the three names from which a choice is to be made. For the second vacancy, the secretary shall make selection from the highest three persons remaining on such list of eligibles who have not been within his reach for three separate vacancies. The third and any additional vacancies shall be filled in like manner.

(k) The person selected for appointment shall be duly

notified by the secretary in writing and upon accepting and reporting for duty shall receive from the secretary a certificate of appointment. The first six months under this appointment shall be a probationary period. If and when, after full and fair trial, during this period this conduct or capacity of the probationer be not satisfactory to the secretary, the probationer shall be so notified in writing with a full statement of reasons and this notice shall terminate his service provided that within ten days he may appeal his case to the board in the same manner as hereinafter provided for individuals receiving notice of dismissal. The retention beyond the probationary period shall automatically confirm such individuals as a permanent appointment.

(l) The board shall employ from time to time when necessary experts and necessary clerical assistants to review applications, prepare and conduct such examinations and to prepare lists of eligibles from the ratings of applicants taking such examinations. Subject to the approval of the secretary the number of such experts and clerical assistants and their compensation shall be determined by the board.

(m) It shall be the duty of the board to certify to the secretary lists of eligibles for all grades of employment as such lists are requested by the secretary as soon as practical and to maintain a sufficient number of names on each of such lists to meet all reasonable requirements of the secretary in making necessary appointments under this act.

(n) When there are no more than two eligibles on a list of eligibles for any grade of employment in which a vacancy exists, the secretary may in his discretion make an appointment therefrom.

(o) The secretary may, when in his judgment the public interest or the efficiency of the service requires, summarily dismiss any employe of the department engaged in the administration of this act who has been finally convicted of an offense in connection with his duties in the administration of this act or of any felony or any crime involving moral turpitude.

The secretary may suspend for a period not to exceed thirty days or dismiss any employe of the department engaged in the administration of this act for delinquency or misconduct in his or her duties under this act.

The secretary may by reason of lack of funds or curtailment of work furlough any employes of the department engaged in the administration of this act provided that such employes shall be reinstated to the lists of eligibles and shall be given preference over all other persons on such lists of eligibles for future appointments to their own grade of employment or a lower grade in the same class of employment in order of seniority. Such eligibility for reinstatement shall remain effective for a period equal in length to an employe's service under this act but in no case shall it continue for a period longer than five years. Employes may upon application in writing to the secretary and upon written approval by him obtain a leave of absence without pay.

(p) All employes of the department engaged in the administration of this act who are given notice of dismissal, suspension or furlough shall be entitled to a hearing before the board by an appeal made within ten days after such notice of dismissal, suspension or furlough becomes effective and shall be furnished with copies of any charges preferred against them and shall be allowed a reasonable time for personally answering the same in writing and submitting affidavits in support thereof. Any employe summarily dismissed or dismissed for delinquency or misconduct under a decision of the board or upon the expiration of the date for an appeal if no appeal has been taken shall be removed from all lists of eligibles for positions under this act. Any employe, after having been dismissed, suspended or furloughed, or having received notice of dismissal, suspension or furlough, and who has made appeal thereof to the board, shall be restored upon being sustained on such appeal by the decision to the board to the same grade of employment in which he had been employed and in the discretion of the board shall be fully reimbursed for any loss of salary caused by such dismissal, suspension or furlough. The board shall hear such appeals and render a final decision in all cases under this section in not more than thirty days after the date of such appeal, and shall keep records of such appeals as provided for appeals for compensation under section five hundred four of this act. Appeals may be taken by the secretary or the employe from the board to the Superior Court within thirty days after the decision of the board in the same manner as provided in this act for appeals with respect to compensation.

(q) It shall be the duty of every officer and employe in the department and of every applicant or eligible for a position therein to give to the board all proper and pertinent information and testimony in regard to matters required or arising under this section and under the rules and regulations of the department and the board pursuant thereto and to subscribe such testimony and make oath or affirmation to the same.

In exercising its authority under this section the board shall have power to administer oaths and subpoenas as delegated to it under section five hundred six of this act.

(r) The board shall have the power to make such rules and regulations as may be necessary for the execution of the provisions of this section provided such rules are not inconsistent with the provisions thereof.

(s) Whoever makes a false statement or representation knowing it to be false or knowingly fails to disclose a material fact or in any manner reveals any information in order to obtain employment either for himself or any other person under this section shall upon conviction in a summary proceeding be sentenced to pay a fine of not less than twenty dollars nor more than two hundred dollars and in the default of the payment of such fine and costs shall be sentenced to imprisonment for no more than thirty days and each such violation shall be deemed to be a separate offense, and his name shall be removed from all lists of eligibles and if appointed he shall be summarily dismissed.

(t) The secretary shall pay all necessary expenses in the administration of this section including the compensation paid to such experts, members of examining committee, assistants and clerks and shall rent such places as may be necessary for conducting examinations and correcting examination papers and pay the rent thereof and such other incidental expenses in the administration of this section, as may be necessary, from the Administration Fund."

Amend page 15 by striking out lines 9 to 29 inclusive; amend page 16 by striking out lines 1 to 28 inclusive; amend section 203, page 17, by striking out lines 1 to

28 inclusive; amend section 203, page 18, by striking out lines 1 to 29 inclusive; amend section 203, page 19, by striking out lines 1 to 29 inclusive; amend section 203, page 20, by striking out lines 1 to 29 inclusive; amend section 203, page 21, by striking out lines 1 to 28 inclusive; amend section 203, page 22, by striking out lines 1 to 29 inclusive; amend section 203, page 23, by striking out lines 1 to 18 inclusive; amend section 204, page 23, by striking out lines 19 to 29 inclusive; amend section 204, page 24, by striking out lines 1 and 2; amend section 205, page 24, by striking out lines 3 to 28 inclusive; amend section 205, page 25, by striking out lines 1 to 28 inclusive; amend section 205, page 26, by striking out lines 1 to 29 inclusive; amend section 205, page 27, by striking out lines 1 to 29 inclusive; amend section 205, page 28, by striking out lines 1 to 28 inclusive; amend section 205, page 29, by striking out lines 1 ot 29 inclusive; amend section 205, page 30, by striking out lines 1 to 21 inclusive; amend section 301, page 30, line 26, by inserting after the word "employes" and before the word "in" the words "(whether or not the same employes)"; amend section 301, page 30, line 26 by inserting after the word 'employment" and before the word "shall" the words: "within each of twenty different weeks during a calendar year"; amend section 301, page 30, line 26 by inserting after the word "each" and before the word "calendar" the word "such"; amend section 301, page 30, line 29 by striking out at the end thereof after the word "Fund" the words "[equal to the following percentages of total]"; amend section 301, page 31, line 1 by inserting at the beginning thereof bebore the word "than" the words "which shall be equal to but not more"; amend section 301, page 31, line 7, by striking out after the word "[department[" and before the word "shall" the word [commission] and inserting in lieu thereof, the word "department"; amend section 302, page 31, line 22, by striking out at the beginning thereof before the word "Section" the word [To] and inserting in lieu thereof, the word "to"; amend section 302, page 31, line 22, by striking out at the end thereof, after the word "act" the words [who has em-]; amend section 302, page 31, line 23 by striking out at the beginning thereof, before the word "shall" the words [ployed employes in employment]; amend section 303, page 32, line 10 by inserting after the word "to" and before the word "this" the words "and shall pay the contributions required by"; amend section 303, page 32, line 13 by inserting after the word "subject" and before the word "only" the words "and shall be relieved of the payment of contributions"; amend section 303, page 32, line 14 by striking out after the syllable [ment] and before th word "and" the word [commission] and inserting in lieu thereof, the word "department"; amend section 303, page 32, line 14 by striking out after the word [department] the word [commission] and inserting in lieu thereof, the word "department"; amend section 303, page 32, line 15 by striking out at the end thereof, the word [had] and inserting in lieu thereof, the word "employed"; amend section 303, page 32, line 16 by inserting after the word "employe" and before the word "in" the words (whether or not the same employe); amend section 304, page 32, line 21 by striking out after the word "[department]" and before the word "such" the word [commission] and inserting in lieu thereof, the word "department"; amend section 304, page 32, line 22 by striking out at the end thereof the syllable [comis-]; amend section 304, page 32, line 23 by striking out at the beginning thereof, before the word "shall' the syllable [sion] and inserting in lieu thereof, the word "department"; amend section 305, page 32, line 26 by striking out at the end thereof, the syllable [commis-]; amend section 305, page 32, line 27 by striking out at the beginning thereof, before the word "the" the syllable [sion] and inserting in lieu thereof the word "department"; tmend section 305, page 32, line 28 by striking out at the end thereof before the word "may" the word [commission] and inserting in lieu thereof, the word "department"; amend section 308, page 33, line 18 by striking out after the word "[department]" and before the word "shall" the word: [commission] and inserting in lieu thereof the word: "department": amend section 309, page 33, line 22 by striking out after the word "[department]" and before the word "any" the word: [commission] and inserting in lieu thereof the word: "department"; amend section 309, page 34, line 2 by striking out after the word "under" and before the word "Workmen's" the word: [the] and inserting the word: "The"; amend section 309, page 34 by striking out line 3, and inserting in lieu thereof the following: "Act of one thousand nine hundred fifteen and its amendments and supplements"; amend section 310, page 34, line 9 by striking out after the word "proceeding" and before the word "or" the word: [contribution] and inserting in lieu thereof the word: "contributions"; amend section 310, page 34, line 12 by striking out after the word "under" and before the word "Workmen's" the word: [the] and inserting in lieu thereof the word: "The"; amend section 310, page 34, line 12 by striking out at the end of the line after the word "Compensation" the words: "[Law of this Com-]"; amend section 310, page 34, line 13 by striking out at the beginning of the line before the word "and" the syllable: "[monwealth]" and inserting in lieu thereof the following: "Act of one thousand nine hundred fifteen and its amendments and supplements"; amend section 310, page 34, line 22 by inserting after the word "Code" and before the word "Title" the word: "Annotated"; amend section 310, page 34, line 22 by striking out after the word "Title" and before the word "Section" the numeral: "[II]" and inserting in lieu thereof the numeral: "XI"; amend page 34 by striking out lines 23 to 26 inclusive; amend section 312, page 34, line 27 by striking out after the word "Section" and before the word "Refunds" the numeral: "[312]" and inserting in lieu thereof the numeral: "311"; amend Section 312, page 35, line 3 by striking out after the word "[department]" and before the word "shall" the word: [commission] and inserting in lieu thereof the word: department: amend Section 312, page 35, line 5 by inserting after the word "collected" and before the word "the" the following: for any reason whatever including the failure to employ one or more employes (whether or not the same employe or employes) within each of twenty different weeks during the calendar year for which the contributions were made; amend Section 312, page 35, line 5 by striking out after the word "[department]" and before the word "shall" the word: [commission] and inserting in lieu thereof the word: department; amend Section 312, page 35, line 9 by striking out after the word "[department]" and before the word "shall" the word: [commission] and inserting in lieu thereof the word: department; amend Section 312, page 35, line 13 by striking out at the end

of the line after the word "[department]" the word: [commission] and inserting in lieu thereof the word: department; amend Section 401, page 35, line 18 by striking out after the word "or" and before the word "after" the word: [after]; amend Section 401, page 35, line 22 by inserting after the word "as" and before the word "unemployed" the word: totally; amend Section 401, page 35, line 25 by striking out after the word "[department]" and before the word "may" the word: [commission] and inserting in lieu thereof the word: department; amend Section 401, page 35, line 27 by striking out at the end of the line after the word "[department]" the word: [commission] and inserting in lieu thereof the word: department; amend Section 402, page 36, line 22 by striking out after the word "[department]" and before the word "shall" the word: "[commission]" and inserting in lieu thereof the word: "department"; amend Section 403, page 37, line 2 by striking out after the word "of the" and before the words "full-time" the word: "[employes']"; and inserting in lieu thereof the word: "employe's"; amend Section 403, page 37, line 7 by striking out after the word "[department]" and before the word "may" the word: "[commission]" and inserting in lieu thereof the word: "department"; amend Section 405, page 37, line 36 by striking out at the end of the line after the word "[department]" the word: "[commission]" and inserting in lieu thereof the word: "department"; amend page 38, line 4 by striking out the bold-faced bracket before the word "Section"; amend Section 501, page 38, line 13 by striking out after the word "decision" and before the word "the" the word: "[to]" and inserting in lieu thereof the word: "with"; amend Section 501, page 38, line 20 by striking out at the end of the line after the word "claim" the words: "[by a referee When]" and inserting in lieu thereof the words: "but when"; amend Section 502, page 38, line 29 by striking out after the word "reverse" and before the word "findings" the word: "[the]" and inserting in lieu thereof the word: "such"; amend Section 502, page 38, line 29 by striking out the bold-faced bracket after the word "of"; amend page 39, line 1 by striking out the bold-faced bracket before the word "the"; amend Section 503, page 39, line 11 by striking out after the word "referee" and before the words "[other employe]" the word: "[or]"; amend Section 503, page 39, line 11 by striking out after the words "[other employe]" and before the word "member" the word: "[no]"; amend Section 503, page 39, line 12 by striking out after the word "or" and before the word "employe" the word: "[No]"; amend Section 503, page 39, line 12 by striking out after the word "shall" and before the word "in" the word: "[sit]" and inserting in lieu thereof the word: "participate"; amend Section 504, page 39, line 19 by striking out after the word "such" and before the word "and" the word: "[cases]" and inserting in lieu thereof the word: "case"; amend Section 505, page 39, line 29 by striking out the bold-faced bracket after the word "which"; amend page 40, line 1 by striking out the bold-faced bracket before the word "appeals"; amend section 505, page 40, line 1 by striking out at the end of the line after the word "required" the word: "[by]" and inserting in lieu thereof the word: "from"; amend section 505, page 40, line 2 by striking out after the word "the" and before the words "the claimant" the word: "[secretary]" and inserting in lieu thereof the word: "department"; amend section 506, page 40, line 12 by inserting after the word "The' and before the word "board" the words: "department and the"; amend section 506, page 40, line 18 by inserting after the word "the" and before the word "chairman" the words: "secretary or the"; amend section 506, page 40, line 18 by inserting after the word "board" and before the word "or" the words: "as the case may be"; amend section 506, page 40, line 19 by inserting after the word "by" and before the word "the" the words: "the secretary or"; amend section 506, page 40, line 19 by inserting after the word "board" at the end of the line the following: "Witnesses subpoenaed pursuant to this act shall be allowed reasonable fees and expenses at a rate fixed by the department. Such fees and all expensss of proceedings involving disputed claims shall be deemed a part of the expense of administering this act and shall be paid from the Administration Fund"; amend section 507, page 40, line 25 by inserting after the word "the" and before the word "board" the words: "department or the"; amend section 507, page 40, line 28 by striking out the bold-faced bracket after the word "resides"; amend page 41, line 1 by striking out the bold-faced bracket before the word "or"; amend section 508, page 41, line 28 by striking out the bold-faced bracket after the word "testifying"; amend page 52, line 1 by striking out the bold-faced bracket before the word "Section"; amend section 509, page 42, line 3 by striking out after the word "final" and before the word "ten" the word: "[after]"; amend section 510, page 42, line 15 by striking out after the word "board" and before the word "final" the word "[became]" and inserting in lieu thereof the word: "becomes"; amend section 510, page 42, line 29 by striking out the bold-faced bracket after the word "it"; amend page 43, line 1 by striking out the bold-faced bracket before the word "In"; amend section 510, page 43, line 6 by inserting after the word "and" and before the word "shall" the words: "such cases"; amend section 510, page 43, line 7 by striking out after the word "under" and before the word "Workmen's" the word: "[the]" and inserting in lieu thereof the word: "The"; amend section 510, page 43, line 8 by striking out after the word "tion" the word: "[Law]" and inserting in lieu thereof the following: "Act of one thousand nine hundred fifteen and its amendments and supplements"; amend section 512, page 43, line 17 by striking out the bold-faced bracket after the word "court"; amend page 43 by striking out lines 18 to 29 inclusive; amend page 44 by striking out lines 1 to 29 inclusive; amend section 601, page 49, line 22 by striking out at the end thereof, after the word "[department]" the word: "[commission]" and inserting in lieu thereof the word: "department"; amend section 601, page 49, line 26 by striking out at the end thereof, after the word "[department]" the word: "[commission]" and inserting in lieu thereof the word: "department"; amend section 601, page 50, line 4 by striking out after the word "[department]" and before the word "shall" the word: "[commission]" and inserting in lieu thereof the word: "department"; amend section 602, page 50, line 10 by striking out after the word "[department]" and before the word "from" the word: "[commission]" and inserting in lieu thereof the word: "department"; amend sec-

tion 602, page 50, line 15 by striking out at the end thereof, after the word "[department]" the word: "[commission]" and inserting in lieu thereof the word: "department"; amend section 603, page 50, line 25 by striking out at the end thereof, after the word "[department]" the syllable: "[com-]"; amend section 603, page 50, line 26 by striking out ta the beginning thereof, before the word "out" the syllable: "[mission]" and inserting in lieu thereof the word: "department"; amend section 603, page 50, line 28 by striking out at the end thereof, after the word "Section" the following: "[601)]" and inserting in lieu thereof: "six hundred one)"; amend section 603, page 51, line 7 by striking out at the beginning thereof the bold-face bracket before the word "department"; amend section 603, page 51, line 9 by striking out at the end thereof, after the word "purpose" the following "[] commission]"; amend section 702, page 52, line 7 by striking out after the word "board]" and before the word "or" the word: "[commission]" and inserting in lieu thereof: "department the board"; amend section 702, page 52, line 10 by striking out after the word "referee]" and before the word "may" the word: "[commission]" and inserting in lieu thereof: "departments the board or a referee"; amend section 702, page 52, line 14 by striking out at the beginning thereof, before the word "Any" the word: "[commission]" and inserting in lieu thereof the word: "board"; amend section 702, page 52, line 15 by striking out at the beginning thereof before the word "shall" the word: "[subsection]" and inserting in lieu thereof the word: "section"; amend section 703, page 53, line 4 by striking out at the beginning of the line, before the word "shall" the word: "[subsection]" and inserting in lieu thereof the word: "section"; amend section 804, page 55, line 6 by inserting after the word "Fund" and before the article "a" the following: "to the credit of the Employers' Contribution Account"; amend section 902, page 55, line 20 by striking out at the end thereof, after the word "acts" the syllable: "[incon-]"; amend section 902, page 55, line 21 by striking out at the beginning thereof, before the word "herewith" the syllable: "[sistant]" and inserting in lieu thereof the word: "inconsistent".

Mr. CAVALCANTE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

Mr. SHAPIRO. Mr. President, I think I am about as tired as the rest of the members of the Senate, and I am very reluctant to burden them with a statement, and I venture to suggest that the only reason for my statement will be the importance of this bill. In offering these amendments, I think it is imperative to explain what they are and what their effect will be. In the first place, the amendments relate to corrections to amendments made necessary by a conference with the Federal Government as to House Bill No. 55 in its original form when it came from the House. Secondly, it relates to the civil service procedure amendment prepared by the Democratic Administration and submitted to the committee. In connection with those amendments, I think I was borne out by the acting chairman of the Insurance Committee, and those members of the committee who were present when this bill was discussed, that the action of the committee was that the bill be reported out with amendments suggested by the Senator from Allegheny, Mr. Coyne, relating to the method of administration, and with the civil service amendment presented to the committee by the administration. Inadvertently, I assume, the civil service provisions attached to this bill when it came from the committee are not the civil service provisions prepared by the Administration, but are those civil service provisions which are contained in Senate Bill No. 106. The difference between the two provisions is, first, that insofar as the administration provisions are concerned, they permit a choice from those who pass the examination among the first three. Senate Bill No. 106 permits no choice, and compels the Board to accept No. 1. In the second and more important situation, the administration amendments provide that no one may be removed except by the presentation or preferring of charges, and that those charges be heard by persons other than those who prefer them, and from those charges appeals lie in various stages, up to the Superior Court of Pennsylvania. That brings in the third objection, which now becomes obvious, that it throws the administration of this important matter into the political arena, and that is one of he things that should not be in this bill. It pays a salary of some $7,500.00, I think it is, but I am not certain of that, I know it is a large salary, amounting to some several thousand dollars, to each one of the members. It puts us in the anomolous position of establishing a new method of appointment, which has never, so far as I can find, existed. It was attempted in the Administrative Code of 1929, when it was suggested that there should be appointments made, but that did not carry, and now, when there is such an important matter before the Senate, when there is such an important experiment to be made, we throw this experiment beyond any hope of giving to it a proper chance to begin in its infancy, and what in any event is going to be a very difficult period, of placing this whole board under the control of five people who must, of necessity, be politically minded. It is because of that fact, I suggest to the members of this Senate that this should not be, and I present these amendments.

In the provisions of Senate Bill No. 106, anyone may be removed for some fifteen reasons, among which are profanity and a failure to be courteous with people coming in contact with the Administration; and they may be removed by the Board which is created under the Act as it now stands; and the charges are heard by the Board who preferred the charges, and there is no appeal. We feel that the civil service provisions presented by the Administration are infinitely more favorable to the employe and make a more workable condition.

In the third respect for which these amendments are offered, they deal with a major and important part of the bill. There is some difference, among those who have made some study on this matter, as to whether or not the Act shall be administered by the Board or by the Department of Labor and Industry, or any Welfare Board of any State having such an Act. The Administration Act is administered through a Department of Welfare agency or such other employment agency which works in cooperation with the Federal Government. Under the amendment suggested by Senator Coyne, which

takes bodily from Senate Bill No. 106, the McClure bill, the provisions relating to its administration, the Act is administered by a board of five, appointed: one by the Governor, one by the President Pro Tempore of the Senate, one by the Speaker of the House, one by the Auditor General, one by the Treasurer. Aside from the fact that it will be difficult to point to any precedent of such an appointment, or method of appointment of a body of this sort, or any administrative body, I point out also that the amendment makes the term of these persons who are appointed co-extensive with the term of office of the appointor. In other words, the Auditor General appoints one man, and that man's term of office expires with the expiration of the term of office of the Auditor General, and so on with the rest of the five appointees. I think it would mean that while this commission is in the midst of preparing for the administration of this Act, and before it even has time to adjust itself to the new condition, four if its five members would be automatically removed from office and four men would have to be appointed again.

Mr. REED (Dauphin). Mr. President, I desire to interrogate the Senator from Philadelphia, Mr. Shapiro.

The PRESIDENT. Will the Senator from Philadelphia, Mr. Shapiro, permit himself to be interrogated?

Mr. SHAPIRO. Yes, Mr. President.

Mr. REED (Dauphin). Mr. President, I desire to ask the Senator from Philadelphia who will have control of this matter should these amendments prevail.

Mr. SHAPIRO. Mr. President, if these amendments prevail, the appointments will be made by the Governor with the advice and consent of the Senate, the same as the Public Service Commission appointments and others of similar character.

Mr. REED (Dauphin). Mr. President, do I understand that the control of the Board, and the administration, will entirely pass into the hands of the Secretary of Labor?

Mr. SHAPIRO. Mr. President, I say the administrative control—the Senator from Dauphin must remember—I don't know whether he has read this bill, but there are two functions of the Secretary of Labor under it—first, control of the appointment of employes who will begin to administer the Act; and, second, the administration of the Act with regard to the dispensing of compensation; and with regard to suggesting improvements in the carrying out of the provisions of the Act, in relation to the provisions of the Federal Government Act, that is in the hands of three people appointed by and with the consent of the Governor, and over that the Secretary of Labor has no control.

Mr. REED (Dauphin). Mr. President, will the Senator from Philadelphia inform the Senate approximately how many political appointments will fall into the hands of the Governor if his amendments prevail?

Mr. SHAPIRO. Mr. President, none; because under the amendment presented by me every appointment, even by the Secretary of Labor, must be made under a civil service examination held by disinterested people, and the appointments made by disinterested people as a result of such examinations.

Mr. REED (Dauphin). Then, Mr. President, I would like to ask the Senator, if there are no political appointments, and it is entirely a matter of administration, what is the objection to having a board of five administer this?

Mr. SHAPIRO. Mr. President, first, because the board of five will, themselves, be political appointments. Second, because under the present bill the board of five will have absolute control over the appointment and the removal of all persons even though there is a civil service, or provision for a civil service examination.

Mr. REED (Dauphin). Mr. President, does the Senator believe that the board of five would be less political than the Governor of Pennsylvania?

Mr. SHAPIRO. Mr. President, I believe the board of five would be more politcal than the Governor of Pennsylvania, because the appointment of the board of three would be subject to the consent of the Senate; and I have seen the Senate confirm many Governor's appointments. As a matter of fact, there are a number of the Governor's appointments not yet confirmed.

And the question recurring,

Will the Senate agree to the amendments?

Mr. OWLETT. Mr. President, I object to the amendments, and I desire to say merely this: As I understand the provision of this act with regard to appointments—and I am not exceedingly familiar with it—the entire appointive power will be under the Governor. We are told now there is a civil service provision, but it has been prepared by the Administration. In the State of New York I am told there are 6,000 employes to administer this Act; and it seems to me that the time has come when this Senate should see to it that a non-partisan board, such as is provided for in the Senate amendments, administer the Act.

The Senator from Philadelphia, Mr. Shapiro, has stated this was never done before in Pennsylvania. I would like to call the Senate's attention to the State board that was created last year—the State Authority, rather, that was created last year, in the regular session of this Senate. The Authority in that case was made up as follows: One appointed by the Auditor General, one appointed by the State Treasurer, one appointed by the President Pro Tempore of the Senate, one by the Governor, one by the Lieutenant Governor and one by the Secretary of Internal Affairs. As far as the administration is concerned, this Committee has considered well this bill, and this Senate should sustain the amendments inserted by this Committee; the Senate should vote "no" on these amendments before us.

Mr. SHAPIRO. Mr. President, if it was the bill to which I think the Senator from Tioga, Mr. Owlett, refers, it was declared unconstitutional; and whether it was passed or not, it was still declared unconstitutional. I say there is no law on the statute books under which such a board is appointed by such a commission; and I want to point out—I am not saying this for the purpose of bragging—I have heard a good deal of talk about this bill and have come to believe and say that I am familiar with the bill, I studied two and a half years on this bill, and I have a bill in the Senate—I do not want to bring it out, I do not think there is time to pass it; but I wish there would be some non-political bill passed, and I am willing to forego my pride of authorship in any bill.

It is idle for the Senator from Tioga to say this is a non-partisan commission. It is bound to be partisan. If the men elected are Republicans, and they make the

appointments, it will be a Republican Administration; and I wish to call the Senators' attention to the fact that if he looks at the social security law, he will find what they ask and aim for is a non-partisan board.

I wish also to call the Senate's attention to this fact that appointments in the original act are as follows: The Governor must appoint one man who represents labor; the Governor must appoint one man who represents industry; the Governor must appoint one man who represents the public. So that, you have a non-partisan board. No matter what you may think about the other boards, in this one instance it represents all of the three people who are vitally interested in this act, and in the administration of it; whereas, in the plan suggested by you you have one man who may represent the Democratic Party and one man who may represent the Republican Party, or he may merely represent the Auditor General or the State Treasurer. But the unfairness, and the rediculousness of this proposition is that the Governor has no appointment under the suggested amendment, because the one appointment he is supposed to make must be made by and with the consent of the Senate; and the Senate therefore has two appointments, one through its President Pro Tempore and one through its action and approval, or disapproval, of the appointment made by the Governor, and whether he be a Republican Governor or a Democratic Governor, or whether it be a Republican Senate or a Democratic Senate, it will require its consent—and that is the thing we are trying to avoid.

I am not here to carry the flag of the Democratic Party so far as this bill is concerned, but I am here to say that we cannot get a bill in a matter of such importance, that will be out of the control of politics as far as it is possible under our present state of government.

Mr. TRAINER. Mr. President, I desire to interrogate the Senator from Philadelphia, Mr. Shapiro.

The PRESIDENT. Will the Senator from Philadelphia, Mr. Shapiro, permit himself to be interrogated?

Mr. SHAPIRO. Mr. President, certainly.

Mr. TRAINER. Mr. President, this is the first time I have had the opportunity, but, for a question of information, I would ask the Senator from Philadelphia, Mr. Shapiro, this question:—he has studied the bill for two and a half years—am I correctly informed, that if a man be in the employ of a concern for three, four, five or ten years and he is laid off, that at the end of the time, when he is laid off, he gets thirteen weeks' compensation and this is the end of his troubles?

Mr. SHAPIRO. Mr. President, that is not necessarily the end of his troubles; that may be the beginning of them,—after he is laid off. Under this Act there is a fund created, by which every person involuntarily separated from his employment is entitled to a certain amount of compensation, for a certain definite time. During that period of time he has the right to register with the employment agency, and the employment agency will make an effort to secure further employment for him.

I want to say, in answer to the question of the Senator from Philadelphia, Mr. Trainer, that the number of unemployment insurance payments is limited, of course; but this is just a beginning, and nobody would dare to make the period longer if they cared to keep the fund solvent. That will have to be developed by experience—as we go along. This is an attempt to correct panics in unprecedented period of unemployment; it is merely to act as a stop-gap. We will have numbers of people from regular business off the relief rolls.

Mr. TRAINER. In other words, Mr. President, at the present time he gets thirteen weeks' compensation and then he is out?

Mr. SHAPIRO. Mr. President, no, he gets thirteen weeks' during the period of one year, and if he has obtained employment during the next year, at any time, he gets thirteen weeks again the next year.

Mr. TRAINER. Mr. President, thirteen weeks in a year?

Mr. SHAPIRO. Yes, Mr. President, that is the limit.

Mr. WOODWARD. Mr. President, the only reason I rise to speak is because the Senator from Philadelphia, Mr. Shapiro, made a remark about the civil service feature—that he thought it was a very inefficient civil service feature, and I am under the impression that that civil service feature was furnished by myself to the Committee. It is a model, standard form which has been adopted in some other bills. I simply want to stand up and say that I think my civil service is just as good as the Senator's civil service, that is all.

Mr. SHAPIRO. Mr. President, may I suggest to the Senator from Philadelphia, if I may, that I do not believe the civil service feature he refers to is his civil service feature; I think the civil service feature is the one drawn from bill No. 106, which I believe was prepared by Mr. Franklin Spencer Edmonds; and I think this civil service feature was taken bodily from Senate Bill No. 106.

And the question recurring,

Will the Senate agree to the amendment?

The yeas and nays were required by Mr. OWLETT and Mr. BUCKMAN and were as follows, viz:

YEAS—20

Baumer,	Lanius,	Reed,	Rupp,
Cavalcante,	Law,	(Washington)	Ruth,
Frey,	McCreesh,	Rice,	Shapiro,
Harris,	McGinnis,	Roberts,	Thompson,
Huffman,	Miller,	Rodgers,	(Centre)
Kahle,	Pytko,		

NAYS—23

Aron,	Graff,	Pierson,	Staudenmeier,
Batchelor,	Harvey,	Prince,	Thompson,
Bean,	Homsher,	Reed,	(Westmoreland)
Buckman,	Mallery,	(Dauphin)	Trainer,
Coyne,	McClure,	Salus,	Woodward,
Ealy,	Owlett,	Scott,	Ziesenheim,
Gelder,			

So the question was determined in the negative.

And the question recurring,

Will the Senate agree to the section?

Mr. REED (Dauphin). Mr. President, I move to amend section 903, page 55, line 23, by striking out the words "immediately upon its final enactment" and insert in lieu thereof "upon the fifteenth day of January, one thousand nine hundred and thirty-seven"

Mr. GRAFF. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

Mr. REED (Dauphin). Mr. President, I would like to state briefly the purpose of the amendment. Personally, I believe—and I think almost everyone believes—that the Federal Act is unconstitutional. If there is any chance of passing an unemployment insurance act which will stand the test of the courts, I believe that the majority in this

Senate would like to do, and I am one of that number, because I believe in the principle of unemployment insurance.

The purpose of this amendment is to make the effective date of this Act just as late as possible—January 15, 1937; because I believe that by that time, if there is a possibility of the Act's constitutionality being decided by the courts, it will be declared unconstitutional. However, we must recognize the fact that if the Act is passed in this form, or with this amendment, the corporations of Pennsylvania will have notice of this Act. January 30, 1937 is the date upon which they must, under the social security law of Washington, ask for credits. I therefore express the purpose of this amendment,—to have the effective date of this Act as late as possible; and, also, in view of the fact that on that date the next Legislature of Pennsylvania will be in session and able to consider this question.

Mr. SHAPIRO. Mr. President, instead of offering this amendment, if the Senator from Dauphin suggested that this Act be postponed until January, 1937, it would accomplish the same purpose. What he is doing is making it impossible for any one who has paid into the Federal Government, by 1937, taxes under the Social Security Act, which amount to $25,000,000, to get any credit if the Act should be declared unconstitutional. I call the Senator's attention to Section 902 of the Federal Act, which reads as follows:

"The taxpayer may be credited against the tax imposed by Section 901, 'the amount of contribution, with respect to employment during the taxable year, paid by him (before the date of filing his return for the taxable year) into an unemployment fund under a State law. The total credit allowed to a taxpayer under this Section for all contributions paid into unemployment funds with respect to employment during such taxable year shall not exceed 90 per centum of the tax against which it is credited, and credit shall be allowed only for contributions made under the laws of States certified for the taxable year, as provided in Section 901.'"

His return is due in January. He will never be able to pay it,—there will be nobody to receive it by January, and he will never get any credit.

On the question,

Will the Senate agree to the amendment?

The yeas and nays were required by Mr. REED (Dauphin) and Mr. GRAFF and were as follows, viz:

YEAS—10

Batchelor,	Gelder,	Homsher,	Pierson,
Bean,	Graff,	Owlett,	Reed,
Ealy,	Harvey,		(Dauphin)

NAYS—31

Aron,	Law,	(Washington)	Staudenmeier,
Baumer,	Mallery,	Rice,	Thompson,
Cavalcante,	McClure,	Roberts,	(Centre)
Coyne,	McCreesh,	Rodgers,	Thompson,
Frey,	McGinnis,	Ruth,	(Westmoreland)
Harris,	Miller,	Salus,	Trainer,
Huffman,	Prince,	Scott,	Woodward,
Kahle,	Pytko,	Shapiro,	Ziesenheim,
Lanius,	Reed,		

So the question was determined in the negative.

And the question recurring,

Will the Senate agree to the section?

It was agreed to.

The title of the bill was read as follows:

An Act establishing a system of unemployment compensation to be administered by a newly created independent administrative commission of five members appointed by the Governor President Pro Tempore of the Senate the Speaker of the House of Representatives the Auditor General and the State Treasurer establishing a civil system for employes of the commission transferring the existing system of free public employment offices from the Department of Labor and Industry to the commission requiring employers to pay certain contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons providing procedure and administrative details for the determination payment and collection of such contributions and the payment of such compensation providing for cooperation with the Federal Government and its agencies creating certain special funds in the custody of the State Treasurer and prescribing penalties

On the question,

Will the Senate agree to the title?

Mr. SHAPIRO. Mr. President, I move to amend page 1, line 2 of the title, by striking out the bold-faced bracket before the word "the"; amend page 1, line 3 of the title, by striking out at the end of the line after the word "agencies" the following: "[ ] a]"; amend page 1 by striking out lines 4 to 10, inclusive, of the title; amend page 1, line 11 of the title, by striking out at the beginning of the line before "re-" the following: "[partment of Labor and Industry to the commission]" and inserting in lieu thereof the following: "with personnel selected on a civil service basis"; amend page 1, line 12 of the title, by inserting after the word "employers" and before the word "to" the folowing: "to keep records and make reports and certain employers"; amend page 1, line 12 of the title, by striking out after the word "pay" and before the word "contributions" the word: "[certain]"

Mr. CAVALCANTE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendments?

It was not agreed to.

And the question recurring,

Will the Senate agree to the title?

It was agreed to.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL SIGNED

The PRESIDENT (Lieutenant-Governor Thomas Kennedy) announced that the Chief Clerk having reported that the following bill had passed both Houses of the General Assembly and the same being correct, the title was publicly read as follows:

Senate Bill No. 87, entitled:

An Act abating under certain circumstances tax penalties and interest on certain city taxes in cities of the first class, school districts of the first class and prohibiting the sale of real property for the non-payment of any such taxes for a certain period and preserving certain tax liens and providing for the extension thereof.

Whereupon,

The PRESIDENT (Lieutenant-Governor Thomas Kennedy) in the presence of the Senate signed the same.

REPORT FROM COMMITTEE

Mr. COYNE. Mr. President, I ask unanimous consent to make a report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. COYNE, from the Committee on Executive Nominations reported with favorable recommendation the following nominations made by His Excellency, the Governor of the Commonwealth:

MEMBERS OF THE BOARD OF TRUSTEES OF MILLERSVILLE STATE TEACHERS COLLEGE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 4, 1936.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following appointments to compute from the date of confirmation:

Guy K. Bard, Lancaster, from February 25, 1936, for the term of four years, and until his successor is qualified.

Walter C. Beam, Strasburg, from February 25, 1936, for the term of four years, and until his successor is qualified.

Clair R. McCollough, Lancaster, from February 25, 1936, for the term of four years, and until his successor is qualified.

H. B. North, York, from February 25, 1936, for the term of four years, and until his successor is qualified.

Ray F. Deck, Palmyra, from March 3, 1936, for the term of four years, and until his successor is qualified.

John H. Myers, York, from April 17, 1936, for the term of four years, and until his successor is qualified.

(Mrs.) Florence Brecht Russell, Christiana, from April 17, 1936, for the term of four years, and until her successor is qualified.

(Mrs.) Caroline Witmer, Lancaster, from April 17, 1936, for the term of four years, and until her successor is qualified.

GEORGE H. EARLE.

JUSTICES OF THE PEACE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 10, 1936.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following appointment to compute from the date of confirmation:

Raymond H. Moyer, of Telford, Bucks County, as Justice of the Peace in the Borough of Telford, Bucks County (to fill a vacancy), until the first Monday in January, 1938.

GEORGE H. EARLE.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, June 2, 1936.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Joseph F. Speicer, of Line Lexington, Bucks County, for appointment as Justice of the Peace in the Township of New Britain, Bucks County, vice Wilson S. Bergey, deceased, until the first Monday in January, 1938, to compute from the date of confirmation.

GEORGE H. EARLE.

NOTARIES PUBLIC

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 14, 1936.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

ALLEGHENY COUNTY

Mrs. Stella M. Kaiser, 2008 Union Bank Bldg., Pittsburgh.

MONTGOMERY COUNTY

Ross Saylor, Bridgeport.

PHILADELPHIA COUNTY

Miss K. Averil Dolaway, 1710 Girard Trust Bldg., Philadelphia.

SCHUYLKILL COUNTY

Miss Margaret M. Cauley, Pottsville.

GEORGE H. EARLE.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 16, 1936.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

DAUPHIN COUNTY

Harry H. Schick, Harrisburg.

LUZERNE COUNTY

Albert N. Wallace, Wilkes-Barre.

MONTGOMERY COUNTY

Miss Elizabeth M. Gaynor, Conshohocken.

GEORGE H. EARLE.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 16, 1936.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

PHILADELPHIA COUNTY

Harry Waber, 200 S. 12th St., Philadelphia.

GEORGE H. EARLE.

EXECUTIVE SESSION

By unanimous consent,

A motion was made by Mr. RICE.

That Rule 38, which requires nominations made by the Governor, to lie on the table one day be dispensed with, and the Senate do now resolve itself into Executive Session, for the purpose of acting upon all foregoing nomination.

Which was agreed to.

Whereupon,

A motion was made by Mr. RICE.

That the Senate do advise and consent to the nominations reported.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—43

Aron,	Harvey,	Pierson,	Salus,
Batchelor,	Homsher,	Prince,	Scott,
Baumer,	Huffman,	Pytko,	Shapiro,
Bean,	Kahle,	Reed,	Staudenmeier,
Buckman,	Lanius,	(Dauphin)	Thompson,
Cavalcante,	Law,	Reed,	(Centre)
Coyne,	Mallery,	(Washington)	Thompson,
Ealy,	McClure,	Rice,	(Westmoreland)
Frey,	McGreesh,	Roberts,	Trainer,
Gelder,	McGinnis,	Rodgers,	Woodward,
Graff,	Miller,	Rupp,	Ziesenheim,
Harris,	Owlett,	Ruth,	

NAYS—0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

Mr. RICE. Mr. President, I move that the Executive Session do now rise.

Mr. ROBERTS. Mr. President, I second the motion.

The motion was agreed to.

REPORT FROM COMMITTEE

Mr. COYNE. Mr. President, I ask unanimous consent to make a report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. COYNE. from the Committee on Executive Nominations, reported with a negative recommendation the following nomination made by His Excellency, the Governor of the Commonwealth:

JUSTICE OF THE PEACE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 10, 1936.

To the Honorable, the Senate of the Commnwealth of Pennsylvania.

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following appointment to compute from the date of confirmation:

Raymond E. Good, of South Langhorne, Bucks County, as Justice of the Peace in the Borough of South Langhorne, Bucks County, vice Daniel H. Bilger, deceased, until the first Monday in January, 1938.

GEORGE H. EARLE.

EXECUTIVE SESSION

By unanimous consent,

A motion was made by Mr. RICE.

That Rule 38, which requires nominations made by the Governor, to lie on the table one day be dispensed with, and the Senate do now resolve itself into Executive Session, for the purpose of acting upon all foregoing nomination.

Which was agreed to.

Whereupon,

A motion was made by Mr. RICE.

That the Senate sustain the Committee in its negative recommendation on the nomination reported.

On the question,

Will the Senate agree to the motion?

Mr. OWLETT. Mr. President, is a vote "aye" a vote to sustain the committee?

The PRESIDENT. A vote "aye" is a vote to sustain the negative recommendation of the committee. A vote "no" is a vote for confirmation of the nomination, notwithstanding the negative recommendation of the committee.

And the question recurring,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—33

Aron,	Homsher,	Prince,	Scott,
Batchelor,	Huffman,	Reed,	Staudenmeier,
Baumer,	Lanius,	(Dauphin)	Thompson,
Bean,	Mallery,	Reed,	(Centre)
Coyne,	McClure,	(Washington)	Thompson,
Ealy,	McGinnis,	Rice,	(Westmoreland)
Gelder,	Miller,	Rodgers,	Trainer,
Graff,	Owlett,	Ruth,	Woodward,
Harris,	Pierson,	Salus,	Ziesenheim,
Harvey,			

NAYS—7

Cavalcante,	Kahle,	Pytko,	Shapiro,
Frey,	McCreesh,	Roberts,	

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

Mr. RICE. Mr. President, I move that the Executive Session do now rise.

Mr. ROBERTS. Mr. President, I second the motion.

The motion was agreed to.

HOUSE MESSAGES

HOUSE CONCURS IN SENATE AMENDMENTS TO HOUSE BILL No. 27

The Clerk of the House of Representatives being introduced, presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 27, entitled:

An Act to amend the act, approved the twenty-second day of June, one thousand nine hundred thirty-five (P. L. 414), entitled "State Personal Property Tax Act," by increasing the rate of tax; removing certain exemptions; changing the listing date, the date of filing reports, and the date and manner of payment of the tax; and making further provision with regard to penalties.

HOUSE CONCURS IN SENATE AMENDMENTS TO HOUSE BILL No. 39

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 39, entitled:

An Act to provide for the participation of the Commonwealth of Pennsylvania in a National Celebration of the One Hundred Fiftieth Anniversary of the Framing, the Signing, the Ratification by Pennsylvania, and the Final Adoption and Promulgation, of the Constitution of the United States, to be held at Philadelphia, and elsewhere, on the fifteenth, sixteenth and seventeenth days of September, one thousand nine hundred thirty-seven, and subsequent anniversary dates, in connection therewith; and making an appropriation.

HOUSE CONCURS IN SENATE AMENDMENTS TO HOUSE BILL No. 68

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 68, entitled:

An Act authorizing the Department of Forests and Waters to make a survey and investigation with respect to flood control and water conservation and the coordination of any Federal and State flood control program; and making an appropriation.

HOUSE CONCURS IN SENATE AMENDMENTS TO HOUSE BILL No. 81

He also presented communications from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 81, entitled:

An Act to amend section one of the act, approved the twenty-fifth day of April, one thousand nine hundred and thirty-five (Pamphlet Laws eighty-two), entitled "An act requiring certain cities to allow members of the fire department twenty-four consecutive hours of rest each week and fourteen days vacation each year, except in emergency cases," by providing that the provisions of said act shall be mandatory; and prohibiting any diminution of salary or compensation.

MOTION TO READ BILLS THE FIRST TIME

Mr. REED (Dauphin). Mr. President, I move that all bills reported from committees at today's session be read the first time.

Mr. HARRIS. Mr. President, I second the motion.

The motion was agreed to.

BILL ON FIRST READING

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 106, entitled:

An Act establishing a system of unemployment compensation to be administered by a newly created independent administrative commission of five members appointed by the Governor, the President Pro Tempore of the Senate, the Speaker of the House of Representatives, the Auditor General, and the State Treasurer; requiring certain employers to contribute to a fund from which such compensation shall be paid; requiring any employer to make certain reports and perform ceratin other duties; defining the rights of certain unemployed persons to receive compensation; defining the rights, powers and duties of said commission; establishing a civil service system for employes of the commission; transferring the existing system of free public employment offices from the Department of Labor and Industry to said commission; providing for the custody and control of said fund; providing the procedure for the determination and payment of such contributions and compensation; providing for cooperation with the Federal Government and certain of its agencies; and prescribing penalties.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

BILLS SIGNED

The PRESIDENT (Lieutenant-Governor Thomas Kennedy) announced that the Chief Clerk having reported that the folowing bills had passed both Houses of the General Assembly and the same being correct, the titles were publicly read as follows:

House Bill No. 27, entitled:

An Act to amend the act, approved the twenty-second day of June, one thousand nine hundred thirty-five (P. L. 414), entitled "State Personal Property Tax Act," by increasing the rate of tax; removing certain exemptions; changing the listing date, the date of filing reports, and the date and manner of payment of the tax; and making further provision with regard to penalties.

House Bill No. 39, entitled:

An Act to provide for the participation of the Commonwealth of Pennsylvania in a National Celebration of the One Hundred Fiftieth Anniversary of the Framing, the Signing, the Ratification by Pennsylvania, and the Final adoption and Promulgation, of the Constitution of the United States, to be held at Philadelphia, and elsewhere, on the fifteenth, sixteenth and seventeenth days of September, one thousand nine hundred thirty-seven, and subsequent anniversary dates, in connection therewith; and making an appropriation.

House Bill No. 68, entitled:

An Act authorizing the Department of Forests and Waters to make a survey and investigation with respect to flood control and water conservation and the coordination of any Federal and State flood control program; and making an apprpriation.

House Bill No. 81, entitled:

An Act to amend section one of the act, approved the twenty-fifth day of April, one thousand nine hundred and thirty-five (Pamphlet Laws eighty-two), entitled "An act requiring certain cities to allow members of the fire department twenty-four consecutive hours of rest each week and fourteen days vacation each year, except in emergency cases," by providing that the provisions of said act shall be mandatory; and prohibiting any diminution of salary or compensation.

Whereupon,

The PRESIDENT (Lieutenant-Governor Thomas Kennedy) in the presence of the Senate signed the same.

ADJOURNMENT

Mr. LAW. Mr. President, I move that the Senate do now adjourn.

Mr. HARVEY. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. HARRIS. Mr. President, a motion to adjourn at this time is of great importance. We all must realize that the money provided for relief will be all spent by Monday. Would it not be wise for the members of this body to discuss for at least a little while the possibility of supply-

ing some money, in some way, for relief next Tuesday? Frankly, I say to you I have no plan, but we can well spend our time in discussing this matter for a few minutes.

The PRESIDENT. Does the Senator from Mercer, Mr. Law, withdraw his motion to adjourn?

Mr. LAW. Mr. President, I think the question has already been discussed, and I do not see any reason why it should be further discussed at this time.

The PRESIDENT. The motion is not withdrawn.

And the question recurring,

Will the Senate agree to the motion?

The motion was agreed to.

The Senate adjourned at 5:58 P. M. until 9 o'clock Monday evening, July 20, 1936.

HOUSE OF REPRESENTATIVES

THURSDAY, JULY 16, 1936

The House met at 11:00 A. M.

The SPEAKER (Roy E. Furman) in the Chair.

PRAYER

Rev. O. F. R. TREDER, Pastor of St. James Episcopal Church, Bedford, Pa., offered the following prayer:

Most gracious God, we humbly beseech Thee as for the people of this Commonwealth in general, so especially for this House of Representatives here assembled, that Thou wouldst be pleased to direct and prosper all their consultations, to the advancement of Thy glory and the good of this Commonwealth, the safety, honor and welfare of Thy people, that all things may be so ordered and settled by their endeavors upon the best and surest foundation, that peace and happiness, truth and justice, may be established among us for all generations.

These and all other necessaries for them, for us and for all Thy people we humbly beg in the name of Thy Son, our Lord. Amen.

JOURNAL APPROVED

The SPEAKER. The Clerk will read the Journal of yesterday.

The Clerk proceeded to read the Journal of yesterday, when, on motion of Mr. GATES the further reading was dispensed with and the Journal approved.

LEAVES OF ABSENCE

Mr. SCHAEFFER asked and obtained leave of absence for himself for the remainder of the week after today's session.

Mr. Wood asked and obtained leave of absence for Mr. TROUT for the remainder of the week.

Mr. Wood asked and obtained leave of absence for Mr. ROYER for the remainder of the week.

REPORT FROM COMMITTEE

Mr. EBERHARTER, from the Committee on Rules, reported as amended, House Resolution No. 34.

RESOLUTIONS

CONGRATULATING HON. ARNOLD M. BLUMBERG

Mr. BURKE offered the following resolution which was twice read, considered and unanimously adopted:

In the House of Representatives, July 16, 1936.

To each man in each year there comes a birthday. To the members of this House it is a particular occasion when that day falls during a period when the Legislature is in session. We seldom have the opportunity during midsummer to celebrate with any of our colleagues, his natal day.

On July 15th during the early "gay nineties," there was born in the City of Philadelphia a babe, who, in conjunction with his family name of Blumberg, was called Arnold Maurice. He grew in stature, knowledge, experience and ability, until today, at the age of forty-three, he is among us as a most capable veteran legislator, having served for sixteen years through the vicissitudes and strife of five different administrations of the State Government; therefore be it

Resolved, That the House of Representatives of the General Assembly of Pennsylvania hereby congratulates the Honorable Arnold M. Blumberg upon the attainment of his forty-third year of a healthy, prosperous and useful life, and wishes him a great many more years of even greater health, prosperity and service; and be it further

Resolved, That a copy of these resolutions, conveying the well-wishes of his fellow-members be transmitted to Mr. Blumberg by the Chief Clerk of this House.

Mr. NOTHNAGLE offered the following resolution which was twice read, considered and unanimously adopted:

In the House of Representatives, July 16, 1936.

Whereas, On July 16, 1893 there was born in Philadelphia a baby boy, who was educated in the public schools, graduated from Southern High School in 1910, and awarded a scholarship to the University of Pennsylvania by the City of Philadelphia, where he graduated from the Law Department with the degree of L.L.D.; and

Whereas, The City of Philadelphia recognizing his ability has on eight consecutive times sent him to represent them in the Hall of the Legislature, realizing that each time he was sent he made good; and

Whereas, By his kindly and gentlemanly disposition he has endeared himself to all that know him or come in contact with him, and it is with great pleasure that his colleagues have

Resolved, To tender their best wishes for a happy birthday to Honorable Arnold M. Blumberg, and while his duties keep him in this Hall away from his family on this joyous occasion, may many more happy birthdays be meted out to him to enjoy the pleasure of the occasion with his family; and be it further

Resolved, That a copy of this resolution be transmitted to Mr. Blumberg in token of the esteem in which he is held by the Members of this House.

Mr. BLUMBERG. Mr. Speaker and members of the House, I am rather pleased that even on so slight an excuse in these late days of the session we have finally gotten a non-partisan measure.

I appreciate very much the well wishes of the members of the House. During my long term of service,—I am beginning to feel like a veteran,—this is the first time that the House has been in session at this late stage of the summer. I am glad, however, that it has accorded my Democratic colleague from Philadelphia pleasure in introducing this resolution because since he has become Assistant Controller of Philadelphia, he can keep very close watch. I am glad that he observed my birthday and I appreciate very much his sentiment and the sentiments of both my Republican and Democratic colleagues.

Mr. TURNER. Mr. Speaker, I desire to interrogate the gentleman from Philadelphia, Mr. Burke.

The SPEAKER. Will the gentleman from Philadelphia permit himself to be interrogated.

Mr. BURKE. I will, Mr. Speaker.

Mr. TURNER. Mr. Speaker, since the gentleman from Philadelphia, Mr. Burke, was so gracious in offering this resolution, would not the gentleman from Philadelphia, Mr. Burke, make a few remarks on the subject of the resolution which he introduced, on the occasion of the birthday of our good friend Arnold Blumberg.

Mr. BURKE. I will be very glad to, Mr. Speaker. I am sorry that I did not have the graciousness to do it of my own accord rather than having been apparently compelled to do so by my friend, Mr. Turner.

I wish to extend my congratulations to Mr. Blumberg because I have the highest regard for his legislative ability, although during this special session he has not been very articulate, but I can see him steering all of the maneuvers on the minority side, making sure that the spokesman for the minority is always on his feet and has his feet on the ground when he says something. I regret that a little incident that happened in the last few weeks put a wall between Mr. Blumberg and myself, but I really believe that he has worked so hard here, that he has so exhausted himself physically and intellectually that I cannot possibly see how he could earn any salary on any other job while the special session is on.

STATEMENT BY MR. TURNER

Mr. TURNER asked and obtained unanimous consent to make the following statement:

Mr. Speaker and members of the House, I had no intention of embarrassing the gentleman from Philadelphia, Mr. Burke, nor was it in any way an effort on my part to prod him into doing anything. I did that because I knew in the last few weeks the gentleman from Philadelphia, Mr. Burke, had become sort of a shrinking violet and had become so modest that he kept entirely off the floor and has refrained from making any remarks. I felt that there was some occasion for that. I felt on this occasion he would feel the responsibility as much as anyone, and in his generous spirit would make some remarks concerning the gentleman from Philadelphia, Mr. Blumberg, were it not for this policy that he has pursued during the past few weeks. The reason why I wanted to ask him to do it was, not only to give him an opportunity to overcome his innate modesty or his growing modesty, which has all of a sudden come upon him, but because I felt that since a few weeks ago, or a few days ago, he departed from bachelorhood and entered into the realms of matrimony by taking unto himself a beautiful bride, I felt that those old hands of us who know something about this game and have been in it for twenty-five or thirty years,—I mean the matrimonial game,—we did not want him to get into the habit of becoming speechless in the presence of his charming wife. It is a bad way to start out on your marital life. Because I noticed a very charming lady sitting on that side of the House, I felt that was keeping our good friend from Philadelphia from saying anything. Therefore, I wanted to bring this occasion to his mind and indelibly stamp upon his mind that as he goes along in the future years he must start out and assert his rights and must be willing to speak, and also assume after the days have gone by and after the years have rolled on he will learn what some of us have already learned, and become speechless eventually.

Mr. BURKE. Mr. Speaker and members of the House, from the active part that the gentleman from Delaware plays on the floor of this House, I assume he does no talking at home.

Mr. Speaker and members of the House, since this discussion has pointed a little bit towards the festive occasion that has surrounded me during the last few weeks, I wonder if the occasion has not somewhat dimmed Mr. Blumberg, and I feel, Mr. Speaker, that I should the honor that is due the gentleman from Philadelphia, make a motion that the remarks of myself and of the gentleman from Delaware should be expunged from the record.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 162 (Senate Bill No. 6), entitled:

A Joint Resolution proposing an amendment to article nine section eight of the Constitution of the Commonwealth of Pennsylvania.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 51, as follows:

A Joint Resolution proposing an amendment to article nine section fifteen of the Constitution of the Commonwealth of Pennsylvania

Section 1 Be it resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met That the following amendment to the Constitution of the Commonwealth of Pennsylvania be and the same is hereby proposed in accordance with the eighteenth article thereof

That section fifteen of article nine of the Constitution of the Commonwealth of Pennsylvania be amended to read as follows

Section 15 No obligations which have heretofore been issued or which may hereafter be issued for the purpose of providing funds for the construction acquisition extension enlargement and improvement of water works power plants sewerage disposal plants subways underground railways or street railways or the appurtenances thereof by any municipal or quasi-municipal corporation other than Philadelphia now or hereafter authorized by law to issue obligations for such purposes shall be considered a debt of such municipal or quasi-municipal corporation within the meaning of section eight of article nine of the Constitution of Pennsylvania or of this amendment

(a) To the extent to be determined in such manner as may be provided by law that the net revenue derived from said property or properties averaged over the period of five years immediately preceding the acquisition extension enlargement and improvement of said property or properties or for a period of five successive years subsequent to the construction acquisition extension enlargement and improvement of said property or properties shall have been sufficient to meet the interest and sinking fund charges on such obligations or

(b) To the extent that such obligations shall be secured

solely by a lien or liens on the property or properties to be constructed acquired extended enlarged and improved without any further liability being imposed on such municipal or quasi-municipal corporation with respect thereto

No obligations which may hereafter be issued for the purpose of providing funds for the construction acquisition extension enlargement and improvement of sewers or sewage treatment works or both by any municipal or quasi-municipal corporation other than Philadelphia shall be considered a debt of such municipal or quasi-municipal corporation within the meaning of section eight article nine of the Constitution of Pennsylvania or of this amendment to the extent that such obligations and the interest thereon rest alone for paymen on sewer rentals or charges imposed upon users of the improvement without any further liability being imposed on such municipal or quasi-municipal corporation with respect thereto

Where any municipal or quasi-municipal corporation shall issue obligations to provide for any improvement as hereinbefore provided it may also issue obligations to provide for the interest and sinking fund charges accruing thereon until said improvement shall have been completed and in operation for a period of one year and in the case of obligations issued in accordance with clause (a) of this section said municipal or quasi-municipal corporations shall not be required by law to levy a tax to pay said interest and sinking fund charges until after said properties shall have been operated by said municipal or quasi-municipal corporations during said period of one year

Any municipal or quasi-municipal corporation other than Philadelphia authorized by law to issue obligations may incur indebtedness for any of the purposes in this amendment set forth in excess of seven per centum and not exceeding ten per centum of the assessed valuation of taxable property therein if said increase of indebtedness shall have been assented to by three-fifths of the electors voting at a public election in such maner as shall be provided by law

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. TURNER. Mr. Speaker and members of the House, by reason of the fact that there have been a number of inquiries made of me concerning this bill, because there seems to be some misunderstanding on the part of many of the members of the House, extending the borrowing capacity of municipalities, I would ask your indulgence while I make just a very brief statement of the situation.

House Bill No. 74, of Mr. Holstrum's, was introduced for the same purpose as this House Bill No. 51, to enable municipalties to build sewage disposal plants, increasing the borrowing capacity where they were self-liquidating propositions. House Bill No. 74 was introduced at the instance of Mr. Ladner in the Attorney General's office, who is very much interested in stream pollution as I am. House Bill No. 51 was introduced after a consultation between Mr. Fertig, Mr. Ladner and myself as to what was the proper bill, and it was deemed advisable that both bills should be introduced, we felt that both these bills should be passed. Mr. Holstrum's bill, however, was out of committee and had gone to the Senate, and it has only been this week that we have been able to get this bill out of committee. It has the backing of Mr. Ladner of the Attorney General's office, who, as I say, is very much interested in a stream pollution program, or the elimination of stream pollution program, and it will be of tremendous benefit to many municipalities in this state.

I brought this matter up at the convention of Boroughs in Shamokin a few weeks ago, and a number of boroughs that are interested are already writing in to know what was being done. With that explanation I would ask that you pass this bill.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—138

Achterman,	Cooper,	Linderman,	Schrock,
Alexander,	Cordier,	Long,	Schrope,
Allen,	Dent,	Longaker,	Schwab,
Altenburg,	Dilley,	Lovett,	Shaw,
Andrews,	Downey, G. E.,	Male,	Shepard,
Anthony,	Downey, J. J.,	Mason,	Shortz,
Atkins,	Duffort,	McCreary,	Shreiner,
Aukerman,	Eberharter,	McDevitt,	Shugarts,
Baine,	Eroe,	McKinney,	Siegel,
Baker, F. T.,	Falkenstein,	Melchiorre,	Simon,
Baker, J. J.,	Ferko,	Moomaw,	Simpson,
Baldi,	Finnerty,	Mooney,	Sloan,
Barber,	Fitch,	Moran,	Smith, J. A.,
Barnhardt,	Flanagan,	Moul,	Smith, W. G.,
Blumberg,	Flinchbaugh,	Muir,	Snyder, J. L.,
Boose,	Forrest,	Munley,	Stank,
Boyd, R.,	Gates,	Nagel,	Stevens,
Boyer,	Gerard,	Nothnagle,	Stewart,
Bradley,	Habbyshaw,	O'Keefe,	Sumney,
Brancato,	Haberlen,	Ominsky,	Sweeney,
Brennan,	Hagerty,	Parks,	Tronzo,
Brown, H. S.,	Hamilton, F. P.,	Patterson, Cliff,	Tumelty,
Brown, J. E.,	Harmuth,	Patterson, J. W.,	Turner,
Brownfield,	Hermansen,	Pearson,	VanSickle,
Brumbaugh,	Hindman,	Pfaff,	Wall,
Burke,	Holland,	Piole,	Waidemann,
Cannon,	Holstrom,	Powers,	Weiss,
Caputo,	Hoopes,	Reising,	Welliver,
Carson,	Jackson,	Reynolds,	Welsh,
Chervenak,	Kane,	Rhys,	Westrick,
Coakley,	Kenney,	Robinson,	Wickersham,
Cochran,	Kilroy,	Rooney,	Wood,
Cohen	Kinney,	Root,	Woodside,
Coleman,	Kobelak,	Sarraf,	Yourishin,
Condon,	LaRue,	Schaeffer,	Furman,
Coolahan,			

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL ON FINAL PASSAGE

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 160 (Senate Bill No. 87), as follows:

An Act abating under certain circumstances tax penalties and interest on certain city taxes in cities of the first class school districts of the first class and prohibiting the sale of real property for the non-payment of any such taxes for a certain period and preserving certain tax liens and providing for the extension thereof and for payment of costs in connection therewith

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That all penalties and interest imposed on delinquent taxes in cities of the first class and school districts of the first class for the tax year one thousand nine hundred and thirty-four and all previous years assessed and levied against any parcel or parcels of real estate are hereby abated without the necessity of further action by the authority levying the tax if said delinquent taxes are paid as hereinafter provided

In order to receive the benefits of this act the taxes for the year one thousand nine hundred and thirty-five and all penalties and accrued interest thereon and thirty-three and one-third per centum of the delinquent taxes due for the tax year one thousand nine hundred and thirty-four and for all previous years shall be paid on or before

the first day of November one thousand nine hundred and thirty-six thirty-three and one-third per centum on or before the first day of November one thousand nine hundred and thirty-seven thirty-three and one-third per centum on or before the first day of November one thousand nine hundred and thirty-eight And provided That the respective current taxes on such parcel or parcels of real estate for the years subsequent to the year one thousand nine hundred and thirty-six during such installment periods assessed and levied by such taxing authority shall be paid during the then current year before they become delinquent if and whenever any of the said current taxes or any of the said installments are not paid when due and payable as herein provided then and in that event there shall become due and payable for such year a sum equal to one-third of what would have been the total amount of the abated penalties and interest had the payment in question been made on time this sum to be in addition to the other payments required to be paid under this Act during that year which said additional sum shall be payable and must be paid at the time the next succeeding installment payment becomes due under this Act. If such additional sum is not so paid then the total amount of the abated penalties and interest less the aggregate of any such additional sums theretofore paid shall be received and added to the unpaid taxes with the same force and effect as if such abated penalties and interest or portion thereof had never been abated and the tax payer shall not thereafter be entitled to any further benefits or privileges under this Act

Section 2 Any taxpayer may anticipate the payment of delinquent taxes for the tax year one thousand nine hundred and thirty-four and previous years at any time on or before November first one thousand nine hundred and thirty-six or of the balance of said delinquent taxes then due at any time thereafter during the installment period herein provided for if the taxpayer is not then in default under the provisions of this act by paying the entire amount or balance as the case may be of such delinquent taxes and receive the benefit of this act and in such cases payment of the taxes assessed and levied for the year one thousand nine hundred and thirty-six shall not be required at the time of such payment.

Section 3 This act shall be construed to apply to all such taxes whether or not liens for such taxes have been returned for non-payment or have been filed in the office of the prothonotary of the country or proceedings for the collection of such taxes have been instituted in any court in said county or where real property has been sold to a county city borough town township school district or poor district at a tax sale or on a tax lien and the period of redemption has not expired but this act shall not be construed to apply to cases where real property has been sold other than to a county city borough town township school district or poor district at a tax sale or on a tax lien and where the period of redemption has not expired but if the taxpayer desires any tax lien or judgment entered of record to be satisfied it shall be so marked on order filed by the taxing authority or its solicitor upon payment of all costs actually expended by the taxing authority and advertising costs actually expended by the sheriff the taxpayer to be liable for the payment of such costs only and no other costs to be demandable from him or the taxing authority

Section 4 The benefits of this act shall extend to and accrue to any successful bidder or purchaser at Sheriff's or other judicial sale grantee transferee mortgagee or other party in interest in the parcel or parcels of real estate against which the above mentioned taxes have been assessed and levied

For the purposes of this act a tax shall be deemed to become delinquent on the date of its registry as a delinquent tax or on the fifteenth day of January of the year following the current year for which the tax in question was levied

Section 5 Any taxpayer shall have the right to pay the delinquent taxes assessed and levied against any parcel or parcels of real estate without being required to pay the delinquent taxes assessed and levied against any other parcel or parcels of real estate in the same ward district or other municipal subdivision

Section 6 In all cases of delinquent taxes paid subsequent to June first one thousand nine hundred and thirty-five and on or before November first one thousand nine hundred and thirty-six where the payments were or are made and accepted on the basis of the allowance to the taxpayer of penalties interest and costs or on the basis of the allowance of any of them such allowance or allowances shall stand valid in all respects and shall be so viewed on the audit of the accounts of the tax collector

Section 7 Upon application either in person or in writing by any taxpayer the tax levying authorities the tax collector the receiver or receivers of taxes or the person or persons charged with the collection of such delinquent taxes or the person or persons in whose custody the records of such delinquent taxes are kept shall furnish to such delinquent taxpayer a statement of the delinquent taxes owed by him to such municipal subdivision showing the face amount the penalty if any the interest if any and any costs or other charges in detail against such real property as shown by the records in his custody

Section 8 In order to enable the taxpayer to receive the full benefits of this act no real property shall be sold for non-payment of taxes before November first one thousand nine hundred and thirty-six and any tax sale shall be adjourned or readjourned as often as may be necessary for this purpose If any tax sale is adjourned or readjourned after advertisement no additional advertisement or notice shall be necessary for the adjourned or readjourned sale No such adjournment or readjournment failure to advertise or hold any such tax sale shall invalidate the lien of any tax due and unpaid by the lien of all such taxes shall be fully preserved during the entire installment period herein provided for if the taxpayer avails himself of the privileges or benefits of this Act provided however that in every case where a tax payer avails himself of the privileges or benefits of this Act the period during which payment of the said delinquent taxes are postponed or continued under this Act shall not be included in computing and determining whether or not any right of the tax assessing and levying authority has been barred or lost by reason of the provisions of any statute or statutes now existing or hereafter enacted limiting the right of the said tax levying and assessing authorities to file preserve or maintain the lien of the said taxes

Section 9 The provisions of this act are severable and if any of the provisions hereof are held to be unconstitutional the decision shall not be construed to impair any other provision of this act It is hereby declared as the legislative intent that this act would have been adopted had such unconstitutional provision not been included herein

Section 10 The Act approved the sixteenth day of May one thousand nine hundred thirty-five Pamphlet Laws one hundred sixty-six as amended by the Act approved the twenty-first day of June one thousand nine hundred thirty-five Pamphlet Laws four hundred ten shall continue in force and effect only as to those taxpayers who have heretofore taken advantage of that act by paying the first installment within the installment period provided for in Section one paragraph (a) thereof and have not become in default and shall not become in default in meeting any subsequent installments provided for in that act and who continue to liquidate their delinquent tax obligations under that act provided however That if said taxpayer desires any tax lien or judgment entered of record to be satisfied he shall be liable for costs as provided in section ten of this act All other acts and parts of acts general local and special inconsistent herewith be and the same are hereby suspended during the time this act shall be in effect

Section 11 This act shall become effective immediately upon final enactment

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—143

Achterman,	Dent,	Lovett,	Schwab,
Alexander,	Dilley,	Male,	Shaw,
Allen,	Downey, G. E.,	Mallen,	Shepard,
Altenburg,	Downey, J. J.,	Mason,	Shortz,
Andrews,	Duffort,	McCreary,	Shreiner,
Anthony,	Eberharter,	McDevitt,	Shugarts,
Atkins,	Eroe,	McElroy,	Siegel,
Aukerman,	Falkenstein,	McKinney,	Simon,
Baine,	Ferko,	Melchiorre,	Simpson,
Baker, F. T.,	Finnerty,	Moomaw,	Sloan,
Baker, J. J.,	Fitch,	Mooney,	Smith, J. A.,
Baldi,	Flanagan,	Moran,	Smith, W. G.,
Barnhardt,	Flinchbaugh,	Moul,	Snyder, J. L.,
Blumberg,	Forrest,	Muir,	Stank,
Boose,	Gates,	Munley,	Stevens,
Boyd, R.,	Gerard,	Nagel,	Stewart,
Boyer,	Greenstein,	Nothnagle,	Sumney,
Bradley,	Habbyshaw,	O'Keefe,	Sweeney,
Brancato,	Haberlen,	Ominsky,	Tahl,
Brennan,	Hagerty,	Parks,	Tronzo,
Brown, H. S.,	Hamilton, F. P.,	Patterson, C.,	Tumelty,
Brown, J. E.,	Harmuth,	Patterson, J. W.,	Turner,
Brownfield,	Hermansen,	Pearson,	VanSickle,
Brumbaugh,	Hindman,	Pfaff,	Wall,
Burke,	Holland,	Piola,	Wasserman,
Cannon,	Holstrom,	Powers,	Weidemann,
Caputo,	Hoopes,	Reising,	Weiss,
Carson,	Jackson,	Reynolds,	Welliver,
Chervenak,	Kane,	Rhys,	Welsh,
Coakley,	Kenney,	Robinson,	Westrick,
Cochran,	Kilroy,	Rooney,	Wickersham,
Cohen,	Kinney,	Root,	Wood,
Coleman,	Kobelak,	Sarraf,	Woodside,
Condon,	LaRue,	Scanlon,	Yourishin,
Coolahan,	Linderman,	Schaeffer,	Zappala,
Cooper,	Long,	Schrock,	Furman,
Cordier,	Longaker,	Schrope,	

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it with amendments in which the concurrence of the Senate is requested.

RECESS

The SPEAKER. If there are no objections the Chair is about to declare a recess for one hour. Are there objections? The Chair hears none and declares a recess for one hour.

AFTER RECESS

The SPEAKER (Roy A. Furman) in the Chair.

The time of recess having expired the House will be in order.

STATEMENT BY MR. COHEN

Mr. COHEN asked and obtained unanimous consent to make the following statement.

Mr. Speaker and members of the House, I just this moment returned from a conference over in the Senate, attended by representatives of both parties, and from that conference they asked me to convey a message to the House requesting that the House remain in session pending a communication from the Senate. There is every indication that a communication will be forwarded from the Senate forthwith, and they indicated that they were just on the point of arriving at the conclusion necessary to present to this House a communication for action.

Under those circumstances I felt it was advisable to convey that information to the House in order that the House may be kept in session pending that communication.

Prior to making a motion to recess until 4:00 o'clock, however, I wish to ask permission of the House to introduce a recall resolution.

RESOLUTION

RECALLING HOUSE BILL No. 63 FROM THE GOVERNOR

Mr. COHEN offered the following resolution which was twice read, as follows:

In the House of Representatives, July 16, 1936.

Resolved (if the Senate concur), That House Bill No. 63, Printer's No. 151, entitled "An act to amend section five hundred and one of the act approved the first day of May one thousand nine hundred and twenty-nine (Pamphlet Laws nine hundred and five) entitled 'An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds' by requiring extra fees for the assignment of special registration plates," be recalled from the Governor for the purpose of amendment.

On the question,

Will the House adopt the resolution?

Mr. PARKS. Mr. Speaker, on the matter of the motion to recall this bill, I wish to state the following reasons why I ask you to vote "no."

I am asking you to vote "no" on this resolution that means the death of this disabled veterans revenue raising bill.

I want to give you the reasons why I am asking you to vote "no."

When His Excellency, the Governor issued a call for this special session, the number one item on his list was relief for disabled veterans and their dependants. You will recall too, that when he addressed the legislative body that he said if we did not agree with all his plans for raising revenue that we were to suggest some other sources, based on the ability to pay, that would work no hardship upon the poor. It was for the purpose of helping the Governor, helping the disabled veteran and helping the already overburdened taxpayers that I had this bill drawn up and presented. This bill has been carefully drawn and submitted to the Motor Tag Division of the Department of Revenue for their approval and after several amendments I met the De-

partment's suggestions. The bill was recognized by that Department as a bill that would in all probability net as much as $250,000 annually without working any hardships upon anyone, as the additional fee is purely optional.

It is clearly understood there is no contemplated increase in the cost of obtaining a motor vehicle license. Mr. Dent, Chairman of the Highway Committee and many others commended me of the way I worked with the Highway Department in having this bill meet all their requirements. This bill was reported from the Highway Committee by my colleague, Mr. Diehl, and had the unanimous vote of that committee. This bill passed this House on final vote 197 to 1. Passed the Senate 39 to 6.

Now, the small minority of a few Republicans and a handful of Democrats who were opposed to the bill are trying to find some excuse to kill the bill and have invited the 197 friends of the bill over here and the 39 friends of the disabled veterans over there to help them with the execution.

There can be no doubt about the constitutionality of this bill. This bill was drawn after the manner of the Motor Vehicle Law of 1913. The constitutionality of which was questioned and was carried to the Supreme Court of Pennsylvania, where in the case of Bell versus Powell, 249 Pa. 144—152 the Court said the statute would have been incomplete had it not provided for disposition of the revenue so raised. Following the ruling of the Supreme Court in the above decided case the following acts of the Assembly enacted at the last general session were drafted after the same manner employed in drafting of the Motor Vehicle Law of 1913 and the act in question. I refer to a few of these acts as Act, 86, 88, 88, 91, of the 1935 regular session.

With me there is no politics in this bill. I am not a candidate for re-election. I prefer to go back to the farm. However, I haven't any notion of giving up my interest in the disabled veterans' or taxpayers' cause. I want to give you something to think about and keep on thinking about. This bill as it now stands has a lot of political dynamite back of it. Every disabled veteran post in this state knows of this contemplated move to kill this bill.

In the preparation and progress of this bill, I have had fine co-operation from veterans' organizations. Hundreds of copies of this bill are in local posts. The veterans, especially the disabled veterans have become very much pleased with the progress of this bill and with the prospects that their wants would be met without additional taxes being added to the new overburdened taxpayers.

The taxpayers too are interested in this bill—why shouldn't they be? This bill shows a way to get an estimated quarter million annual revenue from those able and willing to pay, and if we do not take advantage of this bill, just tell the folks back home you voted more taxes.

The disabled veterans have to be cared for. There is right now nothing in the disabled veterans commission treasury, and in every locality we can find the disabled veterans or their dependents right now sadly in need of aid. Before you vote "yes", have you a suggestion as to how we might raise such a vast sum for such a worthy cause without added taxes somewhere? Well then, what are you going to tell the disabled veteran and Mr. Taxpayer back home why you voted more taxes on the overburdened taxpayers for revenues that could have been derived without taxation?

I am asking you again to vote "no." Don't deprive the Governor of this easy source of revenue. Give it a "no" vote as a tribute to the heroes that gave their health and happiness for the flag.

I ask you to give it a "no" vote and, Mr. Speaker I ask for a roll call.

Mr. COHEN. Mr. Speaker, I just wish to make a few remarks on this particular bill. Up to the present time the funds allocated for veterans' relief in this Commonwealth have been allocated from sources that were not particularly identified for veterans' purposes. I am informed that the leaders and commanders of the various veterans' organizations in this Commonwealth are not particularly desirous that the funds that are appropriated for veterans' relief should be even earmarked as appropriated for any particular purpose. The fact that this particular bill as it has been drawn is of questionable constitutionality, and from the further fact that as drawn it identifies sources of money that should be applied for veterans' purposes, and from the still further fact that the leaders of the various veterans' organizations, have no brief whatever for this particular type of legislation, I ask the membership of this House to vote in accord with this recall resolution.

Mr. PARKS. Mr. Speaker, in reply to the gentleman from York, I heard him state that the veterans' leaders have not approved it. They have not disapproved it. You consult the individual veteran and let us see what he says about it. I have had hundreds of notes from veterans, especially disabled veterans who are going to be benefited here.

On the question recurring,

Will the House adopt the resolution?

The yeas and nays were required by Mr. PARKS and Mr. SIMPSON.

Mr. PARKS. Mr. Speaker, I ask for a verification of the roll.

The roll was verified and was as follows:

YEAS—67

Alexander,	Decker,	Lovett,	Sarraf,
Anthony,	Dent,	Male,	Scanlon,
Arnold,	Eberharter,	McDermott,	Schwab,
Baine,	Falkenstein,	McHenry,	Shaw,
Baker, J. J.,	Ferko,	Melchiorre,	Shugarts,
Bradley,	Fitch,	Mooney,	Siegel,
Brancato,	Gerard,	Moran,	Simon,
Brown, H. S.,	Haberlen,	Moul,	Smith, W. G.,
Brownfield,	Hagerty,	Munley,	Stank,
Brumbaugh,	Hamilton, F. P.,	O'Keefe,	Stevens,
Burke,	Hindman,	Ominsky,	Tronzo,
Caputo,	Holland,	O'Neill,	Tumelty,
Chervenak,	Holstrom,	Patterson, J. W.,	Weilliver,
Coakley,	Kelso,	Pearson,	Welsh,
Cochran,	Kilroy,	Pfaff,	Yourishin,
Cohen,	Kobelak,	Powers,	Furman,
Coleman,	Long,	Reising,	

NAYS—55

Allen,	Duffort,	Moomaw,	Smith, J. A.,
Altenburg,	Forrest,	Muir,	Snyder, J. L.,
Atkins,	Gates,	Nothnagle,	Stewart,
Aukerman,	Habbyshaw,	Parks,	Surface,
Baker, F. T.,	Hoopes,	Patterson, Cliff,	Turner,
Baldi,	Horst,	Rhys,	VanAllsburg,
Barnhardt,	Kane,	Roan,	Van Sickle,
Blumberg,	Kenney,	Robinson,	Wall,

Boose,	Kinney,	Rooney,	Weidemann,
Boyd, R.,	Longaker,	Schaeffer,	Weiss,
Boyer,	Mason,	Schrock,	Wickersham,
Brennan,	McCreary,	Shortz,	Wood,
Brown, J. E.,	McDevitt,	Simpson,	Woodside,
Downey, G. E.,	McKinney,	Sloan,	

So the question was determined in the affirmative and the resolution was adopted.

Ordered, That the Clerk present the same to the Senate for concurrence.

SENATE MESSAGE

AMENDED SENATE BILL CONCURRED IN BY SENATE

The Clerk of the Senate being introduced informed that the Senate has concurred in the amendments made by the House of Represntatives to Senate Bill numbered and entitled as follows, viz:

SENATE BILL No. 87

An Act abating under certain circumstances tax penalties and interest on certain city taxes in cities of the first class school districts of the first class and prohibiting the sale of real property for the non-payment of any such taxes for a certain period and preserving certain tax liens and providing for the extension thereof.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 39

An Act to provide for the participation of the Commonwealth of Pennsylvania in a National Celebration of the One Hundred Fiftieth Anniversary of the Framing, the Signing, the Ratification by Pennsylvania, and the Final Adoption and Promulgation, of the Constitution of the United States, to be held at Philadelphia, and elsewhere, on the fifteenth, sixteenth and seventeenth days of September, one thousand nine hundred thirty-seven, and subsequent anniversary dates, in connection therewith; and making an appropriation.

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend section 1, page 3, line 4, by inserting after the word "Instruction" the words "through the Pennsylvania Historical Commission"; also same page, line 10, by inserting after the word "Instruction" the words "through the Pennsylvania Historical Commission"; also same page, line 16, by inserting after the word "States" the word "Constitution."

Amend section 2, page 3, lines 20 and 21, by striking out the words and numerals "twenty-five thousand dollars ($25,000)" and inserting in lieu thereof the words and numerals "twelve thousand five hundred dollars ($12,500)"; also in line 23, by striking out after the word "for" and before the word "in" the word "use" and inserting in lieu thereof the words "the use of the Pennsylvania Historical Commission."

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—122

Achterman,	Eberharter,	Mason,	Schaeffer
Alexander,	Eroe,	McCreary,	Schrope,
Allen,	Falkenstein,	McDermott,	Schwab,
Andrews,	Ferko,	McDevitt,	Shaw,
Anthony,	Finnerty,	McHenry,	Shortz,
Arnold,	Fitch,	McKinney,	Shugarts,
Aukerman,	Flinchbaugh,	Melchiorre,	Siegel,
Baine,	Gates,	Moomaw,	Simon,
Baker, J. J.,	Gerard,	Mooney,	Sloan,
Baldi,	Habbyshaw,	Moran,	Smith, J. A.,
Blumberg,	Haberlen,	Moul,	Smith, W. G.,
Boose,	Hagerty,	Muir,	Snyder, J. L.,
Bradley,	Haluska,	Munley,	Stank,
Brancato,	Hamilton, F. P.,	Nagel,	Stevens,
Brown, J. E.,	Hermansen,	Nothnagle,	Stewart,
Brownfield,	Hindman,	O'Keefe,	Tronzo,
Brumbaugh,	Holland,	Ominsky,	Tumelty,
Burke,	Holstrom,	O'Neill,	Van Allsburg,
Cannon,	Hoopes,	Patterson, C.,	Van Sickle,
Caputo,	Horst,	Patterson, J. W.,	Wall,
Chervenak,	Kane,	Pearson,	Weiss,
Coakley,	Kelso,	Pfaff,	Welliver,
Cochran,	Kenney,	Piole,	Welsh,
Cohen,	Kilroy,	Powers,	Westrick,
Coleman,	Kinney,	Reising,	Wickersham,
Coolahan,	Kobelak,	Roan,	Wood,
Decker,	LaRue,	Robinson,	Woodside,
Dent,	Long,	Rooney,	Yourishin,
Dilley,	Longaker,	Sarraf,	Zappala,
Downey, G. E.,	Lovett,	Scanlon,	Furman,
Duffort,	Male,		

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative, and the amendments were concurred in.

Ordered, that the Clerk inform the Senate accordingly.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 81.

An Act to amend section one of the act approved the twenty-fifth day of April one thousand nine hundred and thirty-five (Pamphlet Laws eighty-two) entitled "An act requiring certain cities to allow members of the fire department twenty-four consecutive hours of rest each week and fourteen days vacation each year except in emergency cases" by providing that the provisions of said act shall be mandatory and prohibiting any diminution of salary or compensation

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend title, page 1, line 9, by inserting at the end of the line after the word "compensation" the words "and exempting cities of the third class from the provision of said act."

Amend section 1, page 2, line 9, by striking out after the word "class" and before the word "second" the word "and"; also same line, by inserting after the letter "A" and before the word "having" the words "and third class"; also same page, line 11, by striking out the words "at least"; also same page, by inserting at the end of line 21 after the word "city" the following: "providing however that nothing in the provisions of this act shall be so construed as to prevent cities of the third class having fire departments from allowing or permitting every member of such fire department to have at least twenty-four con

secutive hours of rest in every calendar week except in the emergency cases above provided for nor to prevent such fire department to have an annual vacation of not less than fourteen days without diminution of the salary or compensation fixed by ordinance or resolution of such city."

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—124

Achterman,	Dilley,	Longaker,	Schaeffer,
Alexander,	Downey, G. E.,	Lovett,	Schrock,
Allen,	Duffort,	Male,	Schrope,
Andrews,	Eberharter,	Mason,	Schwab,
Anthony,	Eroe,	McDermott,	Shaw,
Arnold,	Falkenstein,	McDevitt,	Shortz,
Aukerman,	Ferko,	McHenry,	Shugarts,
Baine,	Finnerty,	Melchiorre,	Siegel,
Baker, F. T.,	Fitch,	Moomaw,	Simon,
Baker, J J.,	Flinchbaugh,	Mooney,	Simpson,
Baldi,	Forrest,	Moran,	Sloan,
Blumberg,	Gates,	Moul,	Smith, J. A.,
Boose,	Gerard,	Muir,	Smith, W. G.,
Bradley,	Habbyshaw,	Munley,	Snyder, J. L.,
Brancato,	Haberlen,	Nagel,	Stank,
Brennan,	Hagerty,	Nothnagle,	Stevens,
Brown, H. S.,	Haluska,	O'Keefe,	Stewart,
Brown, J. E.,	Hamilton, F. P.,	Ominsky,	Tronzo,
Brownfield,	Hermansen,	O'Neill,	Tumelty,
Brumbaugh,	Hindman,	Patterson, C.,	VanAllsburg,
Burke,	Holland,	Patterson, J. W.,	VanSickle,
Cannon,	Holstrom,	Pearson,	Wall,
Caputo,	Horst,	Pfaff,	Weidemann,
Chervenak,	Kane,	Piole,	Weiss,
Coakley,	Kelso,	Powers,	Welliver,
Cochran,	Kenney,	Reising,	Welsh,
Cohen,	Kilroy,	Roan,	Westrick,
Coleman,	Kinney,	Robinson,	Wood,
Coolahan,	Kobelak,	Rooney,	Woodside,
Cordier,	LaRue,	Sarraff,	Zappala,
Decker,	Long,	Scanlon,	Furman,
Dent,			

NAYS—3

Hoopes,	McCreary,	Yourishin,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative, and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 27.

An Act to amend the act approved the twenty-second day of June one thousand nine hundred thirty-five (Pamphlet Laws four hundred fourteen) entitled "An act to provide revenue for State purposes imposing taxes upon certain classes of personal property providing for the assessment collection and lien of the same and the distribution of the proceeds thereof imposing duties on executors administrators registers of wills recorders of deeds prothonotaries and court clerks and on persons copartnerships associations banks national banks trust companies and other corporations receiving deposits of money and on certain corporations and limited partnerships conferring powers and imposing duties on certain State officers and departments imposing penalties and making an appropriation" by increasing the rate of tax removing certain exemptions changing the listing date the date of filing reports and the date and manner of payment of the tax and making further provision with regard to penalties.

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend title, page 2, line 1, by striking out after the word "tax" the words "removing certain exemptions" and inserting in lieu thereof the words "imposing said tax on additional shares of stock and on the value of certain equitable interests"; also at the beginning of line 4 by inserting before the word "and" the words "providing for certain exemptions from said tax".

Amend Section 1, page 3, line 6 by inserting after the word "corporation" the following: "and the equitable interest in any such personal property of the classes hereinafter enumerated owned held or possessed by any resident where the legal title to such personal property is vested in a trustee, agent or attorney in fact domiciled in another state and where such resident is entitled to receive all or any part of the income therefrom".

Amend Section 1, page 4, line 2. by striking out the lightfaced brackets before and after the word "except"; also same line by striking out before the word "shares" the word "including"; also line 3, by striking out the light-faced brackets before and after the word 'bank"; also same line by inserting before the word "corporation" the words "bank and trust company national banking association savings institution building and loan association"; also same line by inserting a light-faced bracket before the word "that"; also same line by inserting a light-faced bracket after the word "be"; also at the beginning of line 4, by inserting before the word "liable" at the beginning of the line the words "employing a substantial portion of its property in this Commonwealth and which is"; also same line by striking out the light-faced bracket before the word "its"; also same line by striking out the light-faced bracket after the word "or"; also in line 6, by striking out the light-faced bracket before the word "its"; also same line by striking out the light-faced bracket after the word "or"; also lines 8 to 12 inclusive by striking out the following: "Provided that this section shall not apply to shares of stock in any bank bank and trust company national bank or savings institution that may be liable to a tax on its shares for State purposes under the laws of this Commonwealth".

Amend Section one, page 7, by inserting after line 3, the following paragraphs "The words 'substantial portion of its property' as used in this section shall be construed to mean any property other than office furniture and fixtures which is necessary and actually used for the exercise of a corporate franchise in this Commonwealth

The value of the equitable interest in any personal property made subject to tax by this section shall be measured by ascertaining the value of the personal property in which such resident has the sole equitable interest or in case of divided equitable interests in the same personal property then by ascertaining such part of the value of the whole of such personal property as re-presents the equitable interest of such resident therein".

Amend Section 1, page 10, line 13, by striking out the light-faced brackets before and after the word "six"; also by striking out after the word "of" the word "twelve"; also on page 11, line 7, by striking out after the word "of" the word "twelve" and inserting in lieu thereof the word "six"; also on page 12, line 17, by inserting after the figures "thirty" the word and figure "ninety (90)"; also on page 13, line 17, by inserting light-faced brackets before and after the word and figure "thirty (30)"; also by inserting the word and figure "sixty (60)"; also on page 21, by striking out lines 19 to 25 inclusive as follows: "(f) Any person who shall fail neglect or refuse to make the return required by section four of this act shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding two hundred dollars ($200.00) and costs of prosecution or to undergo imprisonment not exceeding six (6) months or both in the discretion of the court".

Also on page 26, line 7, by inserting after the word "company" the following: "nor to scrip bonds certificates and evidences of indebtedness issued assumed or on which interest is paid by any and every private corporation engaged in the mining of coal"; also on page 29, line 15, by inserting after the word "thirty-six" the words "at the rate of one mill on each dollar of the value thereof"; also in line 16, by inserting after the word "thirty-seven" the words "at the rate of four mills on each dollar of the value thereof"; also in line 19, by inserting after the word "thirty-six" the words "at the rate of one mill on each dollar of the nominal value thereof"; also by inserting after the word "thirty-seven" the words "at the rate of four mills on each dollar of the nominal value thereof."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. TURNER. Mr. Speaker, I desire to interrogate the gentleman from York, Mr. Cohen.

The SPEAKER. Will the gentleman from York permit himself to be interrogated?

Mr. COHEN. I will, Mr. Speaker.

Mr. TURNER. Mr. Speaker, as this bill passed the House it removed certain exemptions as to Pennsylvania securities which were in the original act. Have those amendments to the original act removed the exemptions of Pennsylvania securities as made by the Senate. In other words, does this bill now exempt Pennsylvania securities?

Mr. COHEN. With profound regret, Mr. Speaker, I must say that it does.

Mr. TURNER. Does this bill now include shares of Building and Loan Associations?

Mr. COHEN. It does not from my understanding of reading the bill.

Mr. TURNER. In other words, shares of Building and Loan Associations are still exempt under this bill.

Mr. COHEN. The shares of Building and Loan Associations since 1897 have been taxed by the Act of 1897. The shares of Building and Loan Associations under the act are taxed at the same rate as money capital.

Mr. TURNER. Does that also apply to matured shares?

Mr. COHEN. The Act of 1897 only applies to matured shares, full paid shares.

Mr. TURNER. I notice also in the reading of the strikeouts by the Senate what I took to be a strikeout of the provision that included the shares of banks and trust companies.

Mr. COHEN. I think that is correct. They are taxed under the two companion bills, and form part of this program and are not contained in this particular act.

Mr. TURNER. That is, the shares of banks and trust companies are not included in the four mill tax.

Mr. COHEN. That is correct.

On the question recurring,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—112

Achterman,	Decker,	LaRue,	Rooney,
Alexander,	Dent,	Long,	Sarraf,
Allen,	Dilley,	Longaker,	Scanlon,
Andrews,	Downey, G. E.,	Lovett,	Schaeffer,
Anthony,	Eberharter,	Male,	Schrope,
Arnold,	Eroe,	McCreary,	Schwab,
Aukerman,	Falkenstein,	McDermott,	Shaw,
Baine,	Ferko,	McDevitt,	Shortz,
Baker, J J.,	Finnerty,	McHenry,	Shugarts,
Baldi,	Fitch,	Melchiorre,	Siegel,
Barnhardt,	Flinchbaugh,	Moomaw,	Simon,
Baumberg,	Forrest,	Mooney,	Smith, J. A
Boyer,	Gerard,	Moran,	Smith, W.
Bradley,	Haberlen,	Moul,	Stank,
Brancato,	Hagerty,	Munley,	Stevens,
Brennan,	Haluska,	Nagel,	Tronzo,
Brown, H. S.,	Hamilton, F. P.	O'Keefe,	Tumelty,
Brown, J. E.,	Hamilton, R. S.,	Ominsky,	VanAllsburg
Brownfield,	Hermansen,	O'Neill,	Van Sickle,
Brumbaugh,	Hindman,	Patterson, C.,	Weiss,
Burke,	Holland,	Patterson, J. W.,	Welliver,
Cannon,	Holstrom,	Pearson,	Welsh,
Caputo,	Kane,	Pfaff,	Westrick,
Chervenak,	Kelso,	Piole,	Wickersham
Coakley,	Kenney,	Powers,	Winner,
Cochran,	Kilroy,	Reising,	Yourishin,
Cohen,	Kinney,	Roan,	Zappala,
Coleman,	Kobelak,	Robinson,	Furman,
Coolahan,			

NAYS—21

Baker, F. T.,	Horst,	Parks,	Stewart,
Boose,	Mason,	Schrock,	Turner,
Duffort,	McKinney,	Simpson,	Wall,
Gates,	Muir,	Sloan,	Weidemann,
Habbyshaw,	Nothnagle,	Snyder, J. L.,	Wood,
Hoopes,			

The majority required by the Constitution having vo in the affirmative, the question was determined in affirmative, and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordin

REASONS FOR VOTE

Mr. KANE filed the following reasons for his vote:

I vote to concur in the Senate amendments to Ho Bill No. 27. The Republican party has a majority in Senate and they have inserted amendments exempt among other things stocks of Pennsylvania corporati from this tax. The tax as it passed the Democratic c trolled House was more extensive and the Senate co had they wished, have passed the House Bill as it ca over. This vote does not pass the act, but it does the question, makes the money available to settle a la part of our relief needs. It also makes the Senate ame ments part of the law. These amendments will save constituents many thousand dollars which were ta by the bill as it first passed the House.

Mr. McCREARY filed the following reason for his vo

Because it appears to be the best compromise that be obtained, and save further disgraceful political de lock.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned from the House of Representatives numbered and titled as follows:

HOUSE BILL No. 68.

An Act authorizing the Department of Forests Waters to make a survey and investigation with resp to flood control and water conservation and the coordi tion of any Federal and State flood control program making an appropriation

With the information that the Senate has passed same with amendments, in which the concurrence of House of Representatives is requested

ne SPEAKER. The Clerk will read the amendments.
ne Clerk read the amendments as follows:

mend title page 1, line 3, by striking out after the able "trol" the following: "and water conservation the coordination of any Federal and State flood con- program and making an appropriation
hereas Numerous projects have been proposed in the monwealth for flood prevention and flood control in- ing the construction of storage reservoirs dykes and r forms of stream channel improvement and
hereas It is of utmost importance that such projects tudied and correlated so that they may form part of roperly developed plan for flood control covering the re Commonwealth and
hereas A study should be made to determine how h projects may be constructed primarily in the inter- of flood control and at the same time develop the of water for public water supply hydroelectric power elopment navigation increase of dry weather flow tation and other forms of water conservation and
hereas A survey and investigation should be made etermine the locations where additional storage reser- s may be built for flood control and at the same time ide for water conservation including estimates of and economic justification and
hereas The construction of flood control works by Federal Government with or without the financial eration of this and adjoining states should be care- reviewed by some Commonwealth agency to the that such projects may be most advantageously co- nated with any State program for flood control and r conservation therefore" and inserting in lieu thereof following: "and the coordination of any Federal and e flood control program and making an appropriation hereas Numerous projects have been proposed in the monwealth for flood prevention and flood control and hereas It is of utmost importance that such projects tudied and correlated so that they may form part of a erly developed plan for flood control covering the re Commonwealth and
hereas A study should be made to determine how such ects may be constructed in the interest of flood con- and
hereas The construction of flood control works by the eral Government with or without the financial coop- tion of this and adjoining states should be carefully ewed by some Commonwealth agency to the end that projects may be most advantageously coordinated any State program for flood control therefore"
mend section 1, page 2, line 8, by striking out after the d "Government" the following: "where reservoirs may uilt for flood control and the manner in which such lopments may be combined to best advantage with r forms of water conservation and for the further ose of determining"; also in line 13, by striking out 13 and 14 as follows: "by the construction of dykes other forms of stream channel improvement".
mend section 3, page 3, line 8, by striking out after word "of" the words "two hundred" and inserting in thereof the word "fifty"; also in line 9, by striking at the beginning of said line the figures "($200,000)" inserting in lieu thereof the figures "($50,000)"

the question,
ll the House concur in the amendments made by the te?

greeably to the provisions of the Constitution, the and nays were taken and were as follows, viz:

YEAS—132

erman,	Downey, G. E.,	Male,	Schrock,
ander,	Duffort,	Mason,	Schrope,
,	Eberharter,	McCreary,	Schwab,
ews,	Eroe,	McDermott,	Shaw,
ony,	Falkenstein,	McDevitt,	Shortz,
ld,	Ferko,	McHenry,	Shugarts,
rman,	Finnerty,	McKinney,	Siegel,
e,	Fitch,	Melchiorre,	Simon,
r, F. T.,	Flinchbaugh,	Moomaw,	Simpson,
r, J. J.,	Forrest,	Mooney,	Sloan,
Baldi,	Gates,	Moran,	Smith, J. A.,
Barnhardt,	Gerard,	Moul,	Smith, W. G.,
Blumberg,	Habbyshaw,	Muir,	Snyder, J. L.,
Boose,	Haberlen,	Munley,	Stank,
Boyer,	Hagerty,	Nagel,	Stewart,
Bradley,	Haluska,	Nothnagle,	Tronzo,
Brancato,	Hamilton, F. P.,	O'Keefe,	Tumelty,
Brennan,	Hamilton, R. S.,	Ominsky,	Turner,
Brown, H. S.,	Hermansen,	O'Neill,	VanAlsburg,
Brown, J. E.,	Hindman,	Parks,	VanSickle,
Brownfield,	Holland,	Patterson, C.,	Wall,
Brumbaugh,	Holstrom,	Patterson, J. W.,	Weidemann,
Burke,	Hoopes,	Pearson,	Weiss,
Cannon,	Horst,	Pfaff,	Welliver,
Caputo,	Kane,	Piole,	Welsh,
Chervenak,	Kelso,	Powers,	Westrick,
Coakley,	Kilroy,	Reising,	Wickersham,
Cochran,	Kinney,	Roan,	Winner,
Cohen,	Kobelak,	Robinson,	Wood,
Coleman,	LaRue,	Rooney,	Woodside,
Coolahan,	Long,	Sarraff,	Yourishin,
Decker,	Longaker,	Scanlon,	Zappala,
Dent,	Lovett,	Schaeffer,	Furman,
Dilley,			

NAYS—1

Stevens,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative, and the amendments were concurred in.

Ordered, that the Clerk inform the Senate accordingly.

BILLS SIGNED BY THE SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

HOUSE BILL No. 27.

An Act to amend the act approved the twenty-second day of June one thousand nine hundred thirty-five (Pamphlet Laws four hundred fourteen) entitled "An act to provide revenue for State purposes imposing taxes upon certain classes of personal property providing for the assessment collection and lien of the same and the distribution of the proceeds thereof imposing duties on executors administrators registers of wills recorders of deeds prothonotaries and court clerks and on persons copartnerships associations banks national banks trust companies and other corporations receiving deposits of money and on certain corporations and limited partnerships conferring powers and imposing duties on certain State officers and departments imposing penalties and making an appropriation" by increasing the rate of tax imposing said tax on additional shares of stock and on the value of certain equitable interests changing the listing date the date fo filing reports and the date and manner of payment of the tax providing for certain exemptions from said tax and making further provision with regard to penalties.

HOUSE BILL No. 39.

An Act to provide for the participation of the Commonwealth of Pennsylvania in a National Celebration of the One Hundred Fiftieth Anniversary of the Framing, the Signing, the Ratification by Pennsylvania, and the Final Adoption and Promulgation, of the Constitution of the United States, to be held at Philadelphia, and elsewhere, on the fifteenth, sixteenth and seventeenth days of September, one thousand nine hundred thirty-seven, and subsequent anniversary dates, in connection therewith; and making an appropriation.

HOUSE BILL No. 81.

An Act to amend section one of the act, approved the twenty-fifth day of April, one thousand nine hundred and thirty-five (Pamphlet Laws eighty-two), entitled "An act requiring certain cities to allow members of the fire department twenty-four consecutive hours of rest each week and fourteen days vacation each year, except in emergency cases," by providing that the provisions of said act

shall be mandatory; and prohibiting any diminution of salary or compensation and exempting cities of the third class from the provisions of said act.

HOUSE BILL No. 68.

An Act authorizing the Department of Forests and Waters to make a survey and investigation with respect to flood control.

SENATE BILL No. 87.

An Act abating under certain circumstances tax penalties and interest on certain city taxes in cities of the first class school districts of the first class and prohibiting the sale of real property for the non-payment of any such taxes for a certain period and preserving certain tax liens and providing for the extension thereof and for payment of costs in connection therewith

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

RESOLUTION

APPOINTMENT OF PAGE

Mr. COHEN offered the following report from the State Committee which was twice read, considered and adopted:

In the House of Representatives, July 16, 1936.

Resolved, That the following person be elected Page of the House of Representatives to fill a vacancy as of July 6, 1936, as provided for by the Act of Assembly:

William Hutchison, Harrisburg, vice Donald Aldinger, Harrisburg, resigned.

BILL ON SECOND READING

Mr. COHEN asked and obtained unanimous consent to call up out of order House Bill No. 165, Printer's No. 195, on page 1 of today's calendar, bills on second reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 165, as follows:

An Act to amend the act approved the ninth day of April one thousand nine hundred twenty-nine (Pamphlet Laws three hundred forty-three) entitled "An act relating to the finances of the State government providing for the settlement assessment collection and lien of taxes bonus and all other accounts due the Commonwealth the collection and recovery of fees and other money or property due or belonging to the Commonwealth or any agency thereof including escheated property and the proceeds of its sale the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth and the settlement of claims against the Commonwealth the resettlement of accounts and appeals to the courts refunds of moneys erroneously paid to the Commonwealth auditing the accounts of the Commonwealth and all agencies thereof of all public officers collecting moneys payable to the Commonwealth or any agency thereof and all receipts of appropriations from the Commonwealth and imposing penalties affecting every department board commission and officer of the State government every political subdivision of the State and certain officers of such subdivisions every person association and corporation required to pay assess or collect taxes or to make returns or reports under the laws imposing taxes for State purposes or to pay license fees or other moneys to the Commonwealth or any agency thereof every State depository and every debtor or creditor of the Commonwealth" as amended by making further provision relative to the settlement resettlement and collection of certain taxes and further defining the powers and duties of the Department of Revenue with relation thereto

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That Sections seven hundred eleven and seven hundred twelve of the act approved the ninth day of April one thousand nine hundred twenty-nine (Pamphlet Laws three hundred forty-three) entitled "An act relating to the finances of the State government providing for the settlement assessment collection and lien of taxes bonus and all other accounts due the Commonwealth the collection and recovery of fees and other money or property due or belonging to the Commonwealth or any agency thereof including escheated property and the proceeds of its sale the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth and the settlement of claims against the Commonwealth the resettlement of accounts and appeals to the courts refunds of moneys erroneously paid to the Commonwealth auditing the accounts of the Commonwealth and all agencies thereof of all public officers collecting moneys payable to the Commonwealth or any agency thereof and all receipts of appropriations from the Commonwealth and imposing penalties affecting every department board commission and officer of the State government every political subdivision of the State and certain officers of such subdivisions every person association and corporation required to pay assess or collect taxes or to make returns or reports under the laws imposing taxes for State purposes or to pay license fees or other moneys to the Commonwealth or any agency thereof every State depository and every debtor or creditor of the Commonwealth" as last amended by the act approved the third day of June one thousand nine hundred thirty-three (Pamphlet Laws one thousand four hundred seventy-four) are hereby amended to read as follows

Section 711 Reports by Banks and Savings Institutions Every bank and every savings institution having capital stock incorporated by or under any law of this Commonwealth or under any law of the United States and located within this Commonwealth shall on or before the fifteenth day of [March] February in each year report to the Department of Revenue the full number of the the actual value thereof as of the preceding thirty-first day of December which actual value shall be ascertained in the manner provided by law.

Section 712 Reports by Title Insurance and Trust Companies Every company incorporated under the provisions of section twenty-nine of an act entitled "An act to provide for the incorporation and regulation of certain corporations" approved April twenty-ninth one thousand eight hundred and seventy-four and its supplements or any other act of Assembly hereafter approved for the insurance of owners of real estate mortgages and others interested in real estate from loss by reason of defective titles liens and incumbrances and every company entitled to benefits of and every company having any of the powers of companies entitled to the benefits of an act entitled "An act conferring upon certain fidelity insurance safety deposit trust and savings companies the powers and privileges of companies incorporated under the provisions of section twenty-nine of an act entitled 'An act to provide for the incorporation and regulation of certain corporations' approved April twenty-ninth Anno Domini one thousand eight hundred and seventy-four and of the supplement thereto" approved June twenty-seventh one thousand eight hundred and ninety-five commonly known as title insurance or trust companies and every company organized as a bank and trust company or as a trust company under any act of Assembly hereafter approved shall on or before the fifteenth day of [March] February in each and every year make to the Department of Revenue a report setting forth the full number of shares of the capital stock subscribed for or issued by such company and the actual value thereof as of December thirty-first preceding which shall be ascertained in the manner provided by law.

And said bill having been read at length the second ime and agreed to.

Ordered, To be transcribed for a third reading.

RESOLUTION

CONGRATULATING HON. LLOYD W. WELLIVER

Mr. ZAPPALA asked and obtained unanimous consent o offer the following resolution which was twice read onsidered and unanimously adopted as follows:

In the House of Representatives, July 16, 1936.

Seated in Seat No. 7 of this House during this Session, s a Member who occupied the same seat number in this House forty years ago.

After an absence of these many years which were narked with success in other lines of endeavor, including he political field in his home community, he has returned o his early scene of trimuph where he has again earned he friendship and good will of the membership of this House.

"The War Horse," "The Seasoned Campaigner" and "The Fighting Judge," titles by which he is familiary known hroughout the State, evidence the affection with which he is regarded by the members of the political party of his early choice, by his friends regardless of political party, nd by his community to which he has given such loyal ervice; therefore be it

Resolved, That the Members of the House of Repreentatives recognizing the sterling qualities of the Orator rom the sun-kissed hills of Montour County, the Honorble Lloyd W. Welliver, and the unique distinction resting n any person who has served in this House in two essions, separated by a period of forty years, extend to him on this occasion their best wishes for many more ears of success and useful service;

Reolved, That a copy of this resolution be transmitted o the Honorable Lloyd W. Welliver by the Chief Clerk f this House.

Mr. WELLIVER. Mr. Speaker and members of the House, this is a great surprise. I have been hit hard many imes during my battles, but this hits me in a tender spot oday. I want to thank you for throwing out your flowers nd your good sayings while I am living. I don't want hem after I am dead, I can assure you. I want to thank you one and all for these kind sayings in my behalf. They say that life begins at forty years. I came here fter forty years and am starting over again. I would say that if I had a son, I would say 'Son, don't be a politician, don't be a lawyer, don't be a doctor, be a preacher." The reason I use the word preacher,—I am going to change the word before I get through, I get on a train every morning to go to my lumber camp from Philadelphia to West Chester. There are a number of boys and girls on the train who go to the State Normal School, and they all thought because I was a judge at one time and am a member of the Legislature that I am a walking dictionary. Many of the questions they asked of me were wonderful. Among those there was a little colored boy who would every day say, "Good morning, Judge." I took a great interest in that little fellow and I asked him what he was going to be. He said, "I am going to a preacher." I said, "Why are you going to be a preacher?" He said, "My dad works at a place where they have one hundred cows and he comes home every evening with his hands stinking and a preacher does not have stinking hands." I have a preached who is my opponent. I will pull him off the rail and I am going to get rid of him somehow. I have the good fortune in the last twenty years to have three wonderful colored preachers on my job. They were very nice fellows. One of them called himself "George Washington," but when I would make out a check in the sum of $100 or more and put down the word "George Washington" he would not accept it. He would always want to have the word "Deacon" put along side it,—preacher, you know. I always did it. We had him with us for years and years. He was accused of stealing chickens at one time and he was arrested and bound over to court. I bailed him out. The closer it came to court time the scarcer the colored preacher became and he skipped the country. The Sheriff of Delaware County found out where he was and he got after him. Preaching in a neighborhood city, he looked over the crowd and spied the Sheriff present. He said, "Brothers, I was going to preach to you about the resurrection, but I have changed my mind, and I will read to you from the fourth chapter of Malachias, twentieth verse, "Verily, verily, I say unto thee if thou thinkest thou knowest me say nothing for verily I will see thee later." I am going to see you people all later, especially at the next session if I am living. I thank you all.

ADJOURNMENT

Mr. COHEN. Mr. Speaker, I move that this House do now adjourn until Monday, July 20, 1936, at 9:00 P. M.

The motion was agreed to, and (at 5:54 P. M.) the House adjourned until Monday, July 20, 1936, at 9:00 P. M.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Extraordinary Session of 1936.

Vol. 19. HARRISBURG, PA., MONDAY, JULY 20, 1936. No. 37.

SENATE

MONDAY, JULY 20, 1936

The Senate met at 9 o'clock P. M.

The PRESIDENT (Lieutenant-Governor Thomas Kennedy) in the Chair.

PRAYER

The Chaplain, Rev. William E. Howard, D. D., offered the following prayer:

We thank Thee, our Father, that Thou hast guided us through another week-end and hast again brought these, Thy servants, together as a lawfully constituted body of legislators. Grant unto them a realization that they are Thy servants—that Thou dost desire to speak unto the people of this great State through them—that Thou dost desire to serve the men and women of Pennsylvania by means of the enactments they shall promulgate.

To this end draw near to them and impel them to draw near to Thee. Quicken their ears to hear Thy voice and strengthen their hands to do Thy will. Grave problems confront them. They must make serious decisions affecting the welfare of multitudes of our fellow-citizens. When they shall have determined their actions upon these vital issues may they have been so led by Thy Spirit that they may be able to declare, "Thus saith the Lord." And may all the people be so convinced of the justice of what has been done that they may exclaim, "Speak, Lord, for Thy servants hear." Promote peace and harmony within our borders and lead us in the way of eternal life. Amen.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. SONES, the further reading was dispensed with, and the Journal was approved.

LEAVES OF ABSENCE

Mr. ARON asked and obtained leave of absence for the Senator from Erie, Mr. Ziesenheim.

Mr. HARVEY asked and obtained leave of absence for the Senator from Luzerne, Mr. Sordoni.

Mr. RODGERS asked and obtained leave of absence for the Senator from Allegheny, Mr. Rankin.

NOMINATIONS BY THE GOVERNOR

The Secretary to the Governor being introduced, presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows, and referred to the Committee on Executive Nominations.

NOTARIES PUBLIC

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 20, 1936.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

ALLEGHENY COUNTY

Geo. S. Barr, 1325 Penna. Ave., Pittsburgh.
Fred H. Brenner, 43d St. and A. V. R. R., Pittsburgh.
Paul L. Kesel, 962 Frick Bldg., Pittsburgh.
Herman Litman, Braddock.
C. Fred Rebhun, Clairton.

BLAIR COUNTY

Miss Dorothy E. Reigh, Altoona.

CLARION COUNTY

Miss Mercedes Meisinger, Clarion.

CLINTON COUNTY

Antonio Pompeo, Lock Haven.

LEHIGH COUNTY

Charles L. Walters, Allentown.

MONTGOMERY COUNTY

George R. Koenig, North Wales.

PHILADELPHIA COUNTY

Daniel S. Greenstein, 1142 Real Estate Trust Bldg. Philadelphia.

WASHINGTON COUNTY

Ralph M. Waltz, Washington.

GEORGE H. EARLE.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 20, 1936.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as Notaries Public, for terms of four years to compute from the dates set opposite their names:

ALLEGHENY COUNTY

Arthur D. Keagy, Castle Shannon, August 1, 1936.

BLAIR COUNTY

Edwin A. Rudasill, Altoona, August 1, 1936.

PHILADELPHIA COUNTY

Earl W. Lebo, Philadelphia, August 1, 1936.

LUZERNE COUNTY

William T. Madden, Pittston, August 2, 1936.

LACKAWANNA COUNTY

Miss Myriel R. Davies, Scranton, August 16, 1936.

LEHIGH COUNTY

Miss Frances V. Harris, Allentown, August 16, 1936.

LUZERNE COUNTY

Clem Krause, Nanticoke, August 16, 1936.
Francis Murphy, Wilkes-Barre, August 16, 1936.

PHILADELPHIA COUNTY

C. Frank Ayer, Philadelphia, August 16, 1936.

ALLEGHENY COUNTY

L. C. Morehouse, Pittsburgh, August 18, 1936.
Ralph S. Adams, Crafton, August 19, 1936.

GEORGE H. EARLE.

JUSTICES OF THE PEACE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 20, 1936.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Joseph C. Stine, Jr., of R. D. 5, Tyrone, Blair County, for appointment as Justice of the Peace in the Township of Snyder, Blair County (to fill a vacancy), until the first Monday in January, 1938.

GEORGE H. EARLE.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 20, 1936.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following appointments to compute from the date of confirmation:

Edgar R. Sparrow, of Smock, Fayette County, as Justice of the Peace in the Township of Franklin, Fayette County (to fill a vacancy), until the first Monday of January, 1938.

Francis A. Polliard, of Greensburg, Westmoreland County, as Justice of the Peace in the Township of Unity, Westmoreland County, vice A. G. Myers, resigned, until the first Monday in January, 1938.

GEORGE H. EARLE.

APPROVAL OF RESOLUTION PROVIDING FOR THE PRINTING OF PROCEEDINGS OF MEMORIAL SERVICES HELD IN HONOR OF THE LATE SENATOR JAMES E. NORTON

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 16, 1936.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed a resolution of the Senate and House of Representatives providing for the printing of five hundred copies of the proceedings of the Memorial Service held in honor of the late Senator James E. Norton.

GEORGE H. EARLE.

QUESTION OF PERSONAL PRIVILEGE

Mr. HARRIS. Mr. President, I rise to a question of personal privilege.

The PRESIDENT. The Senator from Allegheny, Mr. Harris, will state his question of personal privilege.

Mr. HARRIS. Mr. President, I think that every member of this body is aware of the fact that at midnight tomorrow relief will cease. The money for this purpose has been entirely exhausted. I know that there are many members of this body who object strenuously to any further transfers of money. We will not discuss tonight the merit of this argument, but I believe I can suggest a plan whereby this most important matter can be taken care of in a business-like manner.

There are several funds, and among them the State Teachers' Retirement Fund, the State Fund of Workmen's Compensation and the State Employes' Fund. These funds are controlled by different boards, which are empowered by law to invest this money in safe investments. We can provide money for relief by borrowing from these funds, and giving as collateral the taxes that have already been passed.

Now, some have raised the question about borrowing on tax anticipation notes, as part of our program; but I have it, on the best legal authority, and from the older members here, that we cannot borrow until the whole program is passed, namely, the $45,000,000 that has been agreed upon—or thereabouts. In addition to that, the machinery—the law requires several things to be done, that will take almost three weeks; but by this plan that I am about to suggest, if the proper arrangements can be made—and I have been assured they can be—we can have money for relief tomorrow.

Now, I want to stress very strongly that this is not a transfer. I would be the last one in the world to take a penny from the Teachers' Retirement Fund, particularly, by transfer; but these boards are anxious for good investments, and I do not know of any better investment than the taxes of the State of Pennsylvania.

Time will not permit, tonight, my going into details on this plan, and, therefore, in order to carry out the plan I offer a resolution. I sincerely hope there will not be a single objection to this resolution, because all it does, as you will learn if you will listen to it carefully when it is read, is to ask the Committee on Finance to meet with these boards in order to make arrangements to borrow these funds. It means nothing else.

I know a single objection will hold this over for a day, and I want to say that anyone who objects to this resolution, even for a day, takes a great responsibility. When you hear it read you will see that all it does is this: It asks the Committee on Finance to meet with the different boards, learn how much money they have to lend, and, knowing how much will be needed for relief, ask to borrow it immediately, and for that purpose, Mr. President, I offer this Resolution.

RESOLUTION RELATIVE TO BORROWING MONEY FROM VARIOUS BOARDS OF THE COMMONWEALTH FOR RELIEF PURPOSES

Mr. HARRIS offered the following resolution, which was twice read:

In the Senate, July 20, 1936.

Whereas, Moneys heretofore appropriated by this Session of the Legislature for unemployment relief will be again exhausted within a few days and further provision must be at once made to make available additional moneys for said purposes; and

Whereas, objections to the further transfer of moneys from special funds has been made and it seems appro-

priate to ascertain whether other resources can be found; therefore be it

Resolved, That the Committee on Finance is hereby authorized to immediately ascertain whether tax anticipation notes may be legally authorized against the new taxes already imposed by this Session of the Legislature; and to contact the various boards of the Commonwealth, having moneys to invest, to ascertain what amount of moneys said boards may have available for investment; whether such boards will agree to advance moneys to the Commonwealth for unemployment relief pending the authorization and issue of tax anticipation notes and the rate of interest at which said boards will agree to invest said moneys;

Resolved, That said committee shall report the result of its investigaton to the Senate as early as possible.

Mr. HARRIS. Mr. President, I ask unanimous consent that Rule 39, which requires resolutions to be referred to an appropriate committee, be suspended and that the Senate do now proceed to the immediate consideration of the resolution just read.

The PRESIDENT. Is there objection?

Mr. LAW. Mr. President, I object.

The PRESIDENT. The Chair hears objection. The resolution is referred to the Committee on Finance.

QUESTION OF PERSONAL PRIVILEGE

Mr. BATCHELOR. Mr. President, I rise to a question of personal privilege.

The PRESIDENT. The Senator from Beaver will state his question of personal privilege.

Mr. BATCHELOR. Mr. President, last Monday evening, July 13th, the Governor of this Commonwealth made use of a public high school in the town of Rochester in my district, as the rostrum for a cheap and defamatory political speech. That speech was almost wholly an attack upon me and my record as a member of this body, and in its entirety constituted what I believe most of the members of this chamber will agree was about the foulest combination of vulgarity and falsehood that an unprincipled mind could put into words.

I recognize, of course, that I am but one of several members of this Senate whom the Governor of Pennsylvania, in pursuit of an indefensible political purpose, has attempted to blacken with a gutter variety of public defamation that has had no parallel in the history of this State.

I recognize, too, that throughout this Special Session, and throughout the Regular Session of last year, the instruments of his efforts to appropriate to himself the legislative powers of this body have been the bludgeon and the blackjack; that he has been as ruthless in the abuse and mis-use of the powers of his office for partisan purposes, as he has been dishonest in his attempts to defame and destroy for the same ends; that so persistently has he sought to deceive the public upon the facts of this relief situation, that his deliberate course cannot possibly be attributed wholly to ignorance and error.

I say that he is not entitled to the alibi of ignorance and error, even though we know that he is but the parroting marionette of the sinister forces behind the scenes which pull the strings by which he moves, speaks and gives the outward evidences of thinking.

I say that an answerable responsibility rests upon the Governor of this Commonwealth for his words and actions, even when we take into account, for example, the open boast that was made to a committee of this Senate last week. That boast was a kick in the face for the self-sufficient gentleman who sits in the other end of this building, and it was made by an Earle-appointed judge of a Philadelphia court.

He boasted, did this Earle-appointed Philadelphia judge, that it was he and not Governor Earle—that it was he and not any member of the Earle Cabinet or Administration—who had written all of the tax bills which the Governor has been attempting to force through this Assembly, and which the Governor himself has referred to at all times as his own tax measures and his own fiscal program.

This Philadelphia judge went further than that and boldly informed that Senate committee that he, and not the Pennsylvania Department of Revenue which is charged with that responsibility by law, could best determine the prospective revenue from these proposed or enacted tax measures, for purposes of certification for the issue of Tax Anticipation Notes.

I leave it to any member of that committee to further enlighten the membership of this body upon that incident, in all its detail and in all its significant implications.

What I wish to discuss here is the political speech that was made last Monday night in the high school of the town of Rochester, in the Senatorial District which I have the honor to represent. When the Governor of Pennsylvania made that speech, all semblance of self-control was abandoned, every decent restraint was cast aside, every dictate of common honesty went by the board. I speak with moderation when I say that unscrupulous demagoguery was given full rein. The result was that the Governor eclipsed his own previous record and descended to a new low.

Mr. President, I stand here tonight to make answer to the slanderous, indecent, irresponsible and utterly false statements which the Governor of this Commonwealth there directed against me as a member of this Senate, and, incidentally, against my Republican colleagues collectively in this body.

Candor compels me to confess that, practically from the time he entered office, I have had nothing but contempt for the man whose occupancy of the Governorship of this State is a receipt in full for something like $200,000 handed by him to the Democratic bosses of Pennsylvania, out of an inherited fortune not one dollar of which he earned with his own head or hands.

I will confess that disgust has been added to contempt as I have seen the repeated evidences of his utter disregard for the truth, and have witnessed the calculated misuse of the powers of his high office in brazen attempts to create class hatreds and even bring about public uprisings and disorders within this State.

Feeling about him and his methods and his precepts as I do, Mr. President, I can say that even at the risk of not being comprehended by the Governor himself, it is not my purpose to try to get down to his level.

But, Mr. President, wholly within my rights as a member of the Senate of Pennsylvania who has been publicly attacked in that capacity, I denounce as a chest-thumping hypocrite and a conscienceless demagogue, the man who,

last Monday night in the high school of Rochester in my Senatorial District, said of me: "Batchelor is a public enemy. He has already caused more suffering and distress than any criminal who ever plied his trade in Pennsylvania."

Mr. President and fellow members of the Senate, my daughter—the little red-headed, curly-haired girl that many of you have seen in this chamber—heard those words uttered by a man who publicly prates of moral obligations and responsibilities, and whose reputation is testimony that he possesses neither moral code nor concept.

I have waited a week, and in vain, for the public apology for that remark, which common decency would have prompted in any honest man. Neither in this chamber, nor in my own district, nor in any part of Pennsylvania or elsewhere where I am known, do I have to defend myself from that criminal libel by the man who occupies the Executive office of this State by virtue of the gold left to him by his sires.

But here and now I say to the Governor of Pennsylvania that, with honesty and complete candor, I can reveal my private life, my personal life, my political life, to that child who heard him utter that villainous lie.

I would like to ask the Governor of Pennsylvania whether, with the same honesty and the same complete candor, he would dare to reveal his private life, his personal life, his political life, to his children? Or to the honest, clean-living, God-fearing people of this State?

Mr. President, it takes a callous conscience, an utter lack of self-respect and that thing called sportsmanship, together with a kind of intellectual dishonesty which the people of this country have rarely seen in high administrative offices until the last two or three years, for one to become the spearhead of a deliberate conspiracy to wreck unemployment relief, and then, by mis-using the powers of high office to abuse public confidence, attempt to gain a despicable partisan benefit by blaming the resultant suffering and hunger of innocent and dependent people, upon those who could not circumvent that carefully-planned conspiracy.

With a full realization of the responsibilities resting upon me, I here and now publicly charge the Governor of this Commonwealth with being guilty of that criminal procedure.

Daily, the staggering and almost unbelievable evidences are piling up as a damning indictment of the desparate efforts of this Governor and his colleagues to use the money of the people of this State to bribe or bludgeon the unfortunate unemployed of Pennsylvania into supporting New Deal candidates in the approaching November election.

But from the reactions I have received as a consequence of the villifying speech made by Governor Earle against me in my District last Monday night, I am convinced that none have a keener insight into the perfidy of this man and his associates than the unemployed of this State, and none a deeper resentment against the cold-blooded heartlessness with which he has attempted to use them and their plight to pry millions from the whole public of Pennsylvania—not for Relief, but to buy votes for candidates who know they cannot hope to win upon the record of their party in the nation and in this State.

As for this subject in my own District, I can assure the Governor and all who have hoped to profit politically or otherwise from his unscrupulous manipulations, that every detail of it will be made abundantly clear to every voter between now and November. I will go to those voters with justifiable satisfaction in the fact that I was one of those Republican Senators who saved the people of this Commonwealth $25,000,000 by bringing Governor Earle's original demand for $70,000,000 down to a subsequently accepted $45,000,000; and with irrefutable facts I will make it clear to each and every one of them that neither I nor my Republican colleagues could force the Governor of Pennsylvania to accept either of two alternatives by which uninterrupted Relief would have continued over recent weeks—but the adoption of either of which alternatives would have been contrary to the Governor's deliberate purpose to stall and stop relief in this Commonwealth, solely for partisan political aims.

Mr. President, at the very time that the Governor of this State was in my District, directing his vile and unwarranted attack against me, there rested on his desk the legislation which, had he been attending to his own business and here to sign it, would have prevented the suspension of relief which his absence caused. But he was out playing despicable politics in my District, instead.

What I have said here tonight is but the prelude of much more upon the same subject that I intend to say between now and November 3rd. I conclude these remarks with this statement: That it was one of my direct ancestors who was the first settler in what later became the town of Rochester in which the Governor spoke last Monday night. And it was there that my great-great-grandfather felled the trees from the primeval forest, hewed the lumber, and personally directed the construction of the first church in that section. He became its first rector, and laid the groundwork for that moral concept which we of that District have, and which the Governor of this Commonwealth would not comprehend.

Within a stone's throw of the very building in which the Governor spoke, I have taught a Sunday-school class for a quarter of a century. And I say to you and to this Governor, that unlike him, I practice what I teach.

Eight years ago the people of that section sent me to the lower house of this Assembly. Two years later they re-elected me to that body. At the end of that term, the people of that Senatorial District elected me to the upper branch of this Legislature. And last May, by a majority of more than 2 to 1, the same people of that District re-nominated me for another 4-year term.

To this man who has attacked me with lies and misrepresentations, I say that I can rest upon my reputation as it stands. I wonder if he could say the same?

BILL OVER IN ORDER

Mr. McCLURE. Mr. President, I ask unanimous consent that Senate Bill No. 28 (House Bill No. 19), on final passage, entitled:

An Act to amend section two and three of the act, approved the sixteenth day of May, one thousand nine hundred thirty-five (Pamphlet Laws, two hundred eight), entitled "An act to provide revenue for State purposes by imposing an excise tax, for a limited period of time, on the net incomes of certain corporations, joint-stock associations, and limited partnerships; providing for the assessment and collection of the tax, and appeals to courts; conferring powers, and imposing duties on certain persons, corporations, joint-stock associations, limited partnerships, State, and county officers, boards, and departments; making an appropriation, and providing penalties," by further defining net income and increasing the rate of tax for a limited period of time

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 35 (House Bill No. 40), entitled:

An Act to provide for the commemoration by the Commonwealth of Pennsylvania of the Three Hundredth Anniversary of the Earliest settlement the First Courts of Law and the First Capital within what is now Pennsylvania and making an appropriation.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—44

Aron,	Harris,	Miller,	Salus,
Batchelor,	Harvey,	Owlett,	Scott,
Baumer,	Homsher,	Pierson,	Shapiro,
Bean,	Howell,	Prince,	Sones,
Buckman,	Huffman,	Pytko,	Staudenmeier,
Cavalcante,	Kahle,	Reed,	Thompson,
Chapman,	Lanius,	(Dauphin)	(Centre)
Coyne,	Law,	Rice,	Thompson
Ealy,	Mallery,	Roberts,	(Westmoreland)
Frey,	McClure,	Rodgers,	Trainer,
Gelder,	McCreesh,	Rupp,	Woodward,
Graff,	McGinnis,	Ruth,	

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 41 (House Bill No. 55), entitled:

An Act establishing a system of unemployment compensation to be administered by a newly created independent administrative commission of five members appointed by the Governor President Pro Tempore of the Senate the Speaker of the House of Representatives the Auditor General and the State Treasurer establishing a civil service system for employes of the commission transferring the existing system of free public employment offices from the Department of Labor and Industry to the commission requiring employes to pay certain contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons providing procedure and administrative details for the determination payment and collection of such contributions and the payment of such compensation providing for cooperation with the Federal Government and its agencies creating certain special funds in the custody of the State Treasurer and prescribing penalties.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

Mr. SHAPIRO. Mr. President, last week we discussed the amendments to House Bill No. 55, which were inserted by the committee. I feel, personally, and shall always feel, that the bill in its present form will not carry out the purpose of those who know something about the subject and who have their ideas on how the bill should be administered.

The problem that we have tonight is whether we should vote for this bill or against it. It seems to me that we have got to have an unemployment insurance bill, and I am firmly convinced that the provisions of this bill will not meet the situation, nor tend to the proper establishment of unemployment compensation in the Commonwealth of Pennsylvania—certainly it will not provide for its proper administration.

Last week, when I discussed it in relation to the provisions of civil service, on which I offered amendments to the bill, the statement was made that none of the Republican Senators proposed to allow the administration of this law to be placed in the hands of the Department of Labor and Industry—even though, under the terms of the bill it is not in their hands except in a supervisory capacity; and the statement was made by the Senator from Tioga, Mr. Owlett, for the purpose of pointing out the importance of having a proper civil service law, that there were 6000 people now employed by the New York Unemployment Compensation Commission. The fact that these figures are not correct should bring home to us the importance and the necessity of familiarizing one's self with a matter of so grave import as this bill; and for the benefit of the Senators and for the purpose of making my point, I have before me a telegram from the Controller of the Unemployment Division of the New York Compensation Law Commission. It reads as follows: "We have now 160 people in the Division. This includes all personnel, permanent and emergency."

I want to say that anyone who reads the civil service provision in this bill will come to the conclusion that it is not civil service at all. I am going to vote for this bill, and I think the rest of the members of the Democratic Party of this Senate should vote for it—I hope they will—and I hope that if this bill passes, by the joint action of a committee between the House and the Senate we may get a bill which will be workable and fair.

Mr. WOODWARD. Mr. President, I desire to interrogate the Senator from Philadelphia, Mr. Shapiro.

The PRESIDENT. Will the Senator from Philadelphia, Mr. Shapiro, permit himself to be interrogated?

Mr. SHAPIRO. Mr. President, I will.

Mr. WOODWARD. Mr. President, last week we had a little talk about whether the civil service requirements of the Senator from Philadelphia, Mr. Shapiro, or the civil service requirements that I claim to be mine constituted the better system. The Senator from Philadelphia, Mr. Shapiro, thinks one way and I another.

The PRESIDENT. May the Chair suggest to the Senator from Philadelphia, Mr. Woodward, that he speak so the Chair can hear him.

Mr. WOODWARD. Mr. President, this bill will go into effect immediately. I would like to ask the Senator from Philadelphia, Mr. Shapiro, whether it is true that the civil service requirements would not go into effect until January 1st; and, if so, why?

Mr. SHAPIRO. Mr. President, that is easy to explain. Every civil service that I know of—at least, I should not say every one, but the majority of civil service bills—give a provisional appointment right to the persons charged with setting up a new agency; and the purpose of that provision is to allow the provisional appointments until the agency is created and the Civil Service Commission or an examining board can be set up.

Mr. WOODWARD. Well then, Mr. President, I have one other question: I understand, from what the Senator from Philadelphia, Mr. Shapiro, says, that there is no question of postponing the civil service until after the November election.

Mr. SHAPIRO. Mr. President, I do not know whether I am answering the question of the Senator from Philadelphia, Mr. Woodward, or of the Senator from Bucks, Mr. Buckman, but I can say to both of them that the man who framed these civil service amendments had no such thought in mind; he had in mind that you had to have a proper personnel in order to inaugurate this civil service, such as it is.

Mr. REED (Dauphin). Mr. President, because of the widespread opinion entertained by lawyers, publicists and students of government, that the Federal Social Security Act is of doubtful constitutionality in so far as it relates to unemployment insurance, it would seem to be the part of legislative wisdom for Pennsylvania to withhold any action upon this vital question until the Supreme Court of the United States has spoken. It cannot be overlooked that many of the more recent decisions of our highest Federal Court support the conclusion that the Unemployment Insurance provisions of the Social Security Act will be held to be in violation of constitutional guarantees and inhibitions.

Neither can it be overlooked that of the forty-eight states comprising the Federal Union, only twelve have passed unemployment insurance laws which have been approved by the Federal Social Security Board. Many states have refused to act and many states have rejected the proposition outright. The rejecting states represent every phase of political thought and economic condition. Adherence to the Federal plan was rejected by rock-ribbed Republican Vermont, and by Democratic Virginia, which latter state numbers among her illustrious sons the first three Democratic Presidents of the United States, Jefferson, Madison and Monroe, and which today clings tenaciously to the "faith of the fathers" under the inspiring leadership of Senator Carter Glass and Senator Harry F. Byrd. Adherence to the Federal plan has been rejected, or at least not approved, by our neighboring states of New Jersey, Delaware, Maryland and West Virginia, and just recently it was rejected by our sister state Ohio, a state which in the extent of its industrial development is as nearly akin to Pennsylvania as any state of the Union. Likewise it has failed of approval in Nebraska and Minnesota, which may be classed as typical prairie states. These precedents command us to "stop, look and listen." We do well to ponder, whether we should commit Pennsylvania to abject surrender to an all powerful Federal Bureaucracy, set up under a Federal Act which we must conclude, in the light of recent decisions of the Supreme Court of the United States, tramples down rights reserved to the several states, a Federal act which is oppressive, discriminatory, and unworkable in that it will commit the American people to an additional load of taxation which defies the human imagination. Experts tell us that if the present Federal Social Security Act should receive the blessing of the Courts and remain the law of the land, the operation of unemployment insurance under the Federal Act will subject the American people to a tax burden so crushing that the tax ills from which we are now suffering as a result of the present unemployment condition, will pale in insignificance as compared to the tax necessities of the "Frankenstein" put into operation under the unemployment insurance provisions of the Federal Social Security Act.

My vote against the pending bill is not predicated upon the belief which I hold that the Federal Social Security Act ought to be decreed unconstitutional. As a member of the Senate of Pennsylvania, I am bound by a presumption that a Federal statute is constitutional, unless and until such Act is held to be unconstitutional by a court of competent jurisdiction. I shall vote against the pending bill because in my judgment it clearly violates certain provisions of the Constitution of Pennsylvania and as well certain provisions of the Constitution of the United States.

Let us say at the outset that we will proceed with this discussion upon the theory that contributions exacted from employers under the pending bill constitute a tax. Title 9 of the Federal Act expressly defines these contributions to be an excise tax. The highest Appellate Court of New York in Associated Industries vs. Industrial Commissioners, on April 15, 1936, clearly held that contributions under a similar New York law are a tax. It is very evident that the distinquished Attorney General of Pennsylvania has conceded that the contributions demanded of employers under the present bill are a tax, because he has carefully provided in the pending bill that contributions from employers of more than eight shall be on a parity with the contributions of employers of less than eight. It must not be overlooked that the pending bill is written in defiance of the Federal Social Security Act which in Title IX, Section 907 expressly provides that the term "employer" shall "not include any person, unless on each of some twenty days during the taxable year * * * the total number of individuals who were in his employ * * * was eight or more." Evidently the distinguished Attorney General of Pennsylvania prefers to risk a failure of having his bill approved by the Federal Social Security Board because of its failure to conform to the Federal Act in this important provision, rather than to risk the bill being declared unconstitutional by the Supreme Court of Pennsylvania. I make this statement advisedly because it is self evident that full compliance with the Federal Act in exempting employers of less than eight would render the pending bill palpably unconstitutional under the provisions of Section I of Article IX of our Constitution which requires that: "All taxes shall be uniform upon the same class of subjects within the territorial limits of the authority levying the tax."

Assuming, therefore, what is self-evident, that contributions from employers, made mandatory under the present bill, cannot be regarded as penalties or some other form of monetary exactions levied under the police power, but

that they are taxes, we assert with confidence that the pending bill violates the Constitution of Pennsylvania in the following particulars:

First: It violates Section 18 of Article III of the Constitution of Pennsylvania which provides:

"No appropriation, except for pensions or gratuities for military service, and to blind persons twenty-one years of age and upwards shall be made for charitable, educational or benevolent purposes to any person or community, nor to any denominational or sectarian institution, corporation or association."

As far as my knowledge goes, only one exception to the mandatory provisions incorporated in the constitutional provision which we have just read has ever been recognized by our Appellate Courts, namely, appropriations for the relief of indigent persons. The instant bill is not in relief of poverty. According to Article IV of this bill, the qualifications required of an employe applying for compensation, relate to prior length of employment, length of unemployment and earnings during employment. The actual need of the applicant and the availability of means for his support are nowhere taken into consideration. If an applicant meets the prescribed qualifications, compensation will be paid to him whether he is a pauper or a man of independent wealth.

In Busser vs. Snyder, 282 Pa., 440 the present distinguished Chief Justice of Pennsylvania said:

"In appropriating money, the minute the historical definition of poor persons is broken through, the act enters the field of forbidden legislation through section 18 of Article III, and falls as a poor low."

In the light of the emphatic language used by the Supreme Court in the case just cited and the equally emphatic language used in the majority opinion delivered by Chief Justice Kephart in the Commonwealth vs. Liveright, 308 Pa. 35, upholding the constitutionality of the first Talbot Act, only one conclusion can be reached. The use of public funds for distribution to individuals who do not clearly fall within the description of "the indigent" violates Section 18 of Article III of the Constitution.

Second: The pending bill violates the "due process of law" clauses of the Federal and State constitutions. We need not enumerate in detail these constitutional guarantees. In the very recent case of Commonwealth vs. Girard Life Insurance Company, 305 Pa. 588, the Supreme Court of Pennsylvania, speaking through Mr. Justice Schaffer has said:

"Our Constitution enjoins that 'All taxes shall be uniform upon the same class of subjects'; The Federal Constitution directs 'Nor shall any state deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.' As applied to questions of taxation, the constructions of the two enactments run together. That which would violate one would generally contravene the other."

Let us not overlook the fact that the Federal Act imposes a tax on every employer of eight or more persons, determined by a percentage of the total pay-roll and makes a general levy with a proviso that if any employer shall pay state taxes under a state eunemployment insurance law, the provisions of which have been approved by the Federal Social Security Board, such employer will have a credit of 90% of the Federal tax, being the full amount paid to the State. It, therefore, appears that the Federal Government with the same kind of ethics which motivates a highwayman, has pointed a gun at the Legislature of Pennsylvania and in effect says: "Do as we say and your citizens can keep 90% of the money which we will sieze from the citizens of Pennsylvania under the Federal law, but if you don't pass a bill which is satisfactory to us, we will keep your money and spend it as we please." Under the muzzle of a gun we are asked in this bill to impose taxes upon every employer of labor in Pennsylvania, which taxes are in their entirety to be transferred to Washington, and which taxes will not be used in any manner whatsoever, or upon any contingency, for the carrying on of the government of Pennsylvania or of any of its agencies. On the contrary, money raised by taxation under the pending bill, if it is returned from Washington at all, will be returned to certain classes of our citizens, denominated employes in this bill. In other words, not one dollar of the tax which will be paid by A and B and C and the other employers of Pennsylvania will be applied to the operation of the State Government or any of its governmental functions or to the payment of any of its obligations, but every cent, beyond administration costs, will be handed over to certain classes of our citizens to the exclusion of other classes of our citizens.

It has always been the law of Pennsylvania that the imposition of a tax for other than a public purpose deprives the citizen of his property without due process of law, exactly as though the government should seize and confiscate his property without compensation.

Almost a century ago the Supreme Court of Pennsylvania, speaking through Mr. Justice Coulter, said in Northern Liberties vs. St. John's Church, 13 Pa. 104:

"* * * I think the common mind everywhere has taken in the understanding that taxes are a public imposition, levied by authority of the government, for the purpose of carrying on the government in all its machinery and operations; that they are imposed for a public purpose; * * *"

While the purpose of the pending bill, which is to provide unemployment compensation to certain designated unemployed persons is laudable; we cannot conclude that this purpose is a "public purpose" as defined by the Courts. Rather is it an attempt to promote the economic security of certain persons as contra-distinguished from other persons. Therein it violates the constitutional guarantee against taking property without due process of law.

But equally it violates the constitutional guarantee against inequality of taxes. It must not be overlooked that if the pending bill becomes law that the "X" employer, which always has and always will employ less than eight persons, will pay the tax demanded by the present bill but will pay no Federal tax. On the other hand "Y" employer, who always has and always will employ more than eight persons, will pay the tax demanded by the instant bill and will, in addition, pay a Federal tax. In other words, while employer "X" pays nine-tenths of the total tax, employer "Y" pays the entire tax. I know full well that it will be urged that the taxes under the present bill are uniform and the discrimination to which I am referring arises out of the Federal Act. But I feel certain that the Courts will not overlook the fact that the Federal Act and the pending bill are but parts of a scheme and that the state act will be held to be a corollary of the Federal Act. Decisions of our Courts, both State and Federal, have established the principle that in construing tax statutes and applying them to the facts in particular cases, the Courts will always regard the sub-

stance and be guided thereby, rather than by the form. Tested by this principle, in my opinion, the Supreme Court of Pennsylvania, will not overlook the fact that in substance, if not in form, the employer of seven persons pays nine-tenths of the amount of the tax which will be paid by the employer of nine persons. Such a classification is unscientific, unreasonable, and in clear violation of Section I of Article IX of the Constitution.

Further citation of authority is unnecessary to prove that the pending bill is in direct violation of Section 18 of Article III and Section 1 of Article IX of the Constitution of Pennsylvania and as well in violation of the Fourteenth Amendment to the Constitution of the United States. But I cannot forego from quoting from two opinions, one an opinion of the Supreme Court of the United States and the other an opinion of the Supreme Court of Pennsylvania, opinions which are among the brightest gems in the galaxy of American jurisprudence and which have adorned the pathway of American liberty.

In Loan Association vs. Topeka, 87 U. S. 655, the Supreme Court of the United States, speaking through Mr. Justice Miller, said:

"To lay with one hand the power of the government on the property of the citizen, and with the other to bestow it upon favored individuals to aid private enterprises and build up private fortunes, is none the less a robbery because it is done under the forms of law and is called taxation. This is not legislation. It is a decree under legislative forms.

Nor is it taxation. A 'tax', says Webster's Dictionary, 'is a rate or sum of money assessed on the person or property of a citizen by government for the use of the nation or state.' 'Taxes are burdens or charges imposed by the legislature upon persons or property to raise money for public purposes.'"

To like effect, in Sharpless vs. The Mayor of Philadelphia, 21 Pa., 147, one of Pennsylvania's greatest Democratic statesmen, Chief Justice Jeremiah S. Black said:

"Neither has the legislature any constitutional right to create a public debt, or to lay a tax, or to authorize any municipal corporation to do it, in order to raise funds for a mere private purpose. No such authority passed to the Assembly by the general grant of legislative power. This would not be legislation. Taxation is a mode of raising revenue for public purposes. When it is prostituted to objects in no way connected with the public interests or welfare, it ceases to be taxation, and becomes plunder. Transferring money from the owners of it, into the possession of those who have no title to it, though it be done under the name and form of a tax, is unconstitutional for all the reasons which forbid the legislature to usurp any other power not granted to them."

Convinced as I am that the taxes imposed by this bill are not for a public purpose but are for a private purpose, to wit, for the aid and assistance of a certain class of individuals at the expense of other individuals, I assert in the language of Chief Justice Black that the seizure of moneys for the purposes mentioned in this bill "ceases to be taxation and becomes plunder."

I am happy to state that in my opinion, the position which I am taking upon this bill is in accord with the promises of the Republican party contained in the Republican National Platform of 1936. That platform declares:

"Society has an obligation to promote the security of the people, by affording some measure of protection against involuntary unemployment and dependency in old age security."

Equally does the Republican platform of 1936 declare:

"The unemployment insurance and old age annuity sections of the present Social Security Acts are unworkable and deny benefits to about two-thirds of our adult population, including professional men and women and all those engaged in agriculture and domestic service, and the self employed, while imposing heavy tax burdens upon all."

As the sunflower instinctively turns to the rising sun, so the American people are instinctively turning to the rising sun of hope and opportunity in the person of the Budget Balancing Governor of a great prairie state. The promises of the Republican party and the promises of the next President of the United States are the adoption by the states and territories of honest and practical unemployment insurance laws; not a dishonest, discriminatory, unworkable and unconstitutional act, such as is now before us.

The pending bill is of little benefit to labor. Under no contingency can an employe receive benefits to the amount of $200.00 in any one year. Worthless to labor, its effect is to further "sandbag" industry by destroying more jobs while in reality it casts an additional burden upon the taxpayer, who in the end must pay the oppressive tax. I shall vote "no" on the pending bill with the hope and assurance that when the Legislature of 1937 convenes, an honest, fair and workable unemployment insurance law will be put upon the statute books of Pennsylvania by the Republican party.

Mr. CAVALCANTE. Mr. President, I desire to interrogate the Senator from Dauphin, Mr. Reed, on his remarks.

The PRESIDENT. Will the Senator from Dauphin, Mr. Reed, permit himself to be interrogated?

Mr. REED (Dauphin). Mr. President, I yield.

Mr. CAVALCANTE. Mr. President, wherein does the constitutionality of this bill differ from the constitutionality of the State Workmen's Compensation laws and the fund created thereunder?

Mr. REED (Dauphin). Mr. President, I think that the bills are so different it would be very hard to answer the question. The only thing that immediately occurs to me is that one is voluntary and the other compulsory.

Mr. CAVALCANTE. Mr. President, does the Senator from Dauphin, Mr. Reed, infer that the Workmen's Compensation laws of this State are not compulsory?

Mr. REED (Dauphin). Mr. President, in form they have always been optional, as I understood them.

Mr. CAVALCANTE. Mr. President, may I inform the Senator from Dauphin, Mr. Reed, that they are very much compulsory? And I doubt very seriously that there is any difference in the constitutionality of the bill before us now and the constitutionality of the State Workmen's Insurance laws—State Workmen's Compensation laws, and the fund created thereunder.

Mr. REED (Dauphin). Mr. President, may I reply further to the Senator from Fayette, Mr. Cavalcante, that I am still very much of the opinion that the Workmen's Compensation law is, and always has been, voluntary; and I intend to send for it, to convince the Senator.

Mr. McGINNIS. Mr. President, I desire to interrogate the Senator from Dauphin, Mr. Reed.

The PRESIDENT. Will the Senator from Dauphin, Mr. Reed, permit himself to be interrogated?

Mr. REED (Dauphin). Mr. President, I will.

Mr. McGINNIS. Mr. President, will the Senator from Dauphin, Mr. Reed, inform us how the State of Kansas expects to help us in this?

Mr. REED (Dauphin). Mr. President, as far as the State of Kansas passing legislation is concerned, I believe that is correct.

Mr. McGINNIS. Mr. President, I believe that the Senator from Dauphin knows that the Governor of Kansas has called a Special Session of the Legislature to pass such legislation.

Mr. REED (Dauphin). Mr. President, I believe that is correct, but I am not advised if any bill, whether in form similar to this or not, is pending in the Kansas Legislature.

Mr. McGINNIS. Mr. President, I feel that if there was ever a bill passed by this Senate that should be free from politics, this is the one bill, and I feel that the bill that came from the House, the Administration bill, was so clearly free from politics, that at least it was much superior to the present bill, but when it reached this Senate, the Administration's provisions were so changed and altered that the bill has been forthwith plunged into politics, and for that reason I am going to vote for this bill under protest, and I ask that if the Democratic members on this side of the House who vote for the bill, that they vote for it under protest.

Mr. SHAPIRO. Mr. President, I am not going to speak at length on the constitutionality of the act. I think that if the Federal Social Security Act is declared constitutional, the Act passed by this body will be declared constitutional; and I want to answer two things, and I cannot refrain from answering them because they are important: First, this bill does not risk the test of constitutionality, as does the Washington Social Security Act, because it has been proved, by that Committee, that it was framed in cooperation with one of their agents, who has made it his business to go around the various states and help out in framing these Acts. Secondly, I am very much interested in the statements of the Senator from Dauphin, that next year, in 1937, the Legislature of Pennsylvania, not being coerced by the Federal Government, will pass a State Unemployment Insurance Act. It was the same sort of an argument that was made by the Senator from Virginia, who came before the Committee when this bill was on public hearing, and he told us that the State of Virginia resented the entry of a foreign body, the Federal Government, to tell them what to do. My answer to both him and the Senator from Dauphin is this: In the first place, it is rather inconsistent for him, a foreigner from Virginia, to come into Pennsylvania and tell Pennsylvania what to do. And then, in the second place, the Legislature of Pennsylvania had an opportunity, as did the State of Virginia, long before the Federal Government undertook to do that, which the State itself was reluctant to do and refused to do for many years, to pass such a law; and particularly the State of Pennsylvania had an opportunity last year, before the Federal Government introduced its Act, to pass a Workmen's Compensation Bill, if they wanted to. There was introduced into this Senate a bill on the very first day that we convened, an Unemployment Insurance Bill, that never saw the light of day from the Committee, and never received the slightest consideration, and there has been the subject of unemployment compensation insurance discussed for the past ten years, I think all over this country, and never has the State of Pennsylvania moved, nor any of the Senators, to introduce a bill until last year, when I introduced the first bill that was introduced in this Senate, and now I think it comes in bad taste to criticise the fact that the Federal Government is forcing this bill, and make the statement that Pennsylvania will next year introduce a bill.

I would like to say this one thing: There was a great argument, and a valid argument, against the passage of an Unemployment Insurance bill in Pennsylvania, because it would place Pennsylvania in competition with those states which do not have an Unemployment Insurance bill. Now, when the Federal Government undertakes to correct that by making it necessary, as a practical matter, for every state to pass such a law, then the cry is raised "we won't pass such a law, because you have told us to do it." I think it is a childish argument which requires no further answer.

Mr. EALY. Mr. President, I agree with the Senator from Dauphin, Mr. Reed, that the unemployment compensation law of the Federal Government and the Act which Pennsylvania is proposing to pass will not be found constitutional, but I have another reason for opposing the passage of this law. It seems to me that social welfare and social security are terms which are used with various meanings; and it seems to me that a great many crimes have been committed in these names, and one crime, in my opinion, is the Federal Unemployment Compensation Act and this bill of Pennsylvania's which is proposed to supplement it.

I am not an enemy of labor; I claim to be a friend of labor—and I claim to be much more of a friend of labor than many of those who for political advantage support every so-called social welfare measure which, while purporting to help the laborers, in fact will, in the long run, make their position much worse.

Mr. President, there never was a time, since the Pilgrim Fathers came to America, when this country was not a better place for the laboring man to live than the countries of Europe; and this is, and was, true even in spite of the depression. Why then, may I ask, will people seek to inflict upon America all sorts of laws which have not made the lot of the laborer in other countries comparable to its high position here?

Take this unemployment compensation law, with its high rate of taxation upon payrolls. It seems to me it will operate like making a blood transfusion from a patient already sick to another to prevent him from becoming sick. When this bill was up in the New York Legislature Senator Fearon, from that State, pointed out what was happening in New York. He said: "Everybody that knows anything about the history of this State, knows that there is not a city from New York to Buffalo that has not lost industries because of this kind of legislation. Why, the papers have carried at least three different articles within the last two months showing the investigation that Frank Taylor, the Comptroller of the City of New York, has been conducting. And it has disclosed, that over 7,000 concerns have moved out of the City of New York and gone into

one of the adjoining states by reason of the local taxes that have been imposed upon it. Now, you, who pretend to be friends of labor in this State might well pause and consider what good it will do to have unemployment insurance or a lot of these other so-called labor laws, if in truth and in fact there is no employer left to give employment. When you see this exodus of business from New York State which has been going on here for the last few years, when you see the business men in this State not taking advantage of the idle factories which they now have and which they own, building new factories in cities and villages outside of New York State by reason of the enoromus taxes and restrictive legislation that New York State has put upon them, you ought to open your eyes and realize that when you pass this kind of legislation not only the employer of labor in this State, but you likewise penalize the employee. The one can't get along and succeed without the other."

The best insurance against unemployment is to help business, and this is one of the acts which will destroy it. I doubt very much whether an Unemployment Compensation Law, in a country like American, will be of any benefit; certainly not a general act like that passed by the Federal Government, which requires the piling up of a huge fund at Washington, with a tremendous bureau to invest and manage the same. In my opinion, if an Unemployment Compensation Law is to be enacted by Congress, it should contain only the merest outline, leaving the States to work out the details and manage the same.

I do not wish to speak so much about the provisions of this act. I have tried to study the Federal Act and the bill now before us, and I must confess to a considerable amount of bewilderment in regard to the system and the way it will work out; and of all the men, inside and outside of the Legislature, who have spoken on this subject before the Committee on Insurance, I have not found anyone except, perhaps the Senator from Philadelphia, who admits he knows very much about this law.

But the United States does not need to take a leap in the dark in this matter, for Germany has tried out the plan for fifty years, and found it has not worked. We had before our committee a gentleman who had spent the greater part of his life in Germany. During the last ten years, I believe, however, he has lived here. He had observed the operation of this law in Germany, and when he saw our Government proposing to put it in effect here he felt, as he stated, that he owed it to his adopted country, where he had been so warmly received, to sound a warning as to the fallacies in the plan and the dangers which will arise therefrom.

There is also a gentleman, Mr. Gustav Hartz, whose book perhaps has been circulated among the members. He was a working man in Germany, and later a member of the Reichstag, and an economist. He made a study of this whole subject, and says it has proved an utter detriment to the people of Germany. They start out with a small rate of taxation, and it grows and grows, one thing after another is added, and it becomes a paradise for the politicians; and now in Germany it takes 17 per cent of the wages of the employes to run their compensation laws. Mr. Hartz says that if Germany had no social insurance system, but still had the benefit of her fifty years' experience, she certainly would not adopt social insurance today.

The plan which he proposes is a compulsory thrift plan, where the employes will lay aside part of their wages, which will be protected against the time of storm and stress; and the employers, if they are not mulcted by these taxes, which are bound to go up—we have already a proposition that the rate shall be 4 per cent instead of 3 per cent, and it will be increased from time to time, and that all comes off the employes—if the employers are not mulcted out of these taxes, they will be able to pay decent wages to their employes, and the employes can protect themselves better than they can be protected through this unwieldly, unworkable system which is proposed here.

Mr. President, I am asking Democrats and Republicans alike, including all those who are especially interested in the laboring man, to vote against this bill.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—39.

Aron,	Howell,	Prince,	Scott,
Batchelor,	Huffman,	Pytko,	Shapiro,
Baumer,	Kahle,	Reed,	Sones,
Bean,	Lanius,	(Washington)	Staudenmeier,
Cavalcante,	Law,	Rice,	Thompson,
Coyne,	Mallery,	Roberts,	(Centre)
Frey,	McClure,	Rodgers,	Thompson,
Gelder,	McCreesh,	Rupp,	(Westmoreland)
Graff,	McGinnis,	Ruth,	Trainer,
Harris,	Miller,	Salus,	Woodward,
Harvey,	Owlett,		

NAYS—6.

Buckman,	Ealy,	Pierson,	Reed,
Chapman,	Homsher,		(Dauphin)

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

BILLS OVER IN ORDER

Mr. McCLURE. Mr. President, I ask unanimous consent that Senate Bill No. 43 (House Bill No. 26), on third reading, entitled:

An Act to further amend section one of the act approved the thirteenth day of June one thousand nine hundred seven (Pamphlet Laws six hundred forty) entitled "An act to provide revenue by levying a tax upon the shares of stock of companies incorporated under the provisions of section twenty-nine of an act entitled 'An act to provide for the incorporation and regulation of certain corporatins' apprved April twenty-ninth one thousand eight hundred and seventy-four and the supplements thereto for the insurance of owners of real estate mortgages and others interested in real estate from loss by reason of defective titles liens and encumbrances and of companies entitled to the benefits of and of companies having any of the powers of companies entitled to the benefits of an act entitled 'An act conferring upon certain fidelity insurance safety deposit trust and savings companies the powers and privileges of companies incorporated under the provisions of section twenty-nine of an act entitled "An act to provide for the incorporation and regulation of certain corporations" approved April twenty-ninth Anno Domini one thousand eight hundred and seventy-four and of thesupplements thereto' approved June twenty-seventh one thousand eight hundred and ninety-five commonly known as title insurance or trust companies" by increasing the rate of tax for a limited period of time and by further modifying the method of computing the tax.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. McCLURE. Mr. President, I ask unanimous consent that Senate Bill No. 44 (House Bill No. 28), on third reading, entitled:

An Act to further amend section one of the act approved the fifteenth day of July one thousand eight hundred and ninety-seven (Pamphlet Laws two hundred ninety-two) entitled "An act to provide revenue by taxation" by increasing the rate of tax.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL RECOMMITTED

Mr. WOODWARD. Mr. President, I move that Senate Bill No. 46, on third reading, entitled:

An Act relating to proceedings for the forfeiture of rights, privileges or franchises of corporations making claim against street railway traction or motor power companies in certain cases and providing for the disposition of rights privileges or franchises forfeited and for contracts relating thereto.

be recommitted to the Committee on Judiciary General.

Mr. HOWELL. Mr. President, I second the motion.

The motion was agreed to.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 90 (House Bill No. 98), as follows:

An Act to create a State Planning Board prescribing its powers and duties imposing certain duties upon political subdivisions and making an appropriation

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That this act shall be known and may be cited as the "State Planning Board Law"

Section 2 There is hereby created a State Planning Board which shall be an independent administrative board to consist of nine members appointed by the Governor by and with the advice and consent of the Senate Four members of the State Planning Board shall be appointed from among the heads or chief executive officers of State departments The remaining five members shall be appointed from among the citizens of the State and they shall hold no other State office to which any salary is attached The term of office of members of the State Planning Board shall be five years and until their successors are appointed and qualified Provided however That members who are also heads or chief executive officers of State departments shall not serve as members of the State Planning Board beyond their term of office in such other State service three shall be appointed for a term of one year three for a term of three years and three for a term of five years Thereafter all appointments shall be made for a term of five years In case of a vacancy the Governor shall make appointment for the unexpired term The Governor shall designate the chairman of the board Five members of the board shall constitute a quorum All members shall serve without compensation but they shall be allowed such reasonable expenses as are authorized by the board and incurred in the immediate discharge of their duties to be paid out of such funds as may be available and in the same manner as the expenses of other State officials are paid The State Planning Board shall maintain offices which shall be provided by the Department of Property and Supplies

The State Planning Board shall keep permanent and complete records of its proceedings meetings hearings orders and decisions It is authorized and empowered to employ such technical and clerical assistants as may be required and fix their compensation and incur other necessary expenses within the limits of the appropriations provided The head of any department or agency of the State government or any political subdivision of the Commonwealth is hereby authorized to assign technical employes to assist the board

Section 3 The board with the approval of the Governor shall appoint and fix the compensation of a planning secretary who shall act as executive director of the board and who shall conduct the work of the board under its supervision The planning secretary shall hold no other position in the service of the Commonwealth or any subdivision thereof and shall be technically qualified for the duties of his office

Section 4 (a) It shall be the duty of the State Planning Board to prepare and from time to time to perfect a State master plan for the physical development of the [State by the State its agencies and political subdivisions Such State master plan with the accompanying] maps plats charts and descriptive matter shall show the board's recommendations for the development of the State and may include among other things parkways bridges waterways water front development flood prevention work parks reservations forests wild life refuges aviation fields drainage and sanitary systems wors motor evhicle routes public buildings and other public ways grounds spaces structures institutional and other buildings and works which by reason of their function size extent location or legal status are of State-wide as distinguished from merely local concern or the location construction or authorization of which falls according to law within the province of State agencies or officials and which are appropriate subjects of a State as distinguished from a merely local program or plan the general location and extent of existing and prepared forests agricultural areas and other development areas for purposes of conservation food and water supply sanitary and drainage facilities or the protection and perfection of urban and rural development also a land utilization program including the general classification and allocation of the land within the State amongst mineral agricultural soil conservation water conservation forestry recreational industrial urbanization housing and other uses and purposes The board shall in addition

(b) Advise with the various State departments and bureaus and with local authorities and individuals with a view to the coordinating of all physical development plans including plans for highway airway and air terminals parkways parks water supply development flood control and land use recreation areas and forest reservations and such other things as are related to an ordered and comprehensive development of the State by the State its agencies and political subdivisions

(c) Prepare amend and keep up to date a long term development program of all major State improvement projects The public works program so prepared shall be a comprehensive construction and financial program covering a ten year period and shall be prepared in consultation with the several State departments for the purpose of assisting by long term budgeting of capital expenditures in stabilizing industry and employment by promoting the planning and timing of public works within the State and by the elimination of unplanned untimely unnecessary and extravagant projects All State departments divisions and officials shall submit their respective ten year programs and proposals for improvements to the board and it shall be the duty of the board to coordinate such programs and proposals with each other and with the State master plan The board shall encourage the preparation of detailed plans for construction projects by the departments boards commissions and other agencies of the State All plans for all projects as enumerated above and originating under whatsoever authority or department shall be presented to the State

Planning Board for consideration by them when first taken under consideration by such authority or department and in a preliminary form The public works program shall be revised annually for the purpose of extending it one year in the future and a report thereon shall be submitted by the board to the Governor once a year or more often if requested by the Governor It shall also be the duty of the board to promote and encourage the development of similar public works programs in the various political subdivisions of the State and to coordinate local public works programs where joint action is required

(d) Collect and publish information relating to the proper development of the State and the conservation of its natural resources designed to promote the general welfare and make such recommendations thereon to the Governor as it may deem proper and advisable

Section 5 The board may adopt the State master plan as a whole or as the work of making the plan progresses may from time to time adopt a part or parts thereof and any such part or parts so adopted shall cover one or more of the functional elements which may be included in the plan The board may from time to time amend extend or add to the plan or carry any part of the plan into greater detail The adoption of the plan or any part amendment extension or addition thereof shall be by resolution of the board adopted by the affirmative votes of not less than eight members of the board The resolution shall refer expressly to the maps charts and descriptive matter intended by the board to form the whole or part of the plan and the action taken shall be recorded on the maps charts and descriptive matter by the indentifying signature of the chairman of the board

Section 6 The board may submit its master State plan or any portion thereof to the Governor with recommendation for official approval Before approving any plan or plans for such official action the board may hold public hearings thereon Such plan or plans when approved by the Governor shall be known as the official State plan

Section 7 The State Planning Board shall cooperate with county municipal and regional planning boards created for the purposes of aiding and encouraging an orderly and coordinated development of the State and encourage and assist in their creation and shall also cooperate with planning boards and similar bodies of other States and of the Federal Government in formulating comprehensive regional plans and in the solution of regional problems

Section 8 The State Planning Board may request from the various State departments and other agencies of the Commonwealth and its political subdivisions such available information as it may require in its work and all these agencies shall within a reasonable time furnish such requested information to the board

Section 9 The Board or any member thereof when authorized to do so by a majority of the board may hold public hearings and in conducting public hearings may administer oaths and take affidavits

Section 10 The State Planning Board shall submit a report of its recommendations for State improvements and developments in January of each year to the Governor

Section 11 The State Planning Board is hereby authorized and empowered to use and expend any funds coming into its hands for the purposes of this act and it is authorized and empowered to accept and use any funds provided by the United States Government or any agency thereof or of gifts made for such purposes

Section 12 The sum of ten thousand dollars ($10,000) is hereby specifically appropriated to the Pennsylvania State Planning Board for the biennium ending May thirty-first one thousand nine hundred and thirty-seven for the purpose of carrying into effect the provisions of this act

Section 13 The provisions of this act are severable and if any of the provisions thereof are held to be unconstitutional the decision shall not be construed to impair any other provision of this act It is hereby declared as a legislative intent that this act would have been adopted had such unconstitutional provision not been included therein

Section 14 All acts or parts of acts inconsistent with the provisions of this act are hereby repealed

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—42.

Aron,	Harvey,	Pierson,	Salus,
Batchelor,	Homsher,	Pytko,	Scott,
Baumer,	Howell,	Reed,	Shapiro,
Bean,	Huffman,	(Dauphin)	Sones,
Buckman,	Kahle,	Reed,	Staudenmeier,
Cavalcante,	Lanius,	(Washington)	Thompson,
Chapman,	Mallery,	Rice,	(Centre)
Coyne,	McClure,	Roberts,	Thompson,
Ealy,	McCreesh,	Rodgers,	(Westmoreland)
Frey,	McGinnis,	Rupp,	Trainer,
Graff,	Miller,	Ruth,	Woodward,
Harris,	Owlett,		

NAYS—3.

Gelder,	Law,	Prince.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 106, entitled:

An Act establishing a system of unemployment compensation to be administered by a newly created independent administrative commission of five members appointed by the Governor the President Pro Tempore of the Senate the Speaker of the House of Representatives the Auditor General and the State Treasurer requiring certain employes to contribute to a fund from which such compensation shall be paid requiring any employer to make certain reports and perform certain other duties defining the rights of certain unemployed persons to receive compensation defining the rights powers and duties of said commission establishing a civil service system for employes of the commission transferring the existing system of free public employment offices from the Department of Labor and Industry to said commission providing for the custody and control of said fund providing the procedeure for the determination and payment of such contributions and compensation providing for cooperation with the Federal Government and certain of its agencies and prescribing penalties

The first section of the bill was read as follows:

ARTICLE I

INTRODUCTORY

Section 101 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That SHORT TITLE This act shall be known and may be cited as the "Unemployment Compensation Law"

Section 102 DECLARATION OF POLICY As a guide

to the interpretation and application of this act the public policy of this State is declared to be as follows Involuntary unemployment is a serious menace to the welfare of the people of this State which warrants appropriate action to control and alleviate its effects by providing for benefit payments to persons involuntarily unemployed out of funds accumulated during their employment in such manner as to encourage stable employment conditions Legislation to that end is essential at this time in order that employers in this Commonwealth shall be enabled to claim the credit allowed by section nine hundred nad two of the Federal Social Security Act with the resultant advantages to their employes

Section 103 REPEAL BY PROCLAMATION In the event that the tax imposed by title nine of the Social Security Act should become inoperative in this State by repeal or by United States Supreme Court decision declaring the same unconstitutional or that the right to take credit against such tax up to ninety per centum thereof for amounts contributed under duly certified State unemployment compensation laws as now provided in sections nine hundred and two and nine hundred and three of sai l act should for any reason hereafter cease and determine then by virtue of either of said facts and determine then by virtue of either of said facts the provisions of this act shall become permanently inoperative without further repeal and the Governor of the Commonwealth shall forthwith by proclamation declare this act suspended in its entirety Provided however That in such event all funds then remaining in the Unemployment Compensation Fund and not obligated to the payment of benefits hereunder for previous unemployment shall be distributed as soon as possible to employers and employes in proportion to their then remaining interests in said fund by reason of previous contributions hereunder in accordance with such rules as the commission may prescribe and the provisions hereof regarding administration custody and control of the fund and determination of claims shall remain in full force so far as necessary to effect such distribution until said fund shall have been wholly disposed of

Section 104 DEFINITIONS The following words and phrases when used in this act shall unless the context requires otherwise be construed and applied in accordance with the following

(a) "Benefit" means the amount of compensation payable to an unemployed individual with respect to a particular period of unemployment

(b) "Commission" means the Unemployment Compensation Commission established by this act

(c) "Compensation" means the money payments payable to individuals with respect to their unemployment as herein provided

(d) "Contributions" mean the money payments to the fund required by this act

(e) "Department" shall mean the Department of Public Instruction

(f) "Employe" shall include only such individuals as are employed in employment as herein defined by an employer as herein defined

(g) "Employer" means any (1) individual person (2) partnership (3) association (4) corporation (whether domestic or foreign) (5) the legal representative trustee in bankruptcy receiver or trustee of any individual person partnership association or corporation or (6) the legal representative of a deceased person who during the calendar year one thousand nine hundred and thirty-six or any calendar year thereafter is subject to a payroll tax levied by the United States government if the contribution required to be paid by this act or any portion thereof may be credited against such payroll tax

(h) "Employment" means any service including service in interstate commerce performed for wages or under contract of hire written or oral express or implied which service (1) is performed in this Commonwealth by an individual excluding however any service within this Commonwealth which is determined by the commission to be incidental to an individuals service performed elsewhere or (2) is performed elsewhere but is determined by the commission to be incidental to the individual's service in this Commonwealth provided contributions are not required and paid with respect thereto under an unemployment compensation law of any other state except

(1) Agriculture labor

(2) Domestic service in a private home

(3) Service performed as an officer or member of a crew of a vessel on the navigable waters of the United States

(4) Service performed by an individual in the employ of his son daughter or spouse and service performed by a child under the age of twenty-one in the employ of his father or mother

(5) Service performed in the employ of the United States Government or of an instrumentality of the United States

(6) Service performed in the employ of a state a political subdivision thereof or an instrumentality of one or more states or political subdivision

(7) Service performed in the employ of a corporation community chest fund or foundation organized and operated exclusively for religious charitable scientific literary or educational purposes or for the prevention of cruelty to children or animals no part of the net earnings of which inures to the benefit of any private shareholder or individual

(i) "Employment office" means a free public employment or branch thereof operated by or under the control of the commission as provided in this act

(j) "Federal trust fund" shall mean the Unemployment Trust Fund established under section nine hundred and four of the Federal Social Security Act

(k) "Fund" shall mean the Unemployment Compensation Fund established by this act

(l) "Guaranteed employment account" means a separate account in the fund consisting of contributions paid by an employer who adopts a guaranteed employment plan with the approval of the commission as provided in this act

(m) "Payroll" means the total amount of wages payable by any employer for employment during a calendar year regardless of the time of payment

(n) "Pooled account' means that portion of the fund which is not allocated to reserve accounts or to guaranteed employment accounts

(o) "Reserve account" means the separate account maintained by the commission in the fund for each employer or group of employers in accordance with the provisions of this act

(p) "Service credits" shall mean the credits in the fund for compensation in favor of an employe based upon the periods of his employment as herein defined in respect to which contributions are payable under this act

(q) "Social Security Act" means the act enacted by the Congress of the United States approved the fourteenth day of August one thousand nine hundred and thirty-five

(r) "Social Security Board" means the Social Security Board created by said Social Security Act

(s) "Total unemployment" An individual shall be deemed totally unemployed in any week in which he performs no work or personal services and does not engage in any self-employment with respect to which services work or self-employment remuneration is payable to him

(t) "Wages" mean all remuneration payable for employment including the cash value of all remuneration payable in any medium other than cash

(u) "Week" means any calendar week ending at midnight Saturday or the equivalent thereof as determined by general rules adopted by the commission

(v) "Week of employment" means employment aggregating in one or more weeks at least eighty per centum of the normal full-time hours customarily worked in a week by employes in the employment in question or in any case where the hours so customarily worked are not ascertainable at least eighty per centum of the normal full-time weekly hours in the employment in question as determined by such equitable method as the commission may by general rule prescribe

Section 105 PERSONAL PRONOUN In the use of the personal pronoun in this act the singular shall include

the plural and the masculine shall include the feminine and neuter unless the context clearly indicates otherwise

ARTICLE II

CONTRIBUTIONS

Section 201 CONTRIBUTIONS REQUIRED All employers who subject to this act under the definition set forth in section one hundred and four (g) with respect to employment as herein defined in any calendar year after January first one thousand nine hundred and thirty-six shall be required to contribute to the fund at the rate and times and in the manner hereinafter provided and such liability shall be for the whole of any calendar year in which such employment occurs

Section 202 WAGE LIMITATION In computing contributions required of employes hereunder no part of any employe's wage or salary which exceeds three thousand dollars ($3,000) shall be included

Section 203 RATE AND ALLOCATION OF CONTRIBUTIONS BY EMPLOYERS Subject to the provisions of article four with respect to guaranteed employment and to the other provisions of this act the rates for contribution by employers liable hereunder shall be the following percentages of their payrolls for the stated calendar years to be allocated by the commission to the indicated accounts in the fund

Nine-tenths of one per centum (.9%) for the year one thousand nine hundred and thirty-six all to the pooled account

One and eight-tenths per centum (1.8%) for the year one thousand nine hundred and thirty-seven half to the pooled account and half to the employer's reserve account

Two and seven-tenths per centum (2.7%) for the year one thousand nine hundred and thirty-eight and thereafter one-third to the pooled account and two-thirds to the employer's reserve account

Provided however That the percentage of any employer's contributions shall be increased to three and seven-tenths per centum (3.7%) of his payroll allocated two and eight-tenths per centum (2.8%) to his reserve account and nine-tenths per centum (.9%) to the pooled account for any calendar year after the calendar year one thousand nine hundred and thirty-eight if his reserve account shall have become exhausted at any time during the preceding calendar year And provided further That the percentage of any employer's contributions shall be reduced to seven-tenths of one per centum (.7%) of his payroll all to be allocated to the pooled account for any calendar year after one thousand nine hundred and forty if the following conditions were met during the preceding calendar year

(a) Benefits have been payable from such employer's reserve account throughout the preceding calendar year

(b) Such employer's reserve account amounts to not less than five times the largest amount in total benefits paid therefrom in any one of the three preceding calendar years and not less than seven and one-half per centum (7½%) of the total wages payable by him (plus the total wages payable by any other employers contributing to such account) with respect to employment in the preceding calendar year

Section 204 (SAVING CLAUSE If the foregoing section is determined to be unconstitutional by reason of the fact that contributions are made to accrue retroactively during the year one thousand nine hundred and thirty-six then such contributions shall accrue only with respect to employment on and after the final enactment of this act but in that event every employer liable to make contributions hereunder as aforesaid shall be required to pay an additional contribution to the fund equal to the amount if any by which nine-tenths of his one thousand nine hundred and thirty-six Federal excise tax liability as imposed by section nine hundred and one of title nine of the Federal Social Security Act exceeds the amount of his liability for contributions for the balance of one thousand nine hundred and thirty-six at the rates fixed in section two hundred and three above

Section 205 VOLUNTARY CONTRIBUTIONS Any employer may with the approval of the commission at any time make voluntary contributions to the fund to be allocated by the commission to his reserve account which voluntary contributions shall be in addition to the required contributions aforesaid

Section 206 REPORTS BY EMPLOYERS Each employer whether or not subject to this act under the definition set forth in section one hundred and four (g) shall file with the commission such reports at such times and containing such information as the commission shall require for the purpose of ascertaining and collecting the contributions required by this act

Section 207 COLLECTION OF EMPLOYERS' CONTRIBUTIONS Concurrently with each report filed as above provided and pursuant to such rules as the commission may presribe the employer shall pay to the commission the amount of contributions required of him hereunder for the period covered by the report Provided however That a report or reports covering all employment hereunder for each calendar year shall be required by the commission not later than January fifteenth of the succeeding calendar year No agreement by one or more employes to pay all or any portion of the contributions required hereunder from employers shall be valid and no employer shall make permit accept or require any deduction from the wages of individuals in his employ as a means of paying or contributing to the payment of contributions required of any employer hereunder

Section 208 FRACTIONS OF A CENT In the payment of any contributions hereunder a fractional part of a cent shall be disregarded unless it amounts to one-half cent or more in which case it shall be increased to one cent

Section 209 INTERSTATE COMMERCE No employer otherwise required by act to pay contributions shall be relieved therefrom on the ground that he is engaged in interstate commerce or on the ground that this act does not distinguish between employes engaged in interstate and those engaged in intrastate commerce

Section 210 REFUNDS AND ADJUSTMENTS If not later than one year after the payment of any contribution or interest thereon hereunder an employer shall make application for an adjustment thereof by set-off against subsequent contributions and the commission shall determine that such contribution or interest or any portion thereof was erroneously or inadverently collected the commission shall allow such employer to make such adjustment or shall refund the amount so erroneously or inadvertently collected to such employer without interest from the fund For like cause and within the same period an adjustment or refund may be so made on the initiative of the commission

Section 211 BURDEN OF PROOF All employers whether or not subject to the payment of contributions under this act shall be regarded as liable hereunder upon finding to that effect by the commission until proof to the contrary has been submitted and accepted in accordance with such rules as the commission may prescribe and in any civil action to collect contributions hereunder the burden of proof of the facts upon which liability is based by this act shall rest upon the employer

ARTICLE III

COMPENSATION

Section 301 COMPENSATION PAYABLE Two years after the date when contributions first accrue as hereinbefore provided but not before compensation for unemployment shall become payable from the fund and shall be paid through employment offices to all individuals who then are or thereafter become totally unemployed and eligible hereunder at the rates and for the periods indicated below Provided however That no compensation shall at any time become payable under this act in excess of the total balance then remaining in the fund

Section 302 RATE OF COMPENSATION Each individual who is totally unemployed and eligible in any week following the above-stated period of two years shall receive with respect to such week a benefit (computed to the next higher multiple of twenty cents) of fifty per centum (50%) of his full-time weekly wage as herein elsewhere computed and defined but not more than a maximum of fifteen dollars ($15.00) per week nor less than either (1) a minimum of five dollars ($5.00) per week or (2) three-fourths of such full-time weekly wage whichever is the lesser

Section 303 DURATION OF COMPENSATION The total number of benefits that any individual shall be entitled to receive shall be limited by the number of his previous week of employment upon which contributions have accrued hereunder and against which benefits have not already been charged as well as by the maximums stated below Such individuals shall be entitled to such compensation in the ratio of one benefit to each four weeks of employment after January first one thousand nine hundred and thirty-seven of such employe occurring within the one hundred and four weeks next preceding such employe's registration as unemployed hereunder not to exceed as a maximum thirteen of such benefits or the equivalent thereof during any fifty-two consecutive weeks As soon as either of the following occurs (1) benefits have been charged against all the previous service credits of any individual with respect to which contributions are payable hereunder or (2) he has received the above-stated maximum benefits then no further compensation shall be payable to such individual with respect to his previous employment and he must establish new service credits based on subsequent weeks of employment before becoming entitled to further compensation (which shall be in the ratio and subject to the conditions and limitations set forth above)

Section 304 DETERMINATION OF FULL-TIME WAGE The "full-time weekly wage" of any individual shall mean the product obtained by multiplying his "hourly rate of earnings" as hereinafter determined in sub-paragraph (b) by his "full-time weekly hours" as hereinafter determined in sub-paragraph (a) in accordance with rules prescribed from time to time by the commission consistent with this act Thus

(a) An individual's "full-time weekly hours" shall be determined as follows There shall be added together the hours worked by the individual in all those weeks within the thirteen weeks preceding the close of his most recent employment in which he was employed for thirty hours or more Such total hours shall be divided by the number of such weeks and the resulting weekly average shall constitute the employe's full-time weekly hours until a subsequent determination is made

(b) An individual's "hourly rate of earnings" shall be determined by dividing his total wages for those weeks within the thirteen weeks precedng the close of his most recent employment during which he was employed for thirty hours or more by the total number of hours of employment within such weeks the quotient so obtained shall be his hourly rate of earnings until a subsequent determination is made

Provided however That if the application of the above methods of determination would be unreasonable or arbitrary as applied in respect to the rights of the particular individual or any of his previous employers the "full time weekly wages" of such employe shall be determined in accordance with fair and reasonable methods prescribed by the commission

Section 305 PART-TIME WORKERS An individual who is customarily employed less than the full time prevailing in his place of employment shall be registered as a part-time worker and in accordance with such rules as the commission shall prescribe his normal hours in any week shall be deemed his week of full-time employment and the wages he earns in such week shall be deemed his full-time weekly wage In lieu of the provisions of sections three hundred two three hundred three and three hundred four of this article the commission shall fix the proportionate number of days of employment of such individual which shall be required to qualify him for compensation hereunder and the proportionate maximum and minimum benefits to which he shall be entitled

Section 306 ELIGIBILITY CONDITIONS An unemployed individual shall be eligible to receive benefits with respect to any week only if he has complied with the following conditions

(a) He has registered as an unemployed individual at an employment office and has made a claim for compensation hereunder in accordance with such rules and regulations and upon such forms and with such frequency as the commission may prescribe

(b) He is physically and mentally able to work and is available therefor upon call

(c) His unemployment is not due to a strike or labor dispute still in progress at his place of employment

(d) He has been totally unemployed for a waiting period of at least four weeks following his most recent registration hereunder but during which he was eligible as herein provided in sub-paragraphs (b) and (c) Provided however That such waiting period shall be reduced by the number of weeks of total unemployment or their equivalent in hours accumulated by such employe in the seventeen weeks immediately preceding such registration and further provided that no waiting period shall be required if such individual has received compensation hereunder during the seventeen weeks immediately preceding registration as aforesaid and that such waiting period shall be reduced to one week if such individual has received compensation hereunder during any of the thirty-five weeks immediately preceding such seventeen-week period

(e) He shall have been employed at full-time hours for thirteen weeks not necessarily consecutive or for an equivalent number of hours during the fifty-two weeks preceding the first day of January one thousand nine hundred and thirty-eight or the date of his registration hereunder whichever is later

(f) If an employe leaves his employment voluntarily or is discharged for misconduct and thereafter registers as unemployed without having received further employment as herein defined he shall be ineligible during the first four weeks after the termination of the waiting period aforesaid and his service credits with respect to the employment (by a particular employer) which he left voluntarily or from which he was so discharged shall be charged as if benefits had been paid except to the extent that they may be in excess of thirteen

(g) If an employe has received or is receiving other aid or benefit from public funds Federal or state including Federal old-age benefits or from private sick benefit or similar plans or from workmen's compensation and the commission determines the same to be paid in lieu of wages for the same period then he shall become ineligible to the extent that he elects to receive such other aid or benefit Provided That his existing service credits shall not be affected by such election otherwise than by reason of the time limitations herein elsewhere provided And provided further That if such other aid or benefit paid or payable during the particular week is less than the benefit which he would be entitled to receive for such week if otherwise eligible hereunder he shall remain eligible for such benefit hereunder reduced by the amount of such other aid or benefit and his service credits shall be charged proportionately

(h) If the commission finds that an employe who has registered as unemployed hereunder has failed without good cause either to apply for available suitable work (whether or not it constitutes employment as herein defined) when so directed by the employment office at which he is registered as unemployed or by the commission or to accept such suitable work when offered him by said employment office or by an employer or to return to his customary self-employment when so directed by the commission then if such refusal occurs during a week in which he would otherwise be eligible under the foregoing provisions of this section he shall be ineligible for that week and for the next three followng weeks and if such refusal occurs during a week in which he is ineligible under sub-paragraphs (d) (f) or (g) hereof or under this sub-paragraph then he shall be ineligible for the next four weeks during which he would otherwise be eligible thereunder Provided however That no work (whether or not it constitutes employment as herein defined) shall be deemed suitable (a) If the position offered is vacant due directly to a strike lockout or other labor dispute (b) if the wages hours or other conditions of the work offered are substantially less favorable to the individual than those prevailing for similar work in the locality (c) if as a condition of being employed the individual would be required to join a company union or to resign from or refrain from joining any bona fide labor organization And provided further That in determining

whether or not such work is suitable hereunder the commission shall consider the degree of risk involved to the health safety and morals of the individual his physical fitness and prior training and experience and the distance of the available work from his residence

Section 307 SINGLE PAYMENT COMPENSATION In lieu of paying to an eligible employe in weekly or other installments the maximum amount of benefits to which his past week of employment might entitle him under this act in case he remained continuously unemployed and eligible the commission may discharge the fund's entire existing benefit liability to such employe by paying him a lump sum equaling not less than fifty per centum (50%) nor more than eighty per centum (80%) of said maximum amount of benefits Provided That lump sum payments shall be thus made only in unusual cases as when an employe has no prospect of securing further employment in the locality but may secure employment elsewhere The commission shall by general rules determine on what percentage basis and under what unusual conditions such lump sum payments shall be made and each such case shall be subject to specific approval by the commission

Section 308 WAIVER OF COMPENSATION No agreement by an employe to waive his right to compensation or any other of his rights hereunder in whole or in part shall be valid

ARTICLE IV

GUARANTEED EMPLOYMENT PLANS

Section 401 PERMISSION TO ESTABLISH The commission may permit any employer to establish a guaranteed employment plan covering all his employes in one or more distinct establishments and to maintain within the fund for the purposes of this section a guaranteed employment account which shall be separate from and additional to any reserve account he may have in the fund covering his other employes As a condition of permitting a guaranteed employment plan and of maintaining within the fund a guaranteed employment account the commission shall require th employer in question to furnish and maintain such separate security together with an appropriate authorization permitting such security to be used for the purpose and subject to the conditions set forth in section four hundred and four in accordance with rules and regulations of the commission or other assurance that his employes will receive the full wages guaranteed under such plan as the commission deems reasonable

Section 402 ANNUAL WAGE GUARANTY The commission shall approve and permit a guaranteed employment plan only when the given employer guarantees in advance to all his employes (except as hereinafter provided) in one or more distinct establishments at least thirty hours wages for each of at least forty separate calendar weeks within the calendar year Provided however That the wage rate so guaranteed shall not be less than the entire amount of wages actually payable to such employes for the guaranteed weeks and shall be at least equal to the wage rate actually payable to such employes for any part of the calendar year not subject to such guaranty The employer's guaranty to an employe shall specify the wage rate or basis guaranteed the employe for all work to be done by him for the employer during the guaranty period but the employer shall not be required to make good such guaranty to an employe for any particular week (within the guaranty period)

(a) Unless the employe has been employed by the employer during a probationary period included within twelve or less consecutive calendar weeks as may be provided in such plan but such guaranty shall become operative without any probationary period as to any employe who has served such period in previous employment by the same employer under such plan

(b) In which the employe refuses without good cause to undertake the work assigned to him

(c) In which a labor dispute is still in active progress in the establishment in question

(d) After an employe has left his employment voluntarily

(e) After the employe has been discharged for misconduct

An employer's guaranteed employment plan shall be subject to approval by the commission and to all applicable general commission rules and shall commence for the calendar year one thousand nine hundred and thirty-eight or at such later date and under such conditions (governing partial transfer of the employer's past contributions and other relevant questions) as the commission may approve Subject to such rules and to the approval of the commission such plan may provide that the deficiency wages payable hereunder shall be reduced by all or some part of any wages received by an employe from other work during the period of such guarantee and after he is laid off by such employer

Section 403 BENEFIT REQUIREMENTS Any employe employed in a guaranteed establishment but laid off prior to the operation of such guaranty as to him shall be paid from the employer's guaranteed employment account the benefits based on the period of his employment by such employer to which he would be entitled under article three of this act In the case of any employe laid off after the fulfillment of his guaranty but prior to the commencement of the next ensuing calendar year such employe shall while unemployed and eligible within such ensuing calendar year receive from the employer's guaranteed employment account the benefits based on the period of his employment by such employer to which he would be entitled under article three of this act

Section 404 GUARANTEED EMPLOYMENT ACCOUNT There shall be credited to an employer's guaranteed employment account all amounts paid by him to the fund exclusive of his required contributions to the fund's pooled account and exclusive of all payments based on the wages of employes not employed in his guaranteed establishment or establishments Any such employer may at any time make voluntary payments (in addition to the contributions required under this act) to his guaranteed employment account in the fund pursuant to general commission rules Any deficiency wages payable hereunder in fulfillment of the employer's guaranty to an employe and not paid within such reasonable time as the commission may prescribe shall be recoverable from such employer by and in the name of the commission (on behalf of the employe) in the same manner and with the same preferences as herein provided in section five hundred and nine with respect to the collection of contributions and the commission may at any time after such default on the part of the employer pay such deficiency wages from the proceeds of the security provided therefor pursuant to section four hundred and one of this article Any unemployed and otherwise eligible individual to whom deficiency wages are due and unpaid because such security is exhausted or because the commission is unable to realize on the same or determines not to do so shall be entitled to compensation from his employer's guaranteed employment account and upon its exhaustion from the pooled account in accordance with Article three hereof Provided however That if such compensation is paid to a particular employe and the commission subsequently collects the deficiency wages due him or any part thereof from any source then the account in the fund from which such compensation was paid shall first be reimbursed out of the amount so collected and the balance only shall be paid to such employe

Section 405 CONTRIBUTION REQUIREMENTS An employer's required total contribution rate on his guaranteed establishment payroll as fixed in article two of this act may after he has contributed for at least three years under such plan be reduced to seven-tenths of one per centum (.7%) for any calendar year allocable to the pooled account under the rules prescribed by the commission if

(a) His guarantee of employment for the last completed calendar year was fulfilled without any deficiency wages being paid from the security furnished in accordance with section four hundred and one of this article and without any benefits being paid to individuals to whom deficiency wages were due from his guaranteed employment account or from the fund's pooled account and without any benefits payable from his guaranteed employment account with respect to the last completed calendar year being paid from the fund's pooled account and

(b) His guaranteed employment account at the close of the preceding calendar year equals at least seven and one-half per centum (7½%) of his guaranteed establishment payroll for such year and at least twice the amount of benefits payable for such year under this article Provided That under all other conditions he shall contribute on such payroll at the standard rate provided in this act

Section 406 TERMINATION OF GUARANTEED-EMPLOYMENT PLAN If any employer maintaining a guaranteed-employment account hereunder fails to comply with the rules prescribed by the commission to govern the same or with the applicable requirements of this act or terminates such account with the commission's consent or has for any reason ceased to be subject to this act the commission shall transfer and credit to the fund's pooled account any balance then remaining in such account except as the commission may apportion to that employer's or to any successor employer's reserve account all or part of the assets of such account and at the same time charge such employer's or any successor employer's reserve account with the remaining liabilities of such guaranteed-employment account for deficiency wages or benefits

ARTICLE V

ADMINISTRATION

Section 501 CREATION AND ORGANZIATION OF COMMISSION This act shall be administered by an independent administrative commission to be known as the "Unemployment Compensation Commission" which is hereby created and which shall consist of five members who shall be appointed as follows One by the Governor with the approval of the Senate one by the President Pro Tempore of the Senate one by the Speaker of the House of Representatives one by the Auditor General and one by the State Treasurer The chairman of the commission shall at all times be the member appointed by the Governor within thirty days after the passage of this act the respective appointing powers shall appoint the members of said commission who shall serve subject to removal by the respective appointing powers for terms running concurrently with the term of office of the appointing power and until their successors are duly appointed Appointments to fill vacancies shall be for the unexpired portion of the term of the officer making the appointment and until a successor is appointed The compensation of each member shall be seven thousand five hundred dollars ($7,500) per annum They shall not be permitted to engage in any business or profession during the terms of their service nor shall any of them serve as an officer or committee member of any political organization during said period Any three members shall constitute a quorum and no vacancy or vacancies shall impair the right of the commission to exercise all of its powers

Section 502 DUTIES POWERS AND FUNCTIONS OF COMMISSION

(a) Duties and Powers in General The Commission shall have power and authority to adopt amend or rescind such rules and regulations to employ such persons make such expenditures require such reports make such investigations and take such other action as it deems necessary or suitable to the administration of this act Such rules and regulations shall be effective upon publication in such manner not inconsistent with the provisions of this act as the commission may prescribe The commission shall determine its own organization and methods of procedure in accordance with the provisions of this act and shall have an official seal which shall be judicially noticed Biennially the commission shall submit to the Governor a report covering the administration and operation of this act during the two preceding calendar years and shall make such recommendations for amendments to this act as the commission deems proper

(b) General Commission Rules Rules and regulations which apply to all or to all of a class of employers employes or other persons or agencies shall be known as general commission rules and may be adopted amended or rescinded by the commission only after public hearing or opportunity to be heard thereon of which appropriate public notice shall be given Such rules shall become effective ten days after filing with the Secretary of State and publication in one or more newspapers of general circulation as defined by law in this State

(c) Publication and Notice The commission shall cause to be printed for distribution to the public the text of this act the commission's general rules and its biennial reports to the Governor and any other material the commission deems relevant and suitable and shall furnish the same to any person upon application therefor The commission may further require that employers shall post any printed notices statements or rulings of the commission issued hereunder in a conspicuous place or places convenient for the inspection thereof by their employes

(d) Personnel Subject to the other provisions of this act the commission is authorized to appoint fix the compensation and prescribe the duties and powers of such officers accountants attorneys experts and other persons as may be necessary in the performance of its duties All positions shall be filled by persons so selected and appointed on a non-partisan merit basis as hereinafter provided The commission shall not employ appoint or engage any person who is an officer or committee member of any political party organization The commission may delegate to any person appointed hereunder such power and authority as it deems reasonable and proper for the effective administration of this act and may in its discretion bond any person handling moneys or signing checks hereunder

(e) Advisory Councils The Governor shall appoint a State Advisory Council and may appoint such local advisory councils as the commission recommends composed in each case of equal numbers of (1) employer representatives (2) employe representatives and (3) representatives of the general public not to exceed a total of twelve who shall serve for terms not to exceed six years and without compensation but shall be reimbursed for their necessary expenses Such council or councils shall aid the commission in formulating policies and discussing problems related to the administration of this act, in insuring impartiality and freedom from political influence in the solution of such problems and in preparing reports and recommendations to the Legislature They shall meet at least twice in each year and submit their reports and recommendations at least annually to the Governor

(f) Employment Stabilization The commission with the advice and aid of the advisory councils shall take all appropriate steps to reduce and prevent unemployment to encourage and assist in the adoption of practical methods of vocational training retraining and vocational guidance to investigate recommend advise and assist in the establishment and operation by municipalities counties school districts and the State of reserves for public works to be used in times of business depression and unemployment to promote the re-employment of unemployed workers throughout the State to make studies of partial unemployment and recommendations in respect to provisions for the payment of compensation hereunder for partial unemployment such recommendations to be submitted to the Governor prior to January first one thousand nine hundred and thirty-seven to make studies of unemployment in seasonal industries and unemployment of individuals normally employed for short periods at full time and submit recommendations as to provisions to give fair and reasonable protection to the reserve accounts of employers in such industries or employers of such individuals from liability for unemployment which occurs otherwise than during the normal season or period of employment in such industry or of such individuals such recommendations to be submitted to the Governor prior to January first one thousand nine hundred and thirty-seven and to make studies and recommendations regarding the liability of employers' reserve accounts for compensation hereunder to individuals who voluntarily leave their employment or are discharged therefrom for misconduct but who obtain other employment before claiming compensation hereunder and to these ends to carry on and publish the results of such investigations and such research as the commission may deem advisable

(g) Records and Reports The commission shall require every employer whether or not subject to this act under the definition set forth in section one hundred and four (g) to keep true and accurate employment records con-

taining such information as it may prescribe Such records shall be open to inspection and be subject to being copied by the commission or its authorized representatives at any reasonable time and as often as may be necessary The commission may require from any such employer any sworn or unsworn reports with respect to persons employed by it which the commission deems necessary for the effective administration of this act but such reports shall not be made public or opened to public inspection but claimants hereunder shall be supplied upon request with information from such records so far as pertinent to the presentation of their claims All reports and records of employers required by or furnished to the commission may be used by it for statistical purposes and published in connection therewith in any manner which will not disclose the employer's identity

(h) Cooperation with Federal Agencies In the administration of this act the commission shall cooperate to the fullest extent consistent with the provisions of this act with the Social Security Board It shall make such reports in such form and containing such information as the Social Security Board may from time to time require and shall comply with such provisions as the Social Security Board may from time to time find necessary to assure the correctness and verification of such reports Upon request therefor the commission shall furnish to any agency of the United States charged with the administration of public works or assistance through public employment the name address ordinary occupation and employment status of each recipient of compensation and such recipient's rights as to further compensation under this act

(i) Adjustment of Contributions and Benefits In the event that the Federal excise tax imposed in title nine of the Social Security Act or the credit allowed thereunder for contributions to State plans are increased or reduced by further act of Congress then in that event the commission shall have power by reasonable and proper rules to adjust the amount of contributions required hereunder and benefits payable hereunder in proportion to such increase or reduction

(j) Reciprocal Agreements The commission shall be authorized to make such agreements with appropriate authorities of other States having similar laws or of the Federal Government and to prescribe such rules in collaboration with such authorities as it may deem necessary and advisable in order to effect a fair and reasonable adjustment in the requirement of contributions and in the payment of benefits with respect to the employment of employes who remove from one state to another or whose employment is regularly in more than one state or otherwise to carry out the objectives of the unemployment compensation acts of this and other states or of the Federal Government

(k) General Powers The commission shall also have all the powers generally vested in independent administrative commissions by the Administrative Code of nineteen hundred and twenty-nine and its amendments

Section 503 TRANSFER OF EMPLOYMENT OFFICES The system of free public employment offices established under the jurisdiction and control of the Bureau of Employment in the Department of Labor and Industry as provided in the act approved the fourteenth day of June one thousand nine hundred and fifteen (Pamphlet Laws eight hundred thirty-three) shall be and is hereby transferred to the jurisdiction and control of the commission and shall be known as the employment service thereof The commission may from time to time appoint a full-time salaried director of said division and shall appoint engage and employ all such other officers or employes as it deems necessary to administer manage and control said employment offices Such director and all other persons so appointed engaged or employed shall be selected in accordance with the provisions of section five hundred and two (d) and five hundred and thirteen of this act subject also to the provisions of the act of Congress approved by the President the sixth day of June one thousand nine hundred and thirty-three the provisions and benefits of which were accepted in this Commonwealth by the act approved the twenty-seventh day of December one thousand nine hundred and thirty-three (Pamphlet Laws one hundred ten)

The commission shall maintain and establish free public employment offices including those now in existence in such number and in such places as it may deem necessary for the proper administration of this act All duties and powers heretofore conferred on any other department agency or officer of this Commonwealth relating to the establishment maintenance and operation of such employment offices shall be and are hereby vested in the commission

The commission through its employment service shall be charged with the duty of cooperating in the administration of this act with the United States employment service or with any official or agency thereof having powers and duties under the provisions of the aforesaid act of Congress approved the sixth day of June one thousand nine hundred and thirty-three so as to secure to this Commonwealth the benefits thereof and to carry out the purposes of said act approved the twenty-seventh day of December one thousand nine hundred and thirty-three as well as the other purposes of this act If the provisions of this act should be suspended pursuant to section one hundred and three hereof then said system of public employment offices shall be transferred back to the jurisdiction and control of the Department of Labor and Industry and shall be operated as heretofore in the same manner as though this act had not been passed

Section 504 DUTIES AND POWERS OF EMPLOYMENT OFFICES Subject to such rules as the commission may prescribe employment offices established or maintained under section five hundred and three hereof shall (1) receive and record registration of unemployed individuals hereunder (2) administer the payment of benefits hereunder (3) receive and approve or reject claims by employes for benefits hereunder subject to review by the commission or its designated agent (4) certify to the commission or to its designated agent the eligibility or non-eligibility of employes to receive benefits hereunder and (5) do and perform all their now existing duties and functions so far as consistent herewith

Section 505 EMPLOYER'S RESERVE ACCOUNTS The commission shall have maintained in the fund a separate reserve account for each employer and shall credit to such account all contributions paid by such employer except as otherwise provided in this act The commission shall prescribe general rules for the establishment maintenance and dissolution of joint reserve accounts by two or more employers and shall in accordance with such rules and upon application by two or more employers establish such a joint reserve account or merge their several individual reserve accounts in a joint reserve account and maintain such joint account as if it constituted a single employer's reserve account Each employer's reserve account shall unless terminated or completely exhausted and subject to such rules as the commission may prescribe in the event of the partial inadequacy thereof be charged in the manner and to the extent provided in section five hundred and eight hereof with such compensation as becomes payable hereunder to persons previously employed by such employer An employer's reserve account shall be terminated two years after he has ceased to be subject to this act and any balance remaining herein shall be credited to the fund's pooled account Any employer whose organization trade or business is hereafter acquired in whole or in part from an employer for whom a reserve account is maintained by the commission as herein provided shall immediately notify the commission thereof and shall assume the position of such employer with respect to the resources and liabilities of such reserve account in proportion to the extent of such acquisition as determined for the purposes of this act by the commission after appropriate notice and opportunity to be heard as if no change with respect to such employer's reserve account had occurred

Section 506 POOLED ACCOUNT The commission shall have maintained in the fund a pooled account to which shall be credited in addition to all contributions not allocable as hereinbefore provided either to an employer's reserve or guaranteed employment account (1) all realized earnings gains on investments of the fund (2) any balance remaining in the reserve account of an employer two

years after he has ceased to be subject to this act and (3) all penalties collected by reason of violation of the provisions hereof and in all other assets of the fund not elsewhere allocated by the terms of this act Except as hereinabove provided in section five hundred and five benefits shall be charged against the pooled account only if and to the extent that an employer's reserve account does not equal the total amount of benefits then due and chargeable against such reserve account as provided in this act All moneys in the pooled account shall be mingled and undivided Benefits paid or supplemented from the fund's pooled account shall be charged against the recipient's service credits in accordance with the provisions of section five hundred and eight hereof

Section 507 GUARANTEED EMPLOYMENT ACCOUNTS The commission shall also maintain within the fund separate guaranteed employment accounts in accordance with the provisions of article four hereof

Section 508 SERVICE CREDITS The commission shall keep accurate account from the reports and records of contributions hereunder of the periods of employment of each employe with each employer with respect to which contributions are payable hereunder and shall thereby establish service credits in favor of each employe in the reserve accounts of his several employers in the ratio of one such service credit for each week of employment after January first one thousand nine hundred and thirty-seven All benefits payable hereunder shall be charged against the earliest service credits of each employe in the reserve account of his most recent employer in which his service credits have not been exhausted

Section 509 COLLECTION OF CONTRIBUTIONS

(a) Interest on Past Due Contributions Contributions upaid on the date on which they are due and payable as prescribed by the commission shall bear interest at the rate of one per centum per month from and after such date until payment plus accrued interest is received by the commission Interest collected pursuant to this section shall be paid into the fund's pooled account

(b) Civil Actions If after due notice any employer defaults in the payment of contributions or interest thereon hereunder the amount due shall be collected by civil action in the name of the commission in the Court of Common Pleas of Dauphin County or in any of the courts of common pleas of the Commonwealth where such employer can be served and such employer if adjudged in default shall be assessed the costs of such action Such actions shall be heard by the court at the earliest possible date and shall be entitled to precedence over all other civil actions except cases arising under the Workmen's Compensation Law of this State

(c) Priorities under Legal Dissolutions or Distributions In the event of any distribution of an employer's assets pursuant to an order of any court under the laws of this Commonwealth including any receivership assignment for benefit of creditors adjudicated insolvency composition or similar proceeding contributions then or thereafter due shall be paid in full prior to all other claims except taxes and claims for wages of not more than two hundred and fifty dollars ($250) to each claimant earned within six months of the commencement of the proceeding In the event of an employer's adjudication in bankruptcy judicially confirmed extension proposal or composition under the Federal Bankruptcy Act of 1898 as amended contributions then or thereafter due shall be entitled to such priority as is provided in section sixty-four (b) of that act as amended

Section 510 ADMINISTRATION FUND There is hereby created in the State Treasury a special fund to be known as the Unemployment Administration Fund which shall be expended solely for the purpose of defraying the cost of the administration of this act and for no other purpose whatsoever All moneys received from the United States of America or any agency thereof including the Social Security Board for the administration of unemployment compensation or of public employment offices shall be paid into the Unemployment Administration Fund There shall however be maintained in said fund a separate and segregated account to which shall be credited all sums received for the administration of such employment offices and against which shall be charged all expenses relating thereto The commission shall pay all costs required for the administration and operation of this act from the Unemployment Administration Fund The provisions of article six of the Administrative Code of one thousand nine hundred and twenty-nine as amended shall not apply to the Unemployment Administration Fund

Section 511 DETERMINATION OF CLAIMS

(a) Initial Determination The designated representative of the commission at the employment office at which any claim for benefit is filed hereinafter referred to as a "deputy" shall promptly examine the claim and on the basis of the facts found by him determine whether or not such claim is valid and if valid the week with respect to which compensation shall commence the weekly benefit payable and the maximum duration thereof The claimant and the employer or employers against whose reserve account such compensation is chargeable shall be promptly notified of said decision and the reasons therefor Unless the claimant or such employer or employers shall within five days after the delivery of such notifications or within seven days after such notification was mailed to his or their last known address file an appeal from such decision and apply for a hearing such decision shall be final and compensation shall be paid or denied in accordance therewith In the event that a hearing is requested compensation with respect to the period prior to the final determination of the commission shall be paid only after such final determination but such compensation if allowed upon such final determination shall be paid regardless of any further appeal which may be taken If the decision is reversed on such further appeal compensation so paid shall be charged to the fund's pooled account

(b) Appeals Unless such appeal is withdrawn a referee appointed by the commission shall after affording the parties reasonable opportunity for a fair hearing affirm modify or reverse the findings of fact and the decision of the deputy The parties shall be duly notified of such referee's findings of fact and decision thereon and unless within ten days after the date thereof the commission permits any of the parties to conduct a further appeal before it or directs a re-opening of such decision and a further hearing thereon before such referee such decision shall at the end of of said ten-day period become the final determination of the commission. A complete record shall be kept of each case before a referee and all testimony taken shall be stenographically recorded but need not be transcribed unless the disputed claim is further appealed.

(c) Referees The commission shall appoint one or more full-time salaried referees to hear and decide disputed claims hereunder No referee or other employe of the commission shall sit in the hearing of any case in which he himself is an interested party The commission may designate an alternate to serve in the absence or disqualification of any referee

(d) Commission Review The commission on its own motion or upon application of any of the interested parties may within ten days after the date of any decision by a referee order a rehearing of such decision or determine to conduct a review of the same Upon such review the commission shall file a decision which shall be the final determination of the commission affirming modifying or reversing the decision of the referee No member of the commission shall participate in the review of a case in which he himself is an interested party

(e) Continuous Jurisdiction Upon its own initiative or upon application of any party in interest the commission may at any time for proper cause review an award of benefits or the denial of a claim therefor in accordance with the procedure prescribed in respect to claims and in accordance with such review may issue a new decision which may award terminate continue increase or decrease such benefits Such new order shall not affect any benefits paid before the date thereof under authority of the prior order and shall be subject to review as provided in this section

(f) Rules and Procedure The manner in which claims shall be presented the reports thereon required from the claimant and from employers and the conduct of hearings and appeals shall be in accordance with rules prescribed

by the commission for determining the rights of the parties whether or not such rules conform to common law or statutory rules of evidence and other technical rules of procedure

(g) Oaths and Subpoenas In the discharge of the duties imposed by this section referees and the members of the commission shall have power to administer oaths and affirmations take depositions certify to official acts and issue summons and subpoenas to compel the attendandce of witnesses and the production of books papers correspondence memoranda and other records deemed necessary as evidence In case of refusal to obey a summons or subpoenas issued to any person any court of this State within the jurisdiction of which the inquiry is carred on or within the jurisdiction of which said person guilty of refusal to obey is found or resides or transacts business upon application by a referee or by the commission or any member thereof shall have jurisdiction to issue to such person its subpoena requiring such person to appear before it there to give testimony touching the matter under investigation or in question or to produce such evidence as may be required Any failure to obey such subpoena of the court may be punished by said court as a contempt thereof

(h) Protection against Self-Incrimination No person shall be excused from attending and testifying or from producing books papers correspondence memoranda and other records before the commission or in obedience to the subpoena of a referee or of the commission in any cause or proceeding instituted by the commission on the ground that the testimony or evidence documentary or otherwise required of him may tend to incriminate him or subject him to a penalty or forfeiture but no individual shall be prosecuted or subjected to any penalty or forfeiture for or on account of any transaction matter or thing concerning which he is compelled after having claimed his privilege against self-incrimination to testify or produce evidence documentary or otherwise except that such individual so testifying shall not be exempt from prosecution and punishment for perjury committed in so testifying

(i) Witness Fees Witnesses subpoenaed pursuant to this section shall be allowed fees at a rate fixed by the commission Such fees shall be deemed a part of the expense of administering this act

(j) Finality of Decision Any decision made by a deputy or by a referee shall become the final determination of the commission unless appealed from or re-opened as hereinbefore provided but any such final determination by the commission shall nevertheless be subject to appeal to the Superior Court as hereinafter provided

(k) Appeal to Superior Court An appeal to the Superior Court may be taken by any party claiming to be aggrieved but only after he has exhausted his remedies before the commission In any such appeal the commission shall be made the party defendant Every appeal to the Superior Court must be taken within thirty days after the final determination of the commission The appeal shall be by petition and shall state the grounds upon which a judicial review is sought A copy of such appeal petition shall be served upon a member or agent of the commission and sufficient additional copies shall be left with the commission to enable it to furnish a copy to every party in interest in the proceeding who has not joined in the appeal The commission shall file an answer in the Superior Court within thirty days after the petition has been served on it and shall at the same time file with the court certified copies of all documents and papers a record of all testimony taken and all findings of fact and decisions thereon The commission may also in its discretion certify to such court questions of law involved in any decision by it In any appeal to the Superior Court findings of fact of the referee or of the commission as the case may be unless unsupported by the evidence or affected by fraud shall be conclusive and the decision of the Superior Court shall be based upon questions of law Such cases shall be given precedence over all other civil cases except cases arising under the Workmen's Compensation Law In order to take an appeal to the Superior Court it shall not be necessary to enter exceptions to the rulings of the referee or of the commission and no bond shall be required for entering an appeal No appeal to the Superior Court shall act as a supersedeas

(l) Final Order of the Commission Upon final determination of any appeal to the Superior Court the commission shall enter an order in accordance with the decree of said court and take such action in the case as may be directed by said decree

Section 512 LIMITATION OF FEES No employe shall be charged fees of any kind in any proceeding under this act by the commission or by any of its officers employes or agents Any individual claiming compensation in any proceeding before the commission or any of its referees may be represented by counsel or other duly authorized agent but no such counsel or agent shall either charge or receive any greater fee for such services than is approved by the commission

Section 513 SELECTION OF PERSONNEL

(a) No officer except members of the commission and no employe shall be appointed or be employed by the Unemployment Compensation Commission except as provided in this section Any officers or employes transferred under the provisions of this act shall be deemed employes and may be retained under the provisions of this section without examination The Unemployment Compensation Commission is hereby authorized to prescribe from time to time by rule or regulation the qualifications to be possessed by persons desiring employment under it The qualifications shall be such as will best promote the efficient operation and management of its affairs but in all cases persons appointed shall be citizens of the United States and residents of this Commonwealth

(b) Every person desiring employment under the Unemployment Compensation Commission shall file with the commission an application under oath or affirmation which shall be in such form and shall set forth such information as the commission shall prescribe Provided however That the commission shall not require an applicant to furnish a photograph of him- or herself and that no application blank shall require the color religion or political affiliation of the applicant to be designated

(c) Upon receiving such application the Unemployment Compensation Commission shall transmit the same to the Department of Public Instruction which shall determine whether under the rules or regulations of the Unemployment Compensation Commission the applicant is qualified for the employment he seeks If so the applicant shall be admitted to competitive examination when examinations shall next be held for positions in the class of employment he seeks Such competitive examinations shall be practical in character and as far as may be possible shall relate to those matters which will fairly test the relative capacity and fitness of the persons examined to perform the duties of the service to which they seek to be appointed

(d) The Department of Public Instruction shall conduct such examinations at such places in the Commonwealth as to make it reasonably convenient and inexpensive for applicants to attend them The department may divide the State into districts for the purpose of conducting such examinations

(e) Every candidate admitted to such examinations shall be given a number so that when his paper is marked and graded it will be impossible for the person passing upon the examination papers to ascertain his identity until his grade has been established The examination papers of such candidates shall be marked by committees composed of representatives of the department and of persons not employed by the Commonwealth in any other capacity designated by the presidents of the colleges and universities receiving State aid from the Commonwealth All such examination papers shall be graded on a basis of one hundred per centum and less Such examination papers shall immediately thereafter be filed and the applicants listed Any person who shall have been a member of the armed forces of the United States during a war or expedition for which the Government of the United States issued a campaign badge whose separation from said service was honorable whether by discharge or otherwise shall receive in addition to his rating on his examination paper an additional rating of five per centum (5%) All

such outside examiners shall receive compensation at the rate of fifteen dollars ($15) per day for their services payable from the Unemployment Administration Fund The number of committees which may be necessary shall be determined by the department and each committee shall consist of three persons The selections made by the presidents of State-aided colleges and universities shall be submitted to the department in writing by each such president and the department shall designate committee members from the lists so submitted in rotation

(f) Except as hereinbefore or hereinafter provided all offices places and employments under the Unemployment Compensation Commission shall be filled by selections from persons who have satisfactorily passed the examinations and every appointment shall be made from those eligible persons who have received the three highest grades but no persons shall be appointed if more than two eligible persons with a higher grade are still available for appointment from the particular list

(g) If a list of eligibles certified by the Department of Public Instruction is available for any position another examination shall not be given until after the expiration of twelve months from the date of the last examination for that position Such subsequent examination may be held in the discretion of the Unemployment Compensation Commission at any time after the expiration of such twelve month period and when such subsequent examination has been held and the list therefrom duly certified by the department of Public Instruction the previous list shall expire and no further appointment shall be made from such previous list Provided that when a position is to be filled by appointment from a list of eligibles a list of persons eligible for appointment to such position is not available examinations shall be held for that position at the earliest convenient date after the vacancy occurs

(h) Vacancies in positions in the competitive class whether such positions be newely created or vacated for any reason by any former incumbent shall be filled so far as practicable by promotion from among persons holding positions in a lower grade In all cases a person to be promoted shall have served not less than six months in a position under the commission Promotion shall be based on merit and upon the superior qualifications of the person promoted as shown by his previous service

(i) In the event it is not deemed practicable to fill a vacancy by promotion in the manner prescribed in the foregoing paragraph such vacancy shall be filled by appointment from an eligible list of the person next in line for appointment from such list except that no such appointment may be made to any position having a rate of compensation higher than that paid to any employe or employes who have been appointed from the same list within six months prior to the date of the current appointment and in order that this may be carried out the commission shall make such changes as it deems advisable in the then status of any employe or employes who have been appointed from the same list within six months prior to the date of the current appointment Provided however That such changes are not required except where they are necessary to insure that the most recent appointmen shall be to a position which does not have a higher rate of compensation than that paid to any employe or employes who have been appointed from the same list within six months prior to the date of the current appointment

(j) The tenure of any person holding a position under the provisions of this act shall be during good behavior but any such person may be removed demoted suspended without pay or with reduced pay transferred reprimanded or restored to his position or another position with such pay as may be equitable for any of the following causes Incompetency inefficiency insubordination dishonesty intemperance immorality profanity discourteous treatment of the public or other employes wilful disobedience violation of the provisions of this act or of the rules and regulations of the commission or for any other failure of good behavior or any other act or acts which are incompatible with or inimical to the public service No person shall be required to contribute to any political fund nor support any political party or organization nor shall any such person be removed or otherwise prejudiced for refusing to do so

(k) Whenever it is necessary because of lack of work or lack of funds or whenever it is advisable in the interests of economy to reduce the staff of the commission it may lay off employes In the event that the commission decides to abolish one or more positions or to temporarily discontinue the same because of lack of work or lack of funds or in the interests of economy then a number of employes of the commission equal to the number of positions to be so abolished or discontinued shall be laid off

(l) When it becomes necessary for any employe to be removed demoted suspended without pay or with reduced pay transferred reprimanded or restored to a former position or another position with such pay as will be equitable for any of the above named causes or when it is necessary because of lack of work or lack of funds or in the interests of economy to lay off an employe or in the event the commission decides to abolish or temporarily discontinue one or more positions because of lack of work lack of funds or in the interest of economy the employe or employes selected to be removed in any of the manners so mentioned shall have a right to appeal for a hearing and consideration of his case or complaint Further when any position is newly created or otherwise to be filled employes who have been previously placed on leave of absence because of the ablishment or temporary discontinuance of a position or other reduction in personnel because of lack of work lack of funds or in the interest of economy shall be recalled to service within their proper classification and in the order of their rank before any appointment can be made from a list created and certified at a later date than the list from which the furloughed employe was originally appointed

(m) In the foregoing section the terms "promotion" "transfer" and "demotion" shall be interpreted as follows

"Promotion" means a change from one position to another position having a higher rate of compensation or involving a change of duties or responsibilities or either or both

"Transfer" means a change from one position to another position at the same rate of compensation

"Demotion" means a change from one position to another position having a lower rate of compensation or in which different and less responsible duties are involved or either or both whether made for the purpose of better adjusting personnel to the needs of the commission or as a disciplinary measure

ARTICLE VI

UNEMPLOYMENT COMPENSATION FUND

Section 601 ESTABLISHMENT There is hereby established a special fund to be known as the "Unemployment Compensation Fund" which shall be administered separate and apart from all public moneys or funds of the State This fund shall consist of all contributions and moneys received by or on behalf of the commission for the payment of compensation hereunder together with interest thereon of any property or securities acquired through the use of moneys belonging to the fund of interest earned upon any moneys paid into or received by the fund and of all penalties collected by reason of violations of the provisions hereof and the amount of all benefits erroneously and inadverently paid and recovered as herein provided

Section 602 CUSTODY The State Treasurer shall be the custodian of the fund and shall give a separate bond conditioned upon the faithful performance of his duties as such in an amount to be fixed by the commission the cost of which bond shall be paid from moneys in the Unemployment Administration Fund created by this act All money or other assets of the fund received by or on behalf of the commission shall be forwarded forthwith to said custodian and immediately on receipt thereof or of any other money or assets of the fund from other sources said custodian shall deposit the same exclusive of moneys withdrawn from the Federal Trust Fund for the payment of benefits as herein provided with the Secretary of the Treasury of the United States of America in the Federal Trust Fund pursuant and subject to section nine hundred and four of the Social Security Act as amended

any provisions of law in this State relating to the deposit administration release or disbursement of moneys in the possession or custody of the State or moneys deposited in any fund created by the State to the contrary notwithstanding to be held and invested as provided in said Act of Congress until requisitioned hereunder Said custodian shall maintain such accounts in the fund draw such requisitions and issue such warrants as the commission may direct in accordance with this act

Section 603 PURPOSE The fund shall be administered under the control of the commission exclusively for the purposes of this act and shall be used solely for the payment of compensation and benefits hereunder

Section 604 WITHDRAWAL FOR PAYMENT OF BENEFITS As often as may be necessary the commission acting through the State Treasurer as custodian of the fund shall requisition from the Federal Trust Fund such amount as shall be necessary to provide for the payment of compensation and benefits hereunder as provided in this act Upon receipt of such requisitioned funds said custodian shall deposit the same under the direction of the commission and segregated as belonging to the fund in any banks or public depositories in which general funds of the State may be deposited and shall expend such moneys solely for the payment of compensation hereunder upon proper warrants issued under the direction of the commission All such warrants and all requisitions of moneys from the Federal Trust Fund shall be in such form as the commission shall prescribe and shall bear the signature of such custodian and the counter-signature of such person as the commission shall desginate for that purpose Any balance of moneys so requisitioned which remains unclaimed or unpaid after the expiration of the period for which requisitioned shall either be deducted from estimates for and used for the payment of compensation during succeeding periods or in the discretion of the commission may be re-deposited with the Secretary of the Treasury of the United States of American in the Federal Trust Fund as provided above in section six hundred and two

Section 605 PROVISIONS IN THE EVENT OF DISCONTINUANCE OF THE FEDERAL FUND In the event that the Federal Trust Fund ceases to exist or the Secretary of the Treasury of the United States of America ceases to maintain with this Commonwealth a separate book account of all funds deposited in said Federal trust fund hereunder together with the interest thereon and earnings thereof from which no withdrawal is permitted except upon requisition hereunder then all moneys properties and securities belonging to the fund and standing to its credit in the Federal Trust Fund shall be as soon as possible recovered and returned to the custodian of the fund who shall hold invest transfer sell deposit and release such moneys properties and securities only in such manner as may be approved by the commission in accordance with the other provisions of this act provided that such moneys shall not be invested except in securities legal for the investment of trust funds in this Commonwealth

Section 606 BUDGETARY PROVISIONS NOT APPLICABLE The provisions of article six of the Administrative Code of one thousand nine hundred and twenty-nine as amended shall not apply to the fund

ARTICLE VII

PENALTIES

Section 701 GENERAL PROVISION Any person who shall wilfully violate any provision of this act or any rule or regulation thereunder the violation of which is made unlawful or the observance of which is required under the terms of this act and for which a penalty is neither prescribed herein nor provided by any other applicable statute shall be punished by a fine of not less than twenty dollars nor more than two hundred dollars or by imprisonment for not longer than sixty days or by both such fine and imprisonment and each days such violation continues shall be deemed to be a separate offense

Section 702 FALSE STATEMENTS TO OBTAIN OR INCREASE BENEFITS Whoever wilfully makes a false statement or representation to obtain or increase any benefit or other payment under this act either for himself or for any other person shall upon summary conviction be punished by a fine of not less than twenty nor more than fifty dollars and in default of the payments of such fine and costs shall be imprisoned for not more than thirty days Each such false statement or representation shall constitute a separate and distinct offense

Section 703 FALSE STATEMENTS BY EMPLOYER OR HIS AGENT Any employer or agent of an employer who wilfully makes a false statement or representation to avoid or reduce any contribution or benefit payment required of such employer under this act or who wilfully fails or refuses to pay any such contribution or to finish any reports audits or information duly required by the commission under this act or to post any statements notices or rulings of the commission in a conspicuous place as provided in section five hundred and two (c) of this act or makes or requires any deduction from wages to pay portion of the contributions required from employers under this act or attempts by threats or coercion of any kind to induce any employe to waive any rights under this act shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not less than twenty nor more than two hundred dollars or by imprisonment for not more than ninety days or both and each such false statement or representation and each day of such failure and neglect and each such deduction from wages and each such attempt to coerce shall constitute a separate and distinct offense If such employer or the employer of such agent is a corporation the president the secretary and the treasurer or officers exercising corresponding functions shall each be subject to the aforesaid penalties for any violation of any provision of this section of which they respectively had or in the proper exercise of their duties ought to have had knowledge

Section 704 DIVULGING EMPLOYMENT RECORDS Any officer agent or employe of the commission who shall violate the provisions of section five hundred and two (g) hereof by making public or otherwise divulging to any person the employment records of the commission otherwise than as allowed in said section shall upon conviction in a summary proceeding be sentenced to pay a fine of not less than twenty nor more than two hundred dollars and in default of the payment of such fine and costs of prosecution shall be sentenced to imprisonment for not longer than thirty days

Section 705 LIMITATION OF FEES Any person who violates the provisions of section five hundred and twelve of this act regarding the limitation of fees shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not less than fifty dollars nor more than five hundred dollars or be imprisoned for not more than six months or both

Section 706 LIABILITY TO REPAY COMPENSATION UNLAWFULLY RECEIVED Any person who by reason of the non-disclosure or misrepresentation by him or by another of a material fact (irrespective of whether such non-disclosure or misrepresentation was known or fraudulent) has received any sum as compensation under this act while any conditions for the receipt of compensation imposed by this act were not fulfilled in his case or while he was ineligible to receive compensation shall be liable to repay to the fund a sum equal to the amount so received by him and such sum shall be collectible by the commission for the fund in the manner provided in this act for the collection of past due contributions

Section 707 TIME LIMIT FOR COMPLAINTS DISPOSITION OF FINES ET CETERA The commission or its authorized representative may make complaint against any person for a violation of any provision of this act within three years after the date thereof All fines collected under this section shall be paid by the commission to the custodian of the fund and credited to the pooled account

ARTICLE VIII

GENERAL PROVISIONS

Section 801 AMENDMENT OR REPEAL The Legislature reserves the right to amend or repeal all or any part of this act at any time and there shall be no vested private right of any kind against such amendment or re-

peal All the rights privileges or immunities conferred by this act or by acts done pursuant thereto shall exist subject to the power of the Legislature to amend or repeal this act at any time

Section 802 SEPARABILITY OF PROVISIONS If any provision of this act or the application thereof to any person or circumstances is held invalid the remainder of this act and the application of such provision to other persons or circumstances shall not be affected thereby

On the question,

Will the Senate agree to the section?

Mr. McCLURE. Mr. President, I move to amend section 201, page 8, line 23, by striking out the word "who"; also section 202, page 9, lines 19 to 22, both inclusive, by striking out all of said lines; also section 203, page 9, line 23, by striking out the figure "203" and inserting in lieu thereof: "202"; also section 204, page 11, line 9, by striking out the figure "204" and inserting in lieu thereof: "203"; also section 205, page 11, line 25, by striking out the figure "205" and inserting in lieu thereof: "204"; also section 206, page 12, line 11, by striking out the figure "206" and inserting in lieu thereof: "205"; also section 207, page 12, line 18, by striking out the figure "207" and inserting in lieu thereof: "206"; also section 208, page 13, line 25, by striking out the figure "208" and inserting in lieu thereof: "207"; also section 209, page 14, line 1, by striking out the figure "209" and inserting in lieu thereof: "208"; also section 210, page 14, line 7, by striking out the figure "210" and inserting in lieu thereof: "209"; also section 211, page 14, line 21, by striking out the figure "211" and inserting in lieu thereof: "210"; also section 304, page 18, line 3, by striking out the word "wages" and inserting in lieu thereof: "wage"; also section 501, page 28, line 24, by striking out the word "within" and inserting in lieu thereof: "Within"

Mr. EALY. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The title of the bill was read as follows and agreed to:

An Act establishing a system of unemployment compensation to be administered by a newly created independent administrative commission of five members appointed by the Governor, the President Pro Tempore of the Senate, the Speaker of the House of Representatives, the Auditor General, and the State Treasurer; requiring certain employers and employes to contribute to a fund from which such compensation shall be paid; requiring any employer to make certain reports and perform certain other duties; defining the rights of certain unemployed persons to receive compensation; defining the rights, poers and duties of said commission; establishing a civil service system for employes of the commission; transferring the existing system of free public employment offices from the Department of Labor and Industry to said commission; providing for the custody and control of said fund; providing the procedure for the determination and payment of such contributions and compensation; providing for cooperation with the Federal Government and certain of its agencies; and prescribing penalties.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

RECESS

Mr. WOODWARD. Mr. President, I move that the Senate do now take a recess for 15 minutes, in order that a meeting of the Committee on Federal Relations may be held.

Mr. GELDER. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS

The PRESIDENT. The time of recess having elapsed the Senate will be in order.

HOUSE MESSAGE

HOUSE BILL FOR CONCURRENCE

The Clerk of the House of Representatives being introduced, presented for concurrence bill of the House of Representatives as follows:

House Bill No. 165 (Senate Bill No. 117), entitled:

An Act to amend the act approved the ninth day of April, one thousand nine hundred twenty-nine (Pamphlet Laws three hundred forty-three), entitled "Fiscal Code" as amended, by making further provision relative to the settlement, resettlement and collection of certain taxes, and further defining the powers and duties of the Department of Revenue with relation thereto.

Which was committed to the Committee on Finance.

REPORT FROM COMMITTEE

Mr. BUCKMAN. Mr. President, I as unanimous consent to make a report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. BUCKMAN, from the Committee on Federal Relations, reported as committed, the following resolution, which was laid on the table:

In the Senate, July 10, 1936.

Whereas, On May 18, 1936, the Senate adopted a Resolution (known as Senate Resolution No. 1) authorizing the appointment of a Committee to make an investigation of the organization, administration and functioning of the Works Progress Administration in Pennsylvania; and

Whereas, Pursuant to said Resolution the President pro tempore of the Senate on May 18th appointed a Committee of five members of the Senate, which organized promptly and proceeded to perform its duties under said Resolution; and

Whereas, On June 3, 1936, while said Committee was conducting a hearing and examining witnesses who desired voluntarily to inform the Senate of certain abuses in the administration of the Works Progress Administration in Pennsylvania, there was served upon the Committee a Restraining Order issued by a judge of the District Court of the United States for the Middle District of Pennsylvania, enjoining the Committee from further proceeding in the performance of any of its duties under said Resolution; and

Whereas, After argument the District Court of the United States granted a temporary injunction further restraining the Committee from performing its duties under said Resolution; and

Whereas, The Committee is advised by its counsel, specially retained by it to represent it in the injunction proceedings, that counsel believe that the action of the District Court would be reversed upon appeal and the injunction vacated, but that an appeal would be futile because said Resolution requires the Committee to complete its duties and report to the present Special Session of the Senate, and the appeal could not be heard and disposed of prior to the adjournment of this Session; and

Whereas, The work of the Committee prior to the issuance of a Restraining Order as aforesaid had revealed gross abuses in the functioning of the Works Progress Administration in Pennsylvania, and particularly an effort by those controlling the Works Progress Administration unlawfully and unconstitutionally to interfere with the freedom of the electors of Pennsylvania to register and vote as they please, and to impose upon persons in need of work relief, an unlawful and unconstitutional requirement that they register as members of a particular political party; and

Whereas, It is necessary in order that appropriate remedial legislation may be enacted, that the Senate obtain further information relating to these and other abuses now being perpetrated in Pennsylvania, in violation of the Constitution and laws of Pennsylvania, and in violation of the rights of the Commonwealth of Pennsylvania as a sovereign State.

Resolved, That the President pro tempore of the Senate is hereby authorized to appoint a Committee of five members of the Senate whose duty it shall be to conduct an investigation of the wide-spread reports that electoral freedom, guaranteed both by the Constitution of Pennsylvania and the Constitution of the United States, is being denied to the unemployed who require relief, and the further wide-spread reports that citizens of Pennsylvania are being compelled, in order to obtain relief or work-relief, to register as members of a particular political party, and that the elections of this Commonwealth are being corrupted by the granting of relief or work-relief to persons not in need thereof, as a consideration for partisan political activity;

Resolved, That the said Committee shall have power to issue subpoenas under the hand and seal of its Chairman, requesting and commanding any person or persons to appear before it and to answer any question touching matters properly being inquired into by the Committee and to produce such books, papers, records and documents as the Committee may deem necessary. Provided, That the Committee shall not have power to subpoena any Federal official or any records of the government of the United States. Such subpoenas may, except as herein otherwise provided, be served upon any person and shall have the force and effect of subpoenas issued out of the Courts of this Commonwealth. Each member of said Committee shall have the power to administer oaths and affirmations to witnesses appearing before the Committee. Any person who shall wilfully refuse or neglect to testify before such Committee and to produce any papers, books or documents, shall be subject to the penalties provided by the Laws of the Commonwealth in such cases;

Resolved, That the Committee shall hold hearings in Philadelphia and in Pittsburgh, and if it deems it necessary, in other cities of the Commonwealth in which the aforesaid abuses are believed to be current;

Resolved, That said Committee shall make a report to the Senate at its next Regular Session and that the powers hereby conferred shall be exercised by the Committee during the recess of the Senate, as well as during the Sessions thereof;

Resolved, That in the event that the power hereby conferred upon the said Committee to subpoena witnesses and enforce its subpoenas during the recess of the Senate shall be held by any Court to be unconstitutional, the said Committee shall nevertheless continue its work and take the testimony of such persons as shall voluntarily appear before it.

ADJOURNMENT

Mr. BUCKMAN. Mr. President, I move that the Senate do now adjourn until tomorrow afternoon at 2 o'clock.

Mr. MILLER. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 11:59 P. M. until tomorrow, Tuesday afternoon, July 21, at 2 o'clock.

HOUSE OF REPRESENTATIVES

MONDAY, July 20, 1936

The House met at 9:00 P. M.

The SPEAKER (Roy E. Furman) in the Chair.

PRAYER

Reverend OSCAR F. R. TREDER, D.D., Rector of Saint James Church, Bedford, Pa., offered the following prayer:

Amen. Blessing, and glory, and wisdom, and honor, and power, and might, be unto our God forever and ever. Amen.

Let not faltering lip nor stammering tongue of mine, O God, fail to beseech Thee that the governments and peoples of the world, and more particularly of this Commonwealth, may be increasingly willing to listen to the voice of reason, which makes for unity, as against the voices of fear, prejudice, and self-interest which make for division and strife; that the strong may help bear the burdens of the weak so that the hungry may be fed and the naked clothed; that those who have power may use it only for the establishment of justice in the manner of Jesus; that the deliberations and the work of this General Assembly may be acceptable in Thy sight, O God and Father of us all.

God, hear us! God, help us! Amen.

JOURNAL APPROVED

The SPEAKER. The Clerk will read the Journal of Thursday, July 16, 1936.

The Clerk proceeded to read the Journal of Thursday, July 16, 1936, when, on motion of Mr. SCHWAB the further reading was dispensed with and the Journal approved.

COMMUNICATIONS FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE BILL NO. 27.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 17, 1936.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 27, Printer's No. 186, entitled, "An Act to amend the act approved the twenty-second day of June one thousand nine hundred thirty-five (Pamphlet Laws four hundred fourteen) entitled 'An act to provide revenue for State purposes imposing taxes upon certain classes of personal property providing for the assessment collection and lien of the same and the distribution of the proceeds thereof imposing duties on executors administrators registers of wills recorders of deeds prothonotaries and court clerks and on persons copartnerships associations banks national banks trust companies and other corporations receiving deposits of money and on certain corporations and limited partnerships conferring powers and imposing duties on certain State officers and departments imposing penalties and making an appropriation' by increasing the rate of tax imposing said tax on additional shares of stock and on the value of certain equitable interests changing the listing date the date of filing reports and the date and manner of payment of the tax providing for certain exemptions from said tax and making further provision with regard to penalties"

GEORGE H. EARLE.

APPROVAL OF HOUSE BILL NO. 149.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 16, 1936.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 149, Printer's No. 155, entitled, "An Act to amend an act approved the fourth day of June one thousand nine hundred and thirty-six (Act Number three) entitled, 'An Act abating certain tax penalties and interest on county city (except city of the first class) borough town township school district (except school district of the first class) and poor district taxes prohibiting the sale of real property for the non-payment of any such taxes for a certain period and preserving certain tax liens and providing for the extension thereof' by adding thereto a new section to be known as section six and one-tenth providing for the compensation of delinquent tax collectors their employes and expenses for the collection of delinquent taxes in counties of the second class in cases where such compensation and expenses have heretofore been paid out of the penalties accrued and collected on such taxes."

GEORGE H. EARLE.

LEAVES OF ABSENCE

Mr. Duffort asked and obtained leave of absence for Mr. ROBERT BOYD on account of illness for the remainder of the week.

Mr. Harmuth asked and obtained leave of absence for Mr. COOLAHAN for tonight's session.

STATEMENT BY MR. REISING

Mr. REISING asked and obtained unanimous consent to make the following statement:

Mr. Speaker and members fo this House, throughout the Regular Session of 1935 and the present Special Session this House has been infested with lobbyists for interests seeking special privileges and favors. The Democratic majority in this House last year passed a bill requiring registration of such persons. That bill was defeated by the Republican majority in the Senate.

Only a few days ago the people of Pennsylvania witnessed an unseemly spectacle which reflected serious discredit upon the General Assembly. I refer to the appearance in this city of Pennsylvania's super lobbyists, Joseph R. Grundy and Joseph N. Pew. I do not dispute their right to come here. I would be the first to uphold their right to petition the Legislature for redress of grievances. They have as much right to be heard as any other citizen. Nor do I object to the action of certain Republican legislators in visiting these lobbyists at their hotel. Mr. Grundy and Mr. Pew are their friends and political supporters. Such an action was reasonable and natural.

But I do object to a state of affairs which permits two men, who are not public officers and probably could not be elected to public office, dictating what the Legislature should do. We all know they told the Republican Senate what to do about relief and social security. We all know that the Mayor of the City of Philadelphia went to them, and not to the Senate, when he was attempting to bring about a settlement of the relief situation. These facts have been reported in the public press.

My concern now is with other aspects of this invisible government by lobbyists, not yet brought into the light of day. Since the House at the last session voiced its interest in disclosing the activities of lobbyists, I wish to present information which will throw further light upon the activities of these mercenaries.

One of the reasons this Legislature has been unable to get anywhere in solving the relief situation has been the influence of the lobbyists. The utility lobby says one thing, and one group of Republicans obeys. The oil lobby says something different, and another group obeys. The manufacturers' lobby has still a third group of Republican legislators under its thumb, and so it goes. Only the other day, in the Senate chamber, a group of Republican lobbyists attempted to order a Senator out of the enclosure because he was "usurping" one of their seats. A situation like that would be amusing if it were not such a tragic commentary upon the surrender of legislative functions to lobbyists by certain Republican members.

I represent the County of Beaver. One of the major industrial interests of Beaver County is the Jones and Laughlin Company. That company is one of the most important members of the American Iron and Steel Institute.

The Jones and Laughlin Company and the American Iron and Steel Institute are represented at Harrisburg by a certain William Mossman. No doubt all of you have seen him about these halls. He has taken a great interest in the present relief and social security debate. He has been in many respects instrumental in forcing the Senate to continue its obstructive tactics.

I am betraying no confidences when I make it a matter of public record that this powerful lobbyist for one of America's most reactionary interests, is an uncle of one Alfred Mossman Landon, of Kansas. The people of Pennsylvania will be interested, I think, to know that the uncle of the Republican candidate for President of the United States is the spokesman for the Pennsylvania steelmasters, who have an unbroken record of terrorism and despotism going back to the days of the Homestead massacre.

I believe the public interest will be well served if the activities of such lobbyists as Mr. Mossman, Mr. Grundy and Mr. Pew are brought into the light of day. It is important that the people should know their associations, their connections with those groups seeking special privileges and immunities. For that reason I am placing these facts upon the record.

INTERROGATION

Mr. TURNER. Mr. Speaker, may I interrogate the gentleman from Beaver, Mr. Reising.

The SPEAKER. Will the gentleman from Beaver, Mr. Reising permit himself to be interrogated.

Mr. REISING. I will, Mr. Speaker.

Mr. TURNER. Mr. Speaker, I would like to ask the gentleman from Beaver, Mr. Reising, whether he knows what Judge Harry Kalodner was doing here last week.

Mr. REISING. I do not Mr. Speaker.

INTERROGATION

Mr. SOWERS. Mr. Speaker, May I interrogate the gentleman from Beaver, Mr. Reising?

The SPEAKER. Will the gentleman from Beaver, Mr. Reising, permit himself to be interrogated?

Mr. REISING. I will, Mr. Speaker.

Mr. SOWERS. Mr. Speaker, will the gentleman from Beaver explain to the Republican minority of this House what lobby caused the Democratic majority to vote against old age assistance at sixty-five years of age?

Mr. REISING. There was no lobby, Mr. Speaker.

Mr. SOWERS. Mr. Speaker, may I ask the gentleman from Beaver then whether or not the Democrats did it on their own responsibility.

Mr. REISING. They must have, Mr. Speaker, but I was not in contact with them.

STATEMENT BY MR. NAGEL

Mr. NAGEL asked and obtained unanimous consent to make the following statement:

Mr. Speaker and members of the House, I did not know that my colleague, Mr. Reising, contemplated or planned to make this speech, but I want to arise this evening to corroborate and substantiate some of the things that he said, especially those that relate to the Jones & Laughlin Corporation. We have this corporation within our county, and I want to submit to you that there it is an absolute monarchy by itself, a little monarchy that exercises political control over all of those who work within its bounds. They demand of those who work for them that they register Republican, not only that they register Republican, but their whole families and all their connections, so far as relationship is concerned. Then they can get a job. These men carry our flag out to the front and boast of being patriotic. They call attention to that great man Lincoln who liberated the black men during the days of slavery. But I submit to you that such procedure politically is slavery and it must be abolished. They have not used the whipping post, I will admit that, but they do use the club and the iron heel to force men to vote and work as they dictate. So, I corroborate the statement that my colleague, Mr. Reising, has made in reference to this corporation.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 165, entitled:

An Act to amend the act, approved the ninth day of April, one thousand nine hundred twenty-nine (Pamphlet Laws, three hundred forty-three), entitled "An act relating to the finances of the State government; providing for the settlement, assessment, collection, and lien of taxes, bonus, and all other accounts due the Commonwealth, the collection of fees and other money or property due or belonging to the Commonwealth or any agency thereof, including escheated property and the proceeds of its sale, the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth, and the settlement of claims against the Commonwealth, the resettlement of accounts and appeals to the courts, refunds of moneys erroneously paid to the Commonwealth, auditing the accounts of the Commonwealth, and all agencies thereof, of all public officers collecting moneys payable to the Commonwealth, or any agency thereof, and all receipts of appropriations from the Commonwealth and imposing penalties; affecting every department, board, commission, and officer of the State government, every political subdivision of the State, and certain officers of such subdivisions, every person, association and corporation required to pay, assess, or collect taxes, or to make returns or reports under the laws imposing taxes for State purposes, or to pay license fees or other moneys to the Commonwealth, or any agency thereof, every State depository and every debtor or creditor of the Commonwealth," as amended, by making further provision relative to the settlement, resettlement and collection of certain taxes, and further defininig the powers and duties of the Department of Revenue with relation thereto.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—202

Achterman,	Eroe,	McCreary,	Shaw,
Alexander,	Falkenstein,	McDermott,	Shepard,
Allen,	Ferko,	McDevitt,	Shortz,
Altenburg,	Finnerty,	McElroy,	Shreiner,
Andrews,	Fitch,	McHenry,	Shugarts,
Anthony,	Flanagan,	McKinney,	Siegel,
Arnold,	Flinchbaugh,	Melchiorre,	Simon,
Atkins,	Flynn,	Mentzer,	Simpson,
Aukerman,	Forrest,	Merrell,	Sinwell,
Baine,	Gates,	Moomaw,	Sloan,
Baker, F. T.,	Gerard,	Mooney,	Smith, J. A.,
Baker, J. J.,	Gillette,	Moore,	Smith, W. G.,
Baldi,	Greenstein,	Moran,	Snyder, F. E.,
Barnhardt,	Habbyshaw,	Moul,	Snyder, J. L.,
Beadman,	Haberlen,	Muir,	Sowers,
Bernhard,	Hagerty,	Munley,	Sproul,
Blumberg,	Haluska,	Murrin,	Stank,
Boose,	Hamilton, F. P.,	Nagel,	Stevens,
Boyer,	Hamilton, R. S.,	Nothnagle,	Stewart,
Bradley,	Harkins,	O'Keefe,	Stockham,
Brancato,	Harmuth,	Ominsky,	Stone,
Brennan,	Hartman,	O'Neill,	Stott,
Brown, H. S.,	Hermansen,	Panton,	Sumney,
Brown, J. E.,	Hetrick,	Parks,	Surface,
Brownfield,	Hindman,	Patterson, C.,	Sweeney,
Brumbaugh,	Hirsch,	Patterson, J. W.,	Tahl,
Burke,	Hoffner,	Pearson,	Terry,
Cannon,	Holland,	Perry,	Tronzo,
Caputo,	Holstrom,	Peters,	Trout,
Carr,	Hoopes,	Pfaff,	Tumelty,
Carson,	Horst,	Phillips,	Turner,
Castor,	Jackson,	Piole,	Van Allsburg,
Chervenak,	Jones,	Powers,	VanSickle,
Coakley,	Kane,	Reising,	Wall,
Cochran,	Kelder,	Reynolds,	Wasserman,
Cohen,	Kelso,	Rhys,	Weiss,
Coleman,	Kenney,	Rinn,	Welliver,
Condon,	Klingler,	Roan,	Welsh,
Cooper,	Kilroy,	Robinson,	Westrick,
Cordier,	Kinney,	Rooney,	White,
Davies,	Kobelak,	Root,	Wickersham,
Decker,	LaRue,	Royer,	Winner,
Denning,	Linderman,	Ruffennach,	Witkin,
Dent,	Long,	Sarraf,	Wood,
Diehl,	Longaker,	Scanlon,	Woodside,
Dilley,	Lovett,	Schaeffer,	Yeakel,
Downey, G. E.,	Lynch,	Schrock,	Yourishin,
Downey, J. J.,	Male,	Schrope,	Zappala,
Duffort,	Mallen,	Schwab,	Zimmerman,
Eberharter,	Mason,	Serrill,	Furman,

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 162, (Senate Bill No. 6), entitled:

A Joint Resolution proposing an amendment to article nine section eight of the Constitution of the Commonwealth of Pennsylvania

On the question,

Will the House agree to the bill on third reading?

BILL POSTPONED

Mr. DENT. Mr. Speaker, I move that this bill be placed on the postponed calendar.

On the question,

Will the House agree to the motion?

Mr. WITKIN. Mr. Speaker, may I ask the gentleman from Westmoreland, whose name I cannot recall, to explain why he wants this bill placed upon the postponed calendar.

The SPEAKER. Will the gentleman from Westmoreland, Mr. Dent, permit himself to be interrogated?

Mr. DENT. Mr. Speaker, I will answer the question of a member of the House, if he is a member.

Mr. WITKIN. Mr. Speaker, the answer of the gentleman from Westmoreland is typical of the type of answer that I may expect by further interrogation, and I, therefore, second the motion to place the bill upon the postponed calendar.

On the question recurring.

Will the House agree to the motion?

It was agreed to.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

VETO OF HOUSE BILL NO. 63.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 17, 1936.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I return herewith, without my approval, House Bill No. 63, Printer's No. 151, entitled, "An Act to amend section five hundred and one of the act approved the first day of May one thousand nine hundred and twenty-nine (Pamphlet Laws nine hundred and five) entitled 'An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds' by requiring extra fees for the assignment of special registration plates."

This bill would permit the owner of a motor vehicle to obtain special registration plates upon the payment of an extra fee of $10.00 for certain series and $5.00 for certain other series. This bill would also require that $1.00 of each such special license fee should be paid into the Motor License Fund to meet the overhead expenses of the Department of Revenue in connection with the issuance of these plates, and the balance so collected would be paid to the State Veterans' Commission, through the State Emergency Relief Board, for the assistance of Pennsylvania veterans and their dependents.

However, the title of this bill gives no indication of the purposes for which these fees are to be appropriated, but merely refers to the requiring of extra fees for the assignment of special registration plates. For this reason alone, the bill is defective because of the provision contained in Article III, Section 3 of the Pennsylvania Constitution, which requires the subject of every bill to be clearly expressed in its title. There is also some question under this same section of the Constitution as to whether the bill contains more than one subject.

I am also refusing to approve this bill because it is an attempt to perpetuate the special privilege created by previous administrations among a limited class of car owners within this Commonwealth. Such an exclusive privilege is contrary to the express policy of this administration and to the principles of true democracy. This bill would also discriminate against the great number of motorists who are financially unable to pay these extra fees.

I would be reluctant to veto this bill in view of the fact that the greater portion of the extra fees to be received thereunder would be for the benefit of Pennsylvania veterans and their dependents, if it were not for the fact that the needs of these veterans are being met, in accordance with the legislative call and my message, in other bills now pending before the General Assembly. Therefore, no serious harm will result from my refusal to approve this bill.

For these reasons the bill is not approved.

GEORGE H. EARLE.

On the question,

Shall the bill become a law, the veto of the Governor to the contrary nothwithstanding?

VETO AND BILL LAID ON TABLE

Mr. PARKS. Mr. Speaker, I move that the communication, together with the bill be laid upon the table.

The motion was agreed to.

ANNOUNCEMENTS

There will be a hearing before the sub-committee of the Committee on Judiciary General at two P. M. Tuesday, July 21st, in the House Caucus Room.

ADJOURNMENT

Mr. COHEN. Mr. Speaker, I understand that there will be no messages forthcoming from the Senate and in order to obviate the necessity of the House remaining at ease with nothing to do, I therefore move that the House do now adjourn until tomorrow, July 21, 1936, at 12 o'clock noon.

The motion was agreed to, and (at 10:08 P. M.) the House adjourned until Tuesday, July 21, 1936, at 12:00 o'clock noon.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Extraordinary Session of 1936.

Vol. 19. HARRISBURG, PA., TUESDAY, JULY 21, 1936. No. 38.

SENATE

TUESDAY, JULY 21, 1936

The Senate met at 2:00 o'clock P. M.

The PRESIDENT (Lieutenant-Governor Thomas Kennedy) in the Chair.

PRAYER

The Chaplain, Rev. WILLIAM E. HOWARD, D. D., offered the following prayer:

We thank Thee, our Father, for friendship. Friend is one of the most beautiful words of our language; it ranks high in our vocabulary, almost reaching the lofty pinnacle whereon love sits enthroned. How frequently friendship develops into love. It is indeed a round in the ladder on which we climb up to love—and love is the greatest thing in the world. Fortunate is he who possesses friends—more fortunate is he who is a friend. Sad is the plight of the man who has no friends and is a friend of no man.

Reveal unto us, O Lord, who a friend is. He is one who knows all about us and still loves us; one who may differ with us in opinions, who can tell us of our faults, whom we can tell of his faults, who trusts us, whom we trust—yet, despite all differences, mutual affection persists. A real friend is one who comes in when all others go out.

We crave friendship, O God. Above all do we long for and need Thy friendship. As we face the problems of legislation be Thou our friend to wisely counsel and unerringly point out the right way.

We ask it in the name of that Friend who sticketh closer than a brother. Amen.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. SONES, the further reading was dispensed with, and the Journal was approved.

PETITION

FAVORING AN AMENDMENT TO THE REAL ESTATE BROKERS ACT

The Chair cleared his table and laid before the Senate petition from Rocco Prete, Philadelphia, favoring an amendment to the Real Estate Brokers Act of 1935.

Which was referred to the Committee on State Government.

NOMINATIONS BY THE GOVERNOR

The Secretary to the Governor being introduced, presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows, and referred to the Committee on Executive Nominations.

NOTARIES PUBLIC

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 21, 1936.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as Notaries Public, for terms of four years to compute from the dates set opposite their names:

ALLEGHENY COUNTY

Louis Winterhalter, Pittsburgh, July 27, 1936.

PHILADELPHIA COUNTY

Miss Marguerite D. Lyons, Philadelphia August 1, 1936.

GEORGE H. EARLE.

Commonwealth of Pennsylvania.
Governor's Office, Harrisburg, July 21, 1936.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

ALLEGHENY COUNTY

W. S. Schwoebel, Pittsburgh, 2800 Grant Bldg.

BEAVER COUNTY

Miss Gladys V. Dickey, Beaver.

LEHIGH COUNTY

Miss Dorothy W. Hagy, Allentown.

PHILADELPHIA COUNTY

Robert W. Brown, Philadelphia, 133 S. 4th St.
Miss Emma E. Mason, Philadelphia, 141 S. 4th St.

GEORGE H. EARLE.

HOUSE MESSAGES

HOUSE CONCURS IN AMENDMENTS MADE BY THE SENATE TO HOUSE BILL No. 40

The Clerk of the House of Representatives being introduced presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 40, entitled:

An Act to provide for the commemoration by the Commonwealth of Pennsylvania of the Three Hundredth Anniversary of the Earliest Settlement, the First Courts of Law, and the First Capital within what is now Pennsylvania, and making an appropriation.

HOUSE CONCURS IN AMENDMENTS MADE BY THE SENATE TO HOUSE BILL No. 98

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 98, entitled:

An Act to create a State Planning Board; prescribing its powers and duties; imposing certain duties upon political subdivisions; and making an appropriation.

HOUSE NON-CONCURS IN AMENDMENTS TO HOUSE BILL No. 55

He also informed the Senate that the House of Representatives has non-concurred in amendments made by the Senate to House Bill No. 55, entitled:

An Act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies requiring employers to pay certain contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons providing procedure and administrative details for the determination payment and collection of such contributions and the payment of such compensation providing for cooperation with the Federal Government and its agencies creating certain special funds in the custody of the State Treasurer and prescribing penalties.

SENATE INSISTS UPON ITS AMENDMENTS TO HOUSE BILL No. 55

Mr. BUCKMAN. Mr. President, I move that the Senate insist upon its amendments made to House Bill No. 55.

Mr. GELDER. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were required by Mr. SHAPIRO and Mr. CAVALCANTE, and were as follows, viz:

YEAS—26

Aron,	Gelder,	Owlett,	Sones,
Batchelor,	Graff,	Pierson,	Staudenmeier,
Bean,	Harvey,	Prince,	Thompson,
Buckman,	Homsher,	Reed,	(Westmoreland)
Chapman,	Howell,	(Dauphin)	Trainer,
Coyne,	Mallery,	Salus,	Woodward,
Ealy,	McClure,	Scott,	Ziesenheim,

NAYS—20

Baumer,	Lanius,	Reed,	Rupp,
Cavalcante,	Law,	(Washington)	Ruth,
Frey,	McCreesh,	Rice,	Shapiro,
Harris,	McGinnis,	Roberts,	Thompson,
Huffman,	Pytko,	Rodgers,	(Centre)
Kahle,	Rankin,		

So the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

BILLS SIGNED

The PRESIDENT. (Lieutenant Governor Thomas Kennedy) announced that the Chief Clerk had informed him that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

House Bill No. 40, entitled:

An Act to provide for the commemoration by the Commonwealth of Pennsylvania of the Three Hundredth Anniversary of the Earliest Settlement, the First Courts of Law, and the First Capital within what is now Pennsylvania, and making an appropriation.

House Bill No. 98, entitled:

An Act to create a State Planning Board; prescribing its powers and duties; imposing certain duties upon political subdivisions; and making an appropriation.

Whereupon,

The PRESIDENT (Lieutenant Governor Thomas Kennedy) in the presence of the Senate signed the same.

REPORT FROM COMMITTEE

Mr. ARON, from the Committee on Finance, reported as committed, the following Resolution:

In the Senate, July 20, 1936.

Whereas, Moneys heretofore appropriated by this Session of the Legislature for unemployment relief will be again exhausted within a few days and further provision must be at once made to make available additional moneys for said purposes; and

Whereas, Objection to the further transfer of moneys from special funds has been made and it seems appropriate to ascertain whether other resources can be found; therefore be it

Resolved, That the Committee on Finance is hereby authorized to immediately ascertain whether tax anticipation notes may be legally authorized against the new taxes already imposed by this Session of the Legislature; and to contact the various boards of the Commonwealth, having moneys to invest, to ascertain what amount of money said boards may have available for investments; whether such boards will agree to advance moneys to the Commonwealth for unemployment relief pending the authorization and issue of tax anticipation notes and the rate of interest at which said boards will agree to invest said moneys;

Resolved, That said committee shall report the result of its investigation to the Senate as early as possible.

Mr. HARRIS. Mr. President, I ask unanimous consent that Rule 39 which requires that resolutions reported from committee to lie on the table one day, be suspended and that the Senate do now proceed to the immediate consideration of the resolution just reported from committee.

The PRESIDENT. Is there objection?

Mr. ROBERTS. Mr. President, I object.

The PRESIDENT. The Chair hears objection. The resolution will lie on the table.

QUESTION OF PERSONAL PRIVILEGE

Mr. HARRIS. Mr. President, I rise to a question of personal privilege.

The PRESIDENT. The Senator from Allegheny, Mr. Harris, will state his question of personal privilege.

Mr. HARRIS. Mr. President, in trying to ascertain without any possible doubt, I inquired from the Finance Committee whether or not after midnight tonight there will be any money for relief, and I was informed there was a letter sent by Dr. de Schweinitz, which I will ask your indulgence while I read.

POINT OF ORDER

Mr. HUFFMAN. Mr. President, I rise to a point of order.

The PRESIDENT. The Senator from Monroe, Mr. Huffman, will state his point of order.

Mr. HUFFMAN. Mr. President, the Senator from Allegheny, Mr. Harris, is talking on the resolution, the consideration of which has been objected to.

Mr. HARRIS. Mr. President, I am talking on the question of personal privilege.

Mr. HUFFMAN. Mr. President, nevertheless I insist that the Senator from Allegheny is talking on the resolution.

The PRESIDENT. The Chair rules that the point of order as raised by the Senator from Monroe is well taken.

Mr. HARRIS. Mr. President, I will stand by the decision of the Chair. I merely want to inform the Senate that Dr. de Schweinitz says, in very definite, terms that relief will cease tonight at twelve o'clock.

REPORT OF COMMITTEE

Mr. McCLURE, from the Committee on Finance, reported as committed, Senate Bill No. 117 (House Bill No. 165), entitled:

An Act to amend the act, approved the ninth day of April, one thousand nine hundred twenty-nine (Pamphlet Laws, three hundred forty-three), entitled "An act relating to the finances of the State government; providing for the settlement, assessment, collection, and lien of taxes, bonus and all other accounts due the Commonwealth, the collection and recovery of fees and other money or property due or belonging to the Commonwealth, or any agency thereof, including escheated property and the proceeds of its sale, the custody and disbursement or other disbursement of funds and securities belonging to or in the possession of the Commonwealth, and the settlement of claims against the Commonwealth, the resettlement of accounts and appeals to the courts, refunds of moneys erroneously paid to the Commonwealth, auditing the accounts of the Commonwealth, and all agencies thereof, of all public officers collecting moneys payable to the Commonwealth, or any agency thereof, and all receipts of appropriations from the Commonwealth and imposing penalties; affecting every department, board, commission, and officer of the State Government, every political subdivision of the State, and certain officers of such subdivisions, every person, association, and corporation required to pay, assess, or collect taxes, or to make returns or reports under the laws imposing taxes for State purposes, or to pay license fees or other moneys to the Commonwealth, or any agency thereof, every State depository and every debtor or creditor of the Commonwealth," as amended, by making further provision relative to the settlement, resettlement and collection of certain taxes, and further defining the powers and duties of the Department of Revenue with relation thereto.

JOINT LEGISLATIVE COMMITTEE TO PREPARE A PLAN OF PERMANENT ADMINISTRATION OF UNEMPLOYMENT RELIEF

Mr. THOMPSON (Centre). Mr. President, I move that the Senate do now proceed to the consideration of Concurrent Resolution Serial No. 103, reported from the Committee on State Government on July 16th.

Mr. FREY. Mr. President, I second the motion.

The motion was agreed to.

The resolution was read as follows:

In the Senate, May 12, 1936.

Whereas, a centralized administration of relief is unsuited in some respects to a protracted program of dealing with the consequences of unemployment

Whereas, the present constituted agencies for the care of the indigent throughout the Commonwealth are inadequate at the present time to assume the burden of the distribution of funds provided for unemployment relief, and

Whereas, private industry is failing to keep re-employment abreast of industrial and commercial recovery, and

Whereas, it appears to be the duty of the Commonwealth for some period in the future to provide against the social consequences of unemployment

Resolved (if the House of Representatives concur) That the President pro tempore of the Senate appoint three Senators and the Speaker of the House of Representatives appoint three members of the House of Representatives to serve as a committee whose duty it shall be to prepare a plan of permanent administration of unemployment relief, which plan shall co-ordinate the activities of the Commonwealth and its municipal subdivisions, and to draft legislation which incorporates such plan, or plans and to report the same to the regular session of the Legislature in 1937.

Resolved, That the said committee shall have power to issue subpoenas under the hand and seal of its chairman requesting and commanding any person or persons to appear before them and to answer such questions touching matters properly being inquired into by the committee and to produce such books, papers, records and documents as the committee may deem necessary. Such subpoena may be served upon any person and shall have the force and effect of subpoenas issued out of the Courts of this Commonwealth. Each member of said committee shall have the power to administer oaths and affirmations to witnesses appearing before the committee. Any person who shall willfully neglect or refuse to testify before said committee or to produce any books, papers, records or documents shall be subject to the penalties provided by the laws of the Commonwealth in such cases.

Resolved, That the Senate and the House of Representatives will appropriate the sum of Five Thousand Dollars ($5000.00) to pay the expenses of the Committee in prosecuting its study of such legislation, the summoning of witnesses, postage, secretarial and clerical hire, the attendance of members at meetings and other expenses.

On the question,

Will the Senate agree to the resolution?

Mr. BUCKMAN. Mr. President, I would ask the Senator from Centre, Mr. Thompson, to explain the resolution.

Mr. THOMPSON (Centre). Mr. President, in answer to the inquiry of the Senator from Bucks, I might say that this resolution briefly speaking, is a resolution requiring the concurrence of the House of Representatives, and which, if agreed to, would require the President Pro Tempore of the Senate to appoint a Committee of three members of the Senate, the Speaker of the House to appoint three members of the House, to study between now and the next regular session of the Legislature, which convenes in January, 1937, and plan the handling of this relief problem, which has vexed us so much in the past few weeks, and to present to the legislature, in pursuance of that study, legislation which should be adopted to organize throughout the State a plan for handling of the relief, which should be placed on a permanent legislative basis. This resolution carries with it an appropriation of $5,000 for the use of the Committee in the study. This resolution was introduced by me on the 12th of May, and was reported out from committee last Thursday, July 16th. Does that answer the inquiry of the Senator from Bucks?

Mr. BUCKMAN. Mr. President, I fully understand the resolution, since the explanation made by the Senator from Centre, but I still cannot understand how a resolution can carry with it an appropriation when it does not take the course of a bill. I am afraid that feature of the resolution will probably kill it. It carries with it an appropriation, and every appropriation bill must take the regular course of a bill, referred to a committee, and must be read three times in each House. If this were a simple resolution, without an appropriation in it, it would be per-

fectly proper. I call that to the attention of the Senator from Centre.

Mr. THOMPSON (Centre). Mr. President, I just want to call the attention of the Senator from Bucks to the fact that the same procedure is followed in this resolution as was followed in two or three concurrent resolutions at the last regular session, in which appropriations of this kind were made. I cannot think of the number off-hand, but I recall very distinctly one appointing a legislative committee to investigate the public school system where it was done in this manner.

Mr. EALY. Mr. President, I desire to interrogate the Senator from Centre, Mr. Thompson.

The PRESIDENT. Will the Senator from Centre, Mr. Thompson, permit himself to be interrogated?

Mr. THOMPSON (Centre). Mr. President, I will.

Mr. EALY. Mr. President, I wish to ask the Senator from Centre, Mr. Thompson, if he is opposed to changing the system of unemployment relief before the first of next January.

Mr. THOMPSON (Centre). Mr. President, in answer to the inquiry of the Senator from Somerset, I think the Senator knows that my position has been explained on the floor of the Senate. I think a better plan for handling relief can be devised than the present one, but I do believe that it is untimely with only such a short period elapsing between now and the next general session, and after this present session having been protracted as long as it has been, to try to make any change at this time in the fundamental structure of the administration of relief. Mr. President, I believe that it would be better for us, after a thorough study of this situation, at the next regular session, to pass such legislation as we believe is proper to handle the administration of direct relief.

Mr. EALY. Mr. President, if it were absolutely possible to change the present extravagant and wasteful system between now and the first of January, I would be in favor of this resolution, but it seems to me, if we pass this now, that it will be an indication that we do not intend to make any other effort to change this system, which is wasteful and extravagant. Therefore, I would say that it should be voted down at this time.

And the question recurring,

Will the Senate agree to the resolution?

It was agreed to.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

RESOLUTION CONTINUING SUB-COMMITTEE APPOINTED TO INVESTIGATE INDIANA STATE TEACHERS COLLEGE.

Mr. BATCHELOR. Mr. President, I ask unanimous consent to offer a resolution at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. BATCHELOR, offered the following resolution which was twice read and referred to the Committee on State Government.

In the Senate, July 21, 1936.

Whereas, On June 29, 1936, the Senate adopted a resolution (known as Senate Resolution No. 3) authorizing the appointment of a Sub-Committee of five members of the Committee on Education to make an investigation of the attempts that are being made to interfere with the orderly management of educational institutions that are receiving financial assistance from the people of this Commonwealth, notably the Indiana State Teachers' College, and to report as speedily as possible to the Senate now in Extraordinary Session the results of its inquiry; and

Whereas, Pursuant to said resolution the President pro tempore of the Senate on June 30, 1936, appointed a Sub-Committee of five members of the Committee on Education to conduct said investigation; and

Whereas, Since the appointment of said Sub-Committee the press of business of the Senate in conducting its legislative activities in this Extraordinary Session has been such as to render impossible a meeting of this Sub-Committee to conduct hearings in order to fulfill its commission; and

Whereas, One of the members of the Sub-Committee has been so ill that he has been unable to participate in its activities; and

Whereas, The Sub-Committee has received such information that it deems it wise to pursue said investigation, in order that the evils complained of may be uncovered and appropriate remedies therefor suggested; therefore be it

Resolved, That the Sub-Committee of the Committee on Education heretofore appointed by the President Pro Tempore of the Senate, under and by virtue of Senate Resolution No. 3, to conduct a searching investigation of the situation complained of in said Senate Resolution, be continued and that said Sub-Committee shall make a report to the Senate at its next regular session; and be it further

Resolved, That the said Sub-Committee shall have power to issue subpoenas under the hand and seal of its chairman, requesting and commanding any person or persons to appear before it and to answer any question touching matters properly being inquired into by the Sub-Committee, and to produce such books, papers, records and documents as the Sub-Committee may deem necessary. Such subpoenas may be served upon any person and shall have the force and effect of subpoenas issued out of the courts of this Commonwealth. Each member of said Sub-Committee shall have the power to administer oaths and affirmations to witnesses appearing before the Sub-Committee. Any person who shall wilfully refuse or neglect to testify before such Sub-Committee or to produce any books, papers, records or documents shall be subject to the penalties provided by the laws of the Commonwealth in such cases; and be it further

Resolved, That the powers hereby conferred shall be exercised by the Sub-Committee during the recess of the Senate as well as during the sessions thereof; and be it further

Resolved, That in the event that the power hereby conferred upon the said Sub-Committee to subpoena witnesses and enforce its subpoenas during the recess of the Senate shall be held by any court to be unconstitutional, said Sub-Committee shall, nevertheless, continue its work and take the testimony of such persons as shall voluntarily appear before it.

Mr. BATCHELOR. Mr. President, I ask unanimous consent that Rule 39 which requires resolutions be referred to an appropriate committee, be suspended and that the Senate do now proceed to the immediate consideration of the resolution just read.

The PRESIDENT. Is there objection?

Mr. LAW. Mr. President, I object.

The PRESIDENT. The Chair hears objection. The Resolution will be referred to the Committee on State Government.

BILL ON FINAL PASSAGE

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 28 (House Bill No. 19), as follows:

An Act to amend sections two and three of the act approved the sixteenth day of May one thousand nine hundred thirty-five (Pamphlet Laws two hundred eight) entitled "An act to provide revenue for State purposes by imposing an excise tax for a limited period of time on the net incomes of certain corporations joint-stock associations and limited partnerships providing for the assessment and collection of the tax and appeals to courts conferring powers and imposing duties on certain persons corporations joint-stock associations limited partnerships State and county officers boards and departments making an appropriation and providing penalties" by further defining net income and increasing the rate of tax for a limited period of time

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That sections two and three of the act approved the sixteenth day of May one thousand nine hundred thirty-five (Pamphlet Laws two hundred eight) entitled "An act to provide revenue for State purposes by imposing an excise tax for a limited period of time on the net incomes of certain corporations joint-stock associations and limited partnerships providing for the assessment and collection of the tax and appeals to courts conferring powers and imposing duties on certain persons corporations joint-stock associations limited partnerships State and county officers boards and departments making an appropriation and providing penalties" be and the same are hereby amended to read as follows

Section 2 Definitions The following words terms and phrases when used in this act shall have the meaning ascribed to them in this section except where the context clearly indicates a different meaning

"Corporation" A corporation having capital stock joint-stock association or limited partnership either organized under the laws of this Commonwealth the United States or any other state territory or foreign country or dependency and doing business in this Commonwealth or having capital or property employed or used in this Commonwealth by or in the name of itself or any person partnership association limited partnership joint-stock association or corporation The word "corporation" shall not include building and loan associations banks bank and trust companies national banks savings institutions beneficial life and limited life insurance companies mutual fire mutual casualty and mutual life insurance companies and foreign stock companies registered in this Commonwealth and therein engaged in doing business as life fire and casualty insurance companies and surety companies and trust companies

"Department" The Department of Revenue of this Commonwealth

"Net Income" 1 In case the entire business of the corporation is transacted within this Commonwealth net income for the calendar year or fiscal year [as returned to and ascertained by the Federal Government subject however to any corrections thereof for fraud evasion or error as finally ascertained by the Federal Government Provided That additional deductions shall be allowed from net income on account of any taxes paid to the Government of the United States and on account of any dividends received from any other corporation And provided further That in the case of stock life fire casualty and indemnity insurance companies doing business on the mutual or participating plan the term "net income" shall not include the dividends paid to policy holders out of net income

2 In case the entire business of any corporation transacted within this Commonwealth the tax imposed by this act shall be based upon such portion of the net income of such corporation for the fiscal or calendar year as defined in clause one hereof as may be determined by allocations an apportionments made as follows

(a) Gains realized from the sale of capital assets if such assets consist of real estate or tangible personal property situated in the Commonwealth shall be allocated to this Commonwealth

(b) Gains realized from the sale of capital assets if such assets consist of real estate or tangible personal property situated outside of the Commonwealth shall not be allocated in any part to this Commonwealth

(c) The remainder of such net income shall be divided into three equal parts

(1) Of one-third such portion shall be attributed to business carried on within the Commonwealth as shall be found by multiplying said one-third by a fraction whose numerator is the value of the corporation's tangible property situated within this Commonwealth and whose denominator is the value of all the corporation's tangible property wherever situated

(2) Of one-third such portion shall be attributed to business carried on within the Commonwealth as shall be found by multiplying said one-third by a fraction whose numerator is the expenditure of the corporation for wages salaries commissions and other compensation to its employes and assignable to this Commonwealth as hereinafter provided and whose denominator is the total expenditures of the corporation for wages salaries commissions and other compensation to all its employes

(3) Of the remaining third such portion shall be attributed to business carried on within the Commonwealth as shall be found by multiplying said third by a fraction whose enumerator is the amount of the taxpayer's gross receipts from business assignable to this Commonwealth as hereinafter provided and whose denominator is the amount of the taxpayer's gross receipts from all its business

In cases where only two of the foregoing three rules are applicable the remainder of the net income of the corporation shall be divided into two equal parts only each of which shall be apportioned in accordance with one of the remaining two rules if only one of the three rules is applicable the part of the net income received from business carried on within the Commonwealth shall be determined solely by that rule

The amount assignable to this Commonwealth of expenditures of the corporation for wages salaries commissions or other compensation to its employes shall be such expenditures for the taxable year as represent the wages salaries commissions or other compensation of employes not chiefly situated at connected with or sent out from premises for the transaction of business owned or rented by the corporation outside the Commonwealth

The amount of the corporation's gross receipts from business assignable to this Commonwealth shall be the amount of its gross receipts for the taxable year from (1) sales except those negotiated or effected in behalf of the corpoation by agents or agencies chiefly situated at connected with or sent out from premises for the transaction of business owned or rented by the taxpayer outside the Commonwealth and sales otherwise determined to be attributable to the business conducted on such premises and (2) rentals or royalties from property situated or from the use of patents within this Commonwealth If a corporation maintains an office warehouse or other place of business in a state other than this Commonwealth for the purpose of reducing its tax under this subsection the department shall in determining the amount of its gross receipts from business assignable to this Commonwealth include therein the gross receipts from sales attributed by the corporation to the business conducted at such place of business in another state

A rule shall not be deemed to be inapplicable merely because all the tangible property or the expenditures of a corporation for wages salaries commissions or other compensation or the gross receipts of the corporation are found to be situated incurred or received without the Commonwealth

"Person" Every natural person association or corporation Whenever used in any clause prescribing and imposing a fine or imprisonment or both the term "person" as applied to associations shall mean the partners or members thereof and as applied to corporations the officers thereof

The singular shall include the plural and the masculine shall include the feminine and neuter

Section 3 Imposition of Tax Every corporation shall be subject to and shall pay for the privilege of doing business in this Commonwealth a State excise tax at the rate of six per centum per annum upon each dollar of net income of such corporation [Such tax shall first be

levied collected and paid upon all net income] received by and accruing to such corporation during the calendar year one thousand nine hundred and thirty-five except where a corporation reports to the Federal Government on the basis of a fiscal year and has certified such facts to the department as required by section four of this act in which case such tax at the rate of six per centum shall [first] be levied collected and paid upon all net income received by and accruing to such corporation during the fiscal year commencing in the calendar year one thousand nine hundred and thirty-five and ending in the calendar year one thousand nine hundred and thirty-six and a similar tax at the rate of eight per centum per annum upon each dollar of the net income of such corporation received by and accruing to such corporation during the calendar year one thousand nine hundred and thirty-six except where a corporation reports to the Federal Government on the basis of a fiscal year and has certified such fact to the department as required by section four of this act in which case such tax at the rate of eight per centum shall be levied collected and paid upon all net income received by and accruing to such corporation during the fiscal year commencing in the calendar year one thousand nine hundred and thirty-six and ending in the calendar year one thousand nine hundred and thirty-seven

The tax hereby imposed shall be in addition to all taxes now imposed on any corporation under the provisions of existing laws

Section 2 This act shall become effective immediately upon its final enactment

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

Mr. HUFFMAN. Mr. President, this is the corporate net income tax and I wish to offer an amendment to the bill. I move to reconsider the vote by which the bill passed third reading.

The PRESIDENT. How did the Senator vote?

Mr. HUFFMAN. Mr. President, I voted "aye."

Mr. MILLER. Mr. President, I second the motion.

The PRESIDENT. How did the Senator vote?

Mr. MILLER. Mr. President, I voted "aye."

On the question,

Will the Senate agree to the motion?

And the question recurring

Will the Senate agree to the motion?

The yeas and nays were required by Mr. BUCKMAN and Mr. McCLURE and were as follows, viz:

YEAS—22

Baumer,	Lanius,	Rankin,	Rupp,
Cavalcante,	Law,	Reed,	Ruth,
Frey,	McCreesh,	(Washington)	Shapiro,
Harris,	McGinnis,	Rice,	Sones,
Huffman,	Miller,	Roberts,	Thompson,
Kahle,	Pytko,	Rodgers,	(Centre)

NAYS—25

Aron,	Gelder,	Owlett,	Staudenmeier,
Batchelor,	Graff,	Pierson,	Thompson,
Bean,	Harvey,	Prince,	(Westmoreland)
Buckman,	Homsher,	Reed,	Trainer,
Chapman,	Howell,	(Dauphin)	Woodward,
Coyne,	Mallery,	Salus,	Ziesenheim,
Ealy,	McClure,	Scott,	

So the question was determined in the negative.

And the question recurring,

Shall the bill pass finally?

Mr. HUFFMAN. Mr. President, this bill provides for about $5,000,000. It should provide for $10,000,000. I intend to vote for the bill, because it is necessary to do so. I am voting under protest, for the reason that this source should provide more money. I say I am intending to vote for the bill, with the expectation that when it gets over to the House they will disagree, and will finally put this bill up to $10,000,000.

Mr. SHAPIRO. Mr. President, I desire to interrogate the Senator from Delaware, Mr. McClure.

The PRESIDENT. Will the Senator from Delaware, Mr. McClure, permit himself to be interrogated?

Mr. McCLURE. Mr. President, I will.

Mr. SHAPIRO. Mr. President, will the Senator from Delaware, Mr. McClure, state whether or not the Committee on Finance is prepared to report out bills which, in the aggregate, will be sufficient to make up the necessary amount of taxes, or, rather, to produce the necessary amount of taxes which will equal the $45,000,000 for relief agreed upon, as the Senator stated last Monday night, by the Republicans and Democrats?

Mr. McCLURE. Mr. President, the Committee on Finance is prepared to state that from passed Acts and present bills $45,000,000 can be provided.

Mr. SHAPIRO. Mr. President, I did not hear what the Senator said with regard to past Acts.

Mr. McCLURE. Mr. President, from passed Acts, bills which have been already passed.

Mr. SHAPIRO. Mr. President, will the Senator from Delaware state which of the tax-raising measures to which he refers will aggregate $45,000,000?

Mr. McCLURE. Mr. President, this is not the time to give the information desired by the Senator from Philadelphia, Mr. Shapiro. It is necessary for us to indicate here that we are taking steps to provide it; and because of that I ask the members of the Senate to vote for this bill.

Mr. SHAPIRO. Mr. President, may I further interrogate the Senator from Delaware, Mr. McClure?

The PRESIDENT. Will the Senator from Delaware, Mr. McClure, permit himself to be interrogated further?

Mr. McCLURE. Mr. President, I will.

Mr. SHAPIRO. Mr. President, I understand, then, that there has been passed sufficient legislation, in the opinion of the Committee on Finance, which, by the taxes imposed, will realize $45,000,000?

Mr. McCLURE. Mr. President, that there has been passed or will be passed?

Mr. SHAPIRO. Mr. President, together with this bill?

Mr. McCLURE. Mr. President, together with this bill.

Mr. SHAPIRO. Mr. President, as I understand it, we have passed a tax-raising measure called the tax on liquor, which, it is presumed, will raise $7,500,000. We have passed the so-called inheritance tax bill, which taxes estates inherited by stripes, and which will yield an estimated return of $500,000. We have passed an increase on the personal property tax which, I understand, is to raise $18,000,000. These three bills will yield an estimate aggregate of $26,000,000. The $5,000,000 to be raised by the bill now under consideration will increase this aggregate to $31,000,000.

Will the Senator from Delaware, Mr. McClure, refer me to any other legislation which will make up the difference between the $31,000,000 and the $45,000,000 agreed upon?

Mr. McCLURE. Mr. President, there are other bills on the calendar, and there is other contemplated legislation.

Mr. SHAPIRO. Mr. President, I understood the Senator from Delaware to state that there are no other tax meas-

ures intended to be passed—or reported out by the Committee on Finance. Am I correct in that?

Mr. McCLURE. Mr. President, probably at the present time we have not the tax legislation; but we have tax bills in sufficient amount in the Committee on Finance and intend to report them out, to make up the $45,000,000 for relief, and the total of $49,000,000 for all other purposes.

Mr. SHAPIRO. Mr. President, I understand, then, that the Senator's first answer to my question—that the Committee does not intend to report out any further legislation—is inadverent—any further tax legislation?

Mr. McCLURE. Mr. President, it would not be proper for the Committee on Finance to take the position today that it will not report our further bills.

Mr. SHAPIRO. Mr. President, the Senate is entitled to know whether or not this completes the program of $45,000,000. I understood, in the first answer to my question, that the Senator from Delaware stated that the tax measures already passed, together with this measure—the corporate net income tax—would aggregate $45,000,000. In order that we may understand whether that is so or not, I ask permission to repeat the question to the Senator from Delaware. Will the Senator from Delaware. Mr. McClure, permit himself to be further interrogated?

The PRESIDENT. Will the Senator from Delaware, Mr. McClure, permit himself to be interrogated further?

Mr. McCLURE. Mr. President, I will.

Mr. SHAPIRO. Mr. President, is it true that the position of the Senator from Delaware, and his statement, is that the tax measures already passed, together with Senate Bill No. 28, which is the corporate net income tax, will, or is presumed, to yield $45,000,000?

Mr. McCLURE. Mr. President, that is not my position.

Mr. SHAPIRO. Mr. President, as I have figured them up they yield $31,000,000. Will the Senator from Delaware state whatever tax measures are proposed, or are ready to be reported by the Committee on Finance, which will make up the other $14,000,000?

Mr. McCLURE. Mr. President, that is not the thing to do at this time. This bill is before us, and an amendment has been offered to increase it to ten per cent. The amendment has been defeated and the bill is now on final passage.

Mr. SHAPIRO. Mr. President, I want to go on record now, in discussing this bill, in saying as plainly as I possibly can that if ever there was a time to answer that question that I have put to the Senator from Delaware, this is the time. I understand the Committee on Finance has received information from Dr. de Schweinitz that relief ceases tonight by reason of the fact that there is no more money in the hands of the relief board.

I listened to the Senator from Delaware, on the 13th of July, report out of the committee a certain bill which has already been passed; and I read his statement to the newspapers that the Democrats and the Republicans had agreed upon a program, as a result of which there would be reported out on the floor of this Senate within a very short time additional tax measures which, in the aggregate, would amount to $45,000,000, the agreed amount. Since that time we have been waiting, and so have the people who are interested in whether or not these funds are going to be raised have been waiting, and today we get the atounding answer that this is not the time to know whether or not the tax legislation which we were promised, and upon the faith of which a transfer was voted by the members of the House of Representatives of $3,000,000 to allow relief to go on as far as that money would take it.

I consider that this is the time that we should know what the Republicans intend to do. I consider that the a statement which the Senator from Delaware just made places the responsibility for the relief question, and for the furnishing of further money, right in the lap where I have contended it has been since the first time when we reduced the temporary appropriation and transfer measure from eleven million and some odd thousands of dollars to the $3,000,000 which they granted.

I consider that the people whom we represent are entitled to know what the Republicans intend to do about it, and I consider that it is not fair to me and to other members of this Senate who have other business, just as important to our individual selves as is the welfare of the community to the whole citizenry, to know what these people are doing and intend to do, and not be kept here waiting day in and day out, hour in and hour out, to find out what these men will do. And I consider that it is an insult to us, when we ask the question, as participants in a legislative body, as to what these men intend to do about this relief question, to be told this is not the time. Then, I say, in God's name, when is the time?

Mr. HUFFMAN. Mr. President, I desire to interrogate the Senator from Delaware, Mr. McClure.

The PRESIDENT. Will the Senator from Delaware, Mr. McClure, permit himself to be interrogated?

Mr. McCLURE. Mr. President, I will.

Mr. HUFFMAN. Mr. President, this is perhaps the next most important bill the committee has had, as far as producing revenue is concerned, is it not?

Mr. McCLURE. Mr. President, it is.

Mr. HUFFMAN. And is not this the bill, Mr. President, we have depended upon so much to secure the balance due on the $45,000,000 program?

Mr. McCLURE. Mr. President, as the Senator from Monroe knows, I have never depended on more than $5,000,000 or $6,000,000, which, I believe, is the estimated amount it will yield.

Mr. HUFFMAN. Mr. President, does not the Senator from Delaware realize that among other members of the Committee it was the consensus that it was necessary to get more than $5,000,000 from this bill, if we hope to carry this program of $45,000,000 out?

Mr. McCLURE. Mr. President, I do not think that is the opinion of the majority of the committee.

Mr. HUFFMAN. Mr. President, the Senator from Delaware will admit, will he not, that that has been talked over very favorably in the committee, and is the consensus of the committee so far as it could be gleaned without a vote—that this bill should produce more than $5,000,000?

Mr. McCLURE. Mr. President, it has been discussed that this bill might yield $12,000,000 if it was increased to ten per cent; but, Mr. President, in view of the gradually increased Federal taxes on corporations, in view of the fact that a ten per cent. tax on net corporate profits is probably more than is carried by any other State in the Union, the majority of the committee feel that the passage of this bill at ten per cent. would not increase employment.

Mr. HUFFMAN. Mr. President, as a matter of fact, are there bills in the committee to make up the balance if we pass this bill at $5,000,000?

Mr. McCLURE. Mr. President, the Senator from Monroe is a member of the Committee on Finance. He realizes as well as I do that we spent last week convincing the Department of Revenue that there was $3,000,000 additional money to be expected because of the passage of the eight per cent. tax under the corporate loan tax. He remained with us last night in committee until almost two o'clock this morning, when the Department of Revenue admitted that there was $9,500,000 or $10,000,000 remaining unappropriated in the liquor profits.

Mr. President, the Senator from Monroe knows the situation just as well as I do, and I believe that he can, if so minded, inform the Senate of the tax legislation that will yield $45,000,000 for relief and $49,000,000 for all purposes.

Mr. HUFFMAN. Mr. President, I cannot agree with the Senator from Delaware. If I had been able to figure out $49,000,000, it was always with the understanding that we would get $10,000,000 from this bill. There are not bills enough in the Committee on Finance at the present time to make up $49,000,000. If you pass this at $5,000,000, it just is not there, and we will not get it; and I think, in view of all that took place before that Committee on Finance, that this is no time for this chairman or for this committee to insist upon putting through this bill at $5,000,000.

It has been carried along on the calendar for a week—for more than a week—with the express purpose of getting more than $5,000,000 out of it; and everybody knows that it was suggested several times in the committee, and on the floor perhaps, that we make it nine per cent., which would produce perhaps two and a half million dollars in addition to the five; but I think, and I am saying it here, that this does not express good faith to this Senate and the State of Pennsylvania at this time, to try to put through this bill for $5,000,000. There is nothing else there to make up the $45,000,000 program, and if it be put through at $5,000,000 it means but one thing—that these people intend to cut down this appropriation to less than $45,000,000 for relief, because they cannot go to the liquor stores and take that money out; that has been debated before the Committee on Finance—inside the Committee and outside—and these gentlemen know just as well as the rest of us on the floor that there is no legal way to take that money out of the liquor stores at this time; and I think this Senate should defeat this bill on the basis of $5,000,000.

Mr. THOMPSON (Centre). Mr. President, in my short existence I have seen some short-horned politics, but I have never seen anything to equal the maneuvering of the Republican caucus this afternoon. If we refer to our Legislative Journal of the 7th of July we will see there that the suggestion for raising this bill from eight to ten per cent. came from the chairman of the Committee on Finance; and that day, under interrogation, he advised not only the Senate of Pennsylvania but the people of Pennsylvania as to what the tax program would be for this State. At his suggestion the ten per cent. tax was suggested, and in pursuance of his suggestion, approved by the Republican caucus, it was agreed on as part of the tax program at this session.

I say to you, Mr. President, that every member of this Senate, and the people of Pennsylvania, are being short-changed this afternoon by the Republican Party. How can the people of this State believe the Republican Party when they go before the voters of this State this fall, when they cannot believe them when they stand up on the floor of this Senate and give their pledged word on a tax program?

We have heard repeated over and over again, during the past two weeks, as to what the Republican program would be and what these tax measures would be, and they uniformly included the ten per cent. corporate net income tax; and, Mr. President, the members of this Committee on Finance knew that up until noon of today, or up until two o'clock, at least, that the one tax that was agreed upon in this Committee on Finance, the one tax that would be put out and passed on the floor of this Senate today, upon which everybody agreed, was this ten per cent. corporate net income tax.

Now, this tax is not a bit better than any other tax; but I say to you, Mr. President, that the Democrats on this side of the House and every person who has listened in this Senate Chamber to what has gone on here in the past two weeks, and every citizen of Pennsylvania, can never again repose any confidence in the word of a Republican caucus or the word of the Republican Party in this State.

I say to you, Mr. President, that this is one of the biggest pieces of perfidy that has been pulled off in this session of the Senate. There was some objection raised a week or so ago when I spoke of the Republican side of this House as malingerers. If they do not like that word, Mr. President, I say they are boondogglers. We have done nothing here but maneuver around and fritter our time for two weeks. We have promised to do things, and then we do not do them.

Now, when are the members of this Senate going to learn not only to perform their oaths of office, to do their pledged duty and to keep their word? I ask you, Mr. President, are we going to go before the people of this State and say, "Ladies and gentlemen, you cannot believe a word we say"? Shall we say to them, "Two weeks ago we promised you a tax program, two weeks ago we promised you a relief program; but, ladies and gentlemen, the powers that be have put the heat on us since that time and we cannot do what we promised you; you cannot believe us"?

And I say to you, Mr. President, there is not a Democrat, on this side of the House, that is responsible for this condition. That condition lies solely on the shoulders of the Republican side of the House, and the responsibility must be placed solely on the Republican side of the House for that condition."

Mr. OWLETT. Mr. President, I cannot sit in my seat and allow to go unchallenged the extravagant statements of my friend the Senator from Centre. He first said that this corporate net income tax had never been suggested at any rate except 10%. Now, that statement is just simply not true. It has never been considered, it has never been considered on the State calendar at any rate but eight percent, an increase of from six to eight percent. Now, we on the Republican side of this Senate, are accused of bad faith because it was said that we are not bringing out tax bills to tax the people of Pennsylvania $49,000,000. I would like to take just a moment, if I may, to explain the situation as I see it. We passed last week, with the help of the Republican Senators in this Senate, and after two or three days of negotiating, when we were met by the Democratic leaders of this

Senate, who said "some of our men will not vote for this three-mill tax, they are afraid to vote for it, will you not help us out? How many votes will you give us? If you give us ten votes, we will give fifteen or seventeen;" and, finally, the three-mill tax was passed. Mr. President, that bill is said, by the Department of Revenue, to produce $18,000,000. What happened? A representative of the Department of Revenue was called before the Senate Finance Committee, he was interrogated as to how he arrived at $18,000,000, his attention was called to the fact that when one mill was levied against personal property in the 1935 regular session it was estimated to produce $9,500,000. This estimate was made by Dr. King and several other experts called in by this Administration. They finally put it in the budget as producing $8,000,000, at one mill. A representative of the Department of Revenue came before the Finance Committee and said "that bill will produce as a minimum $6,500,000, at one mill, and a maximum of $8,000,000, at one mill." Whether it was because a Judge came up from Philadelphia or not, I do not know, but the next day we got a letter telling us that it would only yield $6,000,000 at one mill on personal property.

Mr. President, I think, when we get before the Senate Finance Committee a representative of the Department of Revenue of Pennsylvania, and interrogate him, and we discover that in his estimate he never included the increased corporate loans tax, a tax which we have had on the statute books for years, and which is automatically increased by the passage of this bill, which, under past experience, will produce $4,000,000, and which we have agreed and we do agree, will yield $3,000,000, so we have said to them, Mr. President, "we have passed this three-mill personal property tax bill if you say it will not produce $8,000,000, we will put it in at $7,000,000." They have not a single figure to disprove the fact that that bill brings in $7,000,000 at one mill.

How many counties do you suppose, so far since the first of this year, assessed this one-mill tax? Five counties in Pennsylvania, Adams, Allegheny, Armstrong, Beaver and Bedford. They have no experience at all in the Revenue Department that will sustain the contention that it only produces $6,000,000 at one mill. It is said that last year that it had produced $8,000,000 as a conservative estimate. We will say $8,000,000 is a conservative estimate that that will produce. And so I say, Mr. President, that at the very most conservative estimate that we can obtain from the three-mill personal property tax bill that we already passed and was signed by the Governor, and is on the statute books, produces $21,000,000, and in addition to that, the Corporate Loans tax, which is automatically increased by that bill, produces $3,000,000, or a total of $24,000,000 produced by the tax bills that we have already passed against personal property.

Now, let us see what else we have done. We passed a bill levying a tax on joint estates, known as the Inheritance Tax bill. Nobody denies that that produces $500,000.

We have on the calendar and we propose to pass, as soon as proper amendments are put in, the two-mill tax on banks and trust companies, taking out the exemptions that they have enjoyed heretofore under taxation known as the Schuylkill Trust case, and that produces $2,500,000. Nobody denies that case, and that produces $2,500,000. Nobody denies that. We have passed already, and it is now on the statute books, a Liquor Tax bill, a 10% sales tax on liquor and nobody denies that that produces $7,500,000.

We have on the calendar today, and we propose to pass it, even if the Democrats will not vote for it, an increase in the Corporate Net Income tax from 6% to 8%.

The Senator from Monroe, Mr. Huffman, says, that will bring in only $5,000,000. I think, Mr. President, the Senate ought to know the facts about that. State Treasurer Waters has made a thorough analysis of the calculations today of the Corporate Net Income tax that we passed at the last session of the legislature. His experts in that office have all gone over those figures, and they all say that on the basis of the settlement and collection, those made to date, a two percent increase in the Corporate Net Income tax will produce $6,000,000.

Now, those taxes that I have thus far outlined produce $40,500,000. Now where are we going to get the rest of the money? Forty mill, five hundred thousand dollars from all the evidence that can be obtained by this Senate will be produced by these bills.

Now, what did we find in the Finance Committee the other day? Mr. Grosscup, at the head of the Liquor Board, came before the Finance Committee of the Senate to protest a suggestion that had been made by someone that the Liquor Tax be increased five precent, and in the course of that, he "let the cat out of the bag," the fact that this year their sales in the Liquor Board will increase from forty some million dollars to seventy-five million dollars, that they will have profits in the liquor stores of Pennsylvania over and above the ten million dollars estimated, of ten to twelve million dollars. In other words, the liquor business of this state—and I am ashamed to say it—is producing for this biennium, instead of $10,000,000, which was appropriated and in the budget last year, the sum of $20,000,000 to $22,000,000, and will produce that by the end of this biennium.

Mr. President, I say, and I am not afraid to face anybody in the State of Pennsylvania, that if we had profits from liquor in this state, made by this state going into the liquor business, of $10,000,000, I, for one, do not propose to vote for taxes that that $10,000,000 will avoid. The people of Pennsylvania and the people of the United States are now bowed down, so that business can hardly continue, unemployment is being increased by the tax burdens we are putting on the people, and our friends on the other side complain, and complain bitterly, because we refuse to vote taxes when we find that there are going to be $10,000,000 in profit in the liquor business that they have not counted on, and that has not been used.

We have been here for three months. We have heard all sorts of harangues, the Governor has called us all sorts of names, but when all is said and done, we have cut down the taxes that were proposed to be expended, $25,000,000. We have saved the taxpayers that much. We have discovered in cross-examination and by inquiry $3,000,000 more that were covered up from this personal property tax bill. We discovered $10,000,000 of profit that came out by mistake in the Finance Committee the other day, in the liquor stores. Mr. President, I, for one, with these facts before us, do not propose to vote any unnecessary taxes, and that is the issue that we can go before the people on, without shame or fear from any interests in this state.

They talk about the budget not going to be balanced,

that perhaps some of the revenue is not going to stand up. There hardly has been a settlement made by any manufacturing companies in this state. Nobody knows how much the manufacturing tax that we levied last year is going to produce. Our cigarette tax is running double what it was before. They raised the question that they were not giong to be able to collect the $11,000,000 floor tax levied last year. Maybe not, there is a case pending on it, but nobody can say, today, I repeat, that our budget for the present biennium is not being balanced, nobody can say that this legislature has not got a right to use the funds that we find available for this emergency, and thus avoid the imposition of unnecessary taxes. Now, if you all that liquor tax profit, which is there and nobody denies it, probably at the end of this biennium, to the taxes that were imposed and will be imposed when we pass this bank tax and corporate net income tax from six to eight percent, we will have $49,500,000, we will have $45,000,000 for relief, as promised, and we will have more than $4,500,000 for other expenses. There is no reason in the world why the program should not be accepted. We have been negotiating up to last night and all today, and they go back to some other end of the capitol and return and say we cannot change it. Now, it is pretty near time that we have a showdown. Are we going to use the money that we have available? Are we going to treat the tax program as it should be treated, and get out of here, or are we going to stay and impose a lot more taxes and build up a campaign fund for the Democratic Party? I am against it.

Mr. HUFFMAN. Mr. President, talking in a loud tone does not raise taxes, and I want to try to correct some of the confusing statements made by the Senator from Tioga. First, in respect to the value of the estimates. The Revenue Department told the committee that this bill, with the three mills tax, together with the accompanying bills, would bring in $24,000,000—that was the maximum—that includes the three-mill tax passed, which included the two sister bills, so called, the bank tax bills, and it includes the corporation tax, the corporate bond tax. The trouble with the Senator from Tioga is that he is figuring those three times, $21,000,000 for one item, $4,000,000 for another, and $3,000,000 for another.

The same situation exists today as it did when we got the first statement, and I am only making this, Mr. President, for the benefit of the Senators who are not in the Finance Committee. The Senator from Tioga knows these facts. You cannot make $27,000,000 out of that bill and he knows it cannot be done. We cannot get $3,000,000 out of the corporate tax. Half of that has been settled for the year. It actually is worth only $1,500,000 at this time. In other words, the four items that he refers to are worth $24,000,000, and not $27,000,000. Why he admitted it himself—he has always admitted it. I think now the "cat is out of the bag;" that after the statement made by the Finance Committee, headed by Mr. McClure, on the 13th, is not going to be lived up to. I want to read that statement, made last Monday night: "The Finance Committee of the Senate has reported to the Senate revenue raising measures appropriating $36,000,000. It has been agreed in committee that other revenue bills will be recommended providing revenue in an additional amount of $9,000,000, making a total of $49,000,000 for the purpose of relief. This amount includes the previous appropriations made by this Extraordinary Session of the General Assembly. The balance of this sum will be appropriated to the State Emergency Relief Board and by it be allocated from month to month over the period ending February 1, 1937. This amount of $45,000,000 has been agreed upon by the Republican and Democratic members of the Senate as a compromise figure."

I want to say that nothing has "slipped out of the bag." The Senator from Tioga voted for the first bill that was passed, $7,500,000, which was ten percent anticipated income for this year. Therefore, it did not "slip out of the bag," he knew it two months ago because we passed it more than six weeks ago. I say to the Senator from Tioga he helped to pass the Act of 1935, and in that Act he pledged all of the income from this State for the biennium, including the Liquor Tax, for the borrowing of $50,000,000 —all of it—and he attempts now to use that additional Liquor Tax as collateral for another loan. That is the answer, and I dare say that the Senator from Tioga would not advise any private clients that they could do anything else but observe the legal aspect of this case, and you cannot legally take this money out of the liquor stores—you might take it out as we did by force, when we got the advancements, but I do not think we can borrow money on it. I do not think that the Attorney General of this State will say it is a legal transaction if we use it, and we will be $10,000,000 short of the amount of money necessary to take care of relief.

MOTION TO POSTPONE BILL

Mr. PRESIDENT, in view of the situation as I find it tonight, I move that the question, together with the further consideration of the bill, be postponed.

Mr. CAVALCANTE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were required by Mr. McCLURE and Mr. CAVALCANTE and were as follows, viz:

YEAS—21

Baumer,	Law,	Reed,	Ruth,
Cavalcante,	McCreesh,	(Washington)	Shapiro,
Frey,	McGinnis,	Rice,	Sones,
Huffman,	Miller,	Roberts,	Thompson,
Kahle,	Pytko,	Rodgers,	(Centre)
Lanius,	Rankin,	Rupp,	

NAYS—26

Aron,	Gelder,	McClure,	Scott,
Batchelor,	Graff,	Owlett,	Staudenmeier,
Bean,	Harris,	Pierson,	Thompson,
Buckman,	Harvey,	Prince,	(Westmoreland)
Chapman,	Homsher,	Reed,	Trainer,
Coyne,	Howell,	(Dauphin)	Woodward,
Ealy,	Mallery,	Salus,	Ziesenheim,

So the question was determined in the negative.

And the question recurring,

Shall the bill pass finally?

Mr. BUCKMAN. Mr. President, I do not wish to prolong this discussion on the final passage of this bill, but I do wish to point out to the members of the Senate, especially the Democrats in this body, that this bill has already been defeated one time, and if it is defeated again today, it will be dead for the session, and whatever revenue there may be in this bill will be lost for this session. I at least point out to them for their consideration that situation, in order that they may know when they vote against this bill, it is possible to be defeated, and whatever revenue there is in the bill, or may hereafter be in this bill, will be lost in this session.

Mr. CAVALCANTE. Mr. President, of the remarks made on this bill I canot allow to go unchallenged the statement of the Senator from Tioga that the Democratic minority of this House does not enter into a compromise with the Republican majority unless we go to another room of this Capitol and come back changed. If that were true, it would have been at least a consolation to us that we had remained upon the spot where the people of this Commonwealth want us to remain in order to work out the problems of the people, and we do not seek the secluded rooms of hotels and other luxurious offices to receive our orders.

Mr. President, in voting upon this bill, the Senator from Bucks has said, or pointed out here, that this bill had been defeated once, and a second defeat will kill the bill for this session. The Senator from Bucks may well know that it was his twenty-nine Republican Senators that voted to keep this bill where it is, and in all fairness, and if they believe in what they say and in the program that they are going to give us, then let the twenty-nine Republican Senators vote for the bill and it will not be defeated.

Mr. SHAPIRO. Mr. President, I do not want to talk on this bill again, but I do not want to sit idly by and listen to wrong statements made by the Senator from Tioga in connection with the discussion of the bill.

In the first place, coming from Philadelphia, I resent the slur that was handed to a Judge who is making a reputation for fairness and decency for himself, of which even the Republican Senators may be envious. I want on this floor to state that the gentleman happened to be in the committee, and he is in this situation because of the fact that he was invited into the committee room by the Chairman of the committee, and that gentleman is present and can make answer whether it is so or not.

I do not want to go into the figures that this gentleman has quoted, because they are so full of fallacies that I am quite sure my friends do not want to hear it. We came here this week with a statement of the Senator from Delaware, Mr. McClure, that the "Finance Committee has reported to the Senate revenue raising measures appropriating $36,000,000. It has been agreed in committee that other revenue bills will be recommended providing revenue in an additional amount of $9,000,000." Now, the Senator from Tioga "lets the cat out of the bag," and he says there will not be additional revenue bills and there will be a transfer from the liquor stores of the money which might be realized in profits. In other words, the whole question of relief will be permitted to be dependent upon whether or not the expectations of the profits of the liquor stores will be sufficient to carry the relief, in addition to which everyone in this room knows that when we made up our tax bills and our anticipated revenue last year, we included $11,000,000 anticipated from the Floor Tax. We all knew it was doubtful, and we all knew that unless that amount was realized, we would be short-changing the budget. It has developed that so far only $3,000,000 has been collected and the $8,000,000 balance is very doubtful. If they want to stand on a relief program which will be based upon such a shallow expectancy as that, it is their privilege and their responsibility. I will vote for the bill, not because I believe it is right, but because, as the Senator from Bucks has said, by reason of the attitude of the Republican Senators heretofore, this bill dies finally unless passed at this time.

Mr. McGINNIS. Mr. President, in addition to what the Senator from Philadelphia has just said, I would like to say a word about the Judge of Philadelphia. The Judge was Secretary to our Governor for a number of months, he was Secretary of Revenue of this State for a number of months, and he was familiar with the revenue condition of this State. He has a brilliant mind. He was called here after the Republican side of this Senate refused to offer any program or agree to any program. If he came here on a couple trips and gave us the benefit of his brilliant mind, I do not see why he should be criticized.

Mr. ARON. Mr. President, I would like to interrogate the Senator from Delaware, Mr. McClure.

The PRESIDENT. Will the Senator from Delaware, Mr. McClure, permit himself to be interrogated?

Mr. McCLURE. Mr. President, I will.

Mr. ARON. Mr. President, I would like to ask the Senator from Delaware to explain how Judge Kalodner came to visit the Finance Committee.

Mr. McCLURE. Mr. President, one morning last week, I was on my way to the Capitol and met Judge Kalodner. We immediately started to discuss the tax situation as it was before us. I suggested at that time that I would be glad to have him appear before the Finance Committee any time. He came before us once or twice.

PREVIOUS QUESTION

Mr. BUCKMAN. Mr. President, I call for the previous question.

The Call being seconded by five Senators,

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—38

Aron,	Homsher,	Prince,	Salus,
Batchelor,	Howell,	Rankin,	Scott,
Bean,	Huffman,	Reed,	Shapiro,
Buckman,	Kahle,	(Dauphin)	Sones,
Chapman,	Lanius,	Reed,	Staudenmeier,
Coyne,	Mallery,	(Washington)	Thompson,
Ealy,	McClure,	Rice,	(Westmoreland)
Gelder,	McGinnis,	Roberts,	Trainer,
Graff	Owlett,	Rupp,	Woodward,
Harris	Pierson,	Ruth,	Ziesenheim,
Harvey,			

NAYS—9

Baumer,	Law,	Pytko,	Thompson,
Cavalcante,	McCreesh,	Rodgers,	(Centre)
Frey,	Miller,		

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

BILL OVER IN ORDER

Mr. McCLURE. Mr. President, I ask unanimous consent that Senate Bill No. 43 (House Bill No. 26), on third reading, entitled:

An Act to further amend section one of the act, approved the thirteenth day of June one thousand nine hundred seven (Pamphlet Laws six hundred forty) entitled "An act to provide revenue by levying a tax upon the shares of stock the companies incorporated under the provisions of section twenty-nine of an act entitled 'An act to pro-

vide for the incorporation and regulation of certain corporations' approved April twenty-ninth one thousand eight hundred and seventy-four and the supplements thereto for the insurance of owners of real estate mortgages and others interested in real estate from loss by reason of defective titles liens and encumbrances and of companies entitled to the benefits of and of companies having any of the powers of companies entitled to the benefits of an act entitled 'An act conferring upon certain fidelity insurance safety deposit trust and savings companies the powers and privileges of companies incorporated under the provision of section twenty-nine of an act entitled "An act to provide for the incorporation and regulation of certain corporations" approved the April twenty-ninth Anno Domini one thousand eight hundred and seventy-four and of the supplements thereto' approved June twenty-seventh one thousand eight hundred and ninety-five commonly known as title insurance or trust companies" by increasing the rate of tax for a limited period of time and further modifying the method of computing the tax.

go over in its order.

The PRESIDENT. Is there objection?

Mr. SHAPIRO. Mr. President, I desire to interrogate the Senator from Delaware, Mr. McClure.

The PRESIDENT. Will the Senator from Delaware, Mr. McClure, permit himself to be interrogated?

Mr. McCLURE. Mr. President, I will.

Mr. SHAPIRO. Mr. President, I wish to ask the Senator from Delaware what the purpose is in asking that the bill go over in its order.

Mr. McCLURE. Mr. President, the members of the Committee have amendments to offer to this bill on the floor tomorrow.

Mr. SHAPIRO. Mr. President, I object to the bill going over in its order.

MOTION TO POSTPONE BILL

Mr. McCLURE. Mr. President, I move that Senate Bill No. 43 House Bill No. 26, on third reading, be postponed for the present.

Mr. OWLETT. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were required by Mr. THOMPSON (Centre) and Mr. SHAPIRO and were as follows, viz:

YEAS—25

Aron,	Gelder,	Owlett,	Staudenmeier,
Batchelor,	Graff,	Pierson,	Thompson,
Bean,	Harvey,	Prince,	(Westmoreland)
Buckman,	Homsher,	Reed,	Trainer,
Chapman,	Howell,	(Dauphin)	Woodward,
Coyne,	Mallery,	Salus,	Ziesenheim,
Ealy,	McClure,	Scott,	

NAYS—22

Baumer,	Lanius,	Rankin,	Rupp,
Cavalcante,	Law,	Reed,	Ruth,
Frey,	McCreesh,	(Washington)	Shapiro,
Harris,	McGinnis,	Rice,	Sones,
Huffman,	Miller,	Roberts,	Thompson,
Kahle,	Pytko,	Rodgers,	(Centre)

So the question was determined in the affirmative.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 44 (House Bill No. 28), as follows:

An Act to further amend section one of the act approved the fifteenth day of July one thousand eight hundred and ninety-seven (Pamphlet Laws two hundred ninety-two) entitled "An act to provide revenue by taxation" by increasing the rate of tax.

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of the act approved the fifteenth day of July one thousand eight hundred and ninety-seven (Pamphlet Laws two hundred ninety-two) entitled "An act to provide revenue by taxation" as last amended by the act approved the thirty-first day of May one thousand nine hundred thirty-three (Pamphlet Laws one thousand one hundred thirty) be and the same is hereby further amended to read as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That from and after the passage of this act every bank or savings institution having capital stock incorporated by or under any law of this Commonwealth or under any law of the United States and located within this Commonwealth shall on or before the fifteenth day of February in each and every year make to the Department of Revenu a report in writing verified as required by law setting for the full number of shares of the capital stock subscribed for or issued as of the preceding thirty-first day of December by such bank or savings institution and the actual value thereof as of the preceding thirty-first day of December which actual value shall be ascertained as hereinafter provided It shall be the duty of the Department of Revenue to assess such shares for taxation at the same rate as that imposed upon other moneyed capital in the hands of individual citizens of the State that is to say for the calendar year ending December thirty-first one thousand nine hundred thirty-six at the rate of [four] eight mills upon each dollar of the actual value thereof and thereafter at the rate of four mills upon each dollar of the actual value thereof the actual value of each share of stock to be ascertained and fixed by adding together the amount of capital stock paid in the surplus and undivided profits and dividing this amount by the number of shares It shall be the duty of every bank or savings institution within a period of sixty days after the date of such settlement by the Department of Revenue to collect the amount of said tax from its shareholders and pay the same to the State Treasurer through the Department of Revenue Provided That in case any bank or savings institution having capital stock incorporated under the law of this State or of the United States shall collect annually from the shareholders thereof said tax of [four] eight mills or four mills as the case may be on the dollar upon the actual value of all the shares of stock of said bank or savings institution according to the provisions of this act that have been subscribed for or issued and pay the same into the State Treasury through the Department of Revenue the shares and so much of the capital and profits of such bank or savings institution as shall not be invested in real estate shall be exempt from local taxation under the laws of this Commonwealth and such bank or savings institution shall not be required to make any report to the local assessor or county commissioners of its personal property owned by it in its own right for purposes of taxation and shall not be required to pay any tax thereon The procedure in case the Department of Revenue be not satisfied with the report made by any bank or savings institution and the penalties for failing to make such report and pay the tax shall be as provided by law

Section 2 This act shall become effective immediately upon its final enactment and shall apply for the calendar year ending December thirty-first one thousand nine hundred thirty-six and thereafter

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—35

Aron,	Kahle,	Pierson,	Shapiro,
Baumer,	Lanius,	Pytko,	Sones,
Bean,	Law,	Rankin,	Staudenmeier,
Cavalcante,	Mallery,	Rice,	Thompson,
Frey,	McClure,	Roberts,	(Centre)
Gelder,	McCreesh,	Rodgers,	Thompson,
Harris,	McGinnis,	Rupp,	(Westmoreland)
Harvey,	Miller,	Ruth,	Trainer,
Homsher,	Owlett,	Salus,	Woodward,
Huffman,			

NAYS—11

Batchelor,	Ealy,	Prince,	Reed,
Buckman,	Graff,	Reed,	(Washington)
Chapman,	Howell,	(Dauphin)	Ziesenheim,
Coyne,			

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested

BILL POSTPONED

Mr. McCLURE. Mr. President, I move that Senate Bill No. 106, on third reading, entitled:

An Act establishing a system of unemployment compensation to be administered by a newly created independent administrative commission of five members appointed by the Governor, the President Pro Tempore of the Senate, the Speaker of the House of Representatives, the Auditor General, and the State Treasurer; requiring certain employers to contribute to a fund from which such compensation shall be paid; requiring any employer to make certain reports and perform ceratin other duties; defining the rights of certain unemployed persons to receive compensation; defining the rights, powers and duties of said commission; establishing a civil service system for employes of the commission; transferring the existing system of free public employment offices from the Department of Labor and Industry to said commission; providing for the custody and control of said fund; providing the procedure for the determination and payment of such contributions and compensation; providing for cooperation with the Federal Government and certain of its agencies; and prescribing penalties

be placed on the postponed calendar.

Mr. THOMPSON (Centre). Mr. President, I second the motion.

The motion was agreed to.

REPORTS FROM COMMITTEES

Mr. GELDER. Mr. President, I ask unanimous consent to make a report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. GELDER, from the Committee on Appropriations, reported as committed, Senate Bill No. 94 (House Bill No. 135), entitled:

An Act appropriating to the State Emergency Relief Board for unemployment relief all restitutions and overpayments collected by or for said board.

Also from the Committee on Appropriations, reported as committed, Senate Bill No. 53 (House Bill No. 66), entitled:

An Act making an appropriation to the Department of Property and Supplies for increasing the capacity of overcrowded State institutions, eliminating fire and other hazards to safety at State institutions, providing for the purchase of safety and other equipment, the erection and construction of new buildings, and repairs, alterations and additions to, and replacement of, existing buildings and equipment.

Also from the Committee on Appropriations, reported as committed, Senate Bill No. 109 (House Bill No. 58), entitled:

A Supplement to act number seventy-seven-A approved the twentieth day of July one thousand nine hundred thirty-five (One Thousand Nine Hundred Thirty-five Appropriation Acts page seventy-one) entitled "An act to provide for the ordinary expenses of the Executive Legislative and Judicial Departments of the Commonwealth interest on the public debt and the support of the public schools for two years beginning June first one thousand nine hundred and thirty-five and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred and thirty-five" providing for additional appropriations to certain departments boards and commissions.

Also from the Committee on Appropriations, reported as committed, Senate Bill No. 93 (House Bill No. 134), entitled:

An Act requiring unemployment relief orders to be presented for payment within a certain period otherwise to be cancelled and the moneys appropriated for their payment to be escheated to the Commonwealth and credited to the current appropriation for unemployment relief purposes.

Mr. COYNE. Mr. President, I ask unanimous consent to make a report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. COYNE, from the Committee on Executive Nominations reported with favorable recommendation the following nominations made by His Excellency, the Governor of the Commonwealth:

May 4, 1936.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following appointments:

MEMBERS OF THE COMMISSION TO COMPILE, EDIT, PUBLISH AND DISTRIBUTE PAMPHLETS DESCRIPTIVE OF SCENIC AND HISTORIC INTEREST

Henry M. Scharf, Gettysburg, from February 6, 1936, until annulled.

S. Edward Gable, Lancaster, from February 6, 1936, until annulled.

Ernest G. Smith, Wilkes-Barre, from February 6, 1936, until annulled.

Wyatt Brown, Harrisburg, from February 6, 1936, until annulled.

GEORGE H. EARLE.

MEMBERS OF THE STATE BOARD OF UNDERTAKERS

Leonard A. Levine, Philadelphia, from October 3, 1935, until August 31, 1942, and until his successor shall have been appointed.

John G. Schofer, Topton, from April 14, 1936, until August 31, 1945, and until his successor shall have been appointed.

GEORGE H. EARLE.

NOTARIES PUBLIC

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 20, 1936.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

ALLEGHENY COUNTY

Geo. S. Barr, 1325 Penna. Ave., Pittsburgh.
Fred H. Brenner, 43d St. & A. V. R. R., Pittsburgh.
Paul L. Kesel, 962 Frick Bldg., Pittsburgh.
Herman Litman, Braddock.
C. Fred Rebhun, Clairton.

BLAIR COUNTY

Miss Dorothy E. Reigh, Altoona.

CLARION COUNTY

Miss Mercedes Meisinger, Clarion.

CLINTON COUNTY

Antonio Pompeo, Lock Haven.

LEHIGH COUNTY

Charles L. Walters, Allentown.

MONTGOMERY COUNTY

George R. Koenig, North Wales.

PHILADELPHIA COUNTY

Daniel S. Greenstein, 1142 Real Estate Trust Bldg, Philadelphia.

WASHINGTON COUNTY

Ralph M. Waltz, Washington.

GEORGE H. EARLE.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 20, 1936.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as Notaries Public, for terms of four years to compute from the date set opposite their names:

ALLEGHENY COUNTY

Arthur D. Keagy, Castle Shannon, August 1, 1936.

BLAIR COUNTY

Edwin A. Rudasill, Altoona, August 1, 1936.

PHILADELPHIA COUNTY

Earl W. Lebo, Philadelphia, August 1, 1936.

LUZERNE COUNTY

William T. Madden, Pittston, August 2, 1936.

LACKAWANNA COUNTY

Miss Myriel R. Davies, Scranton, August 16, 1936.

LEHIGH COUNTY

Miss Frances V. Harris, Allentown, August 16, 1936.

LUZERNE COUNTY

Clem Krause, Nanticoke, August 16, 1936.
Francis Murphy, Wilkes-Barre, August 16, 1936.

PHILADELPHIA COUNTY

C. Frank Ayer, Philadelphia, August 16, 1936.

ALLEGHENY COUNTY

L. C. Morehouse, Pittsburgh, August 18, 1936.
Ralph S. Adams, Crafton, August 19, 1936.

GEORGE H. EARLE.

JUSTICES OF THE PEACE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 11, 1936.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor to nominate for the advice and consent of the Senate the following appointment.

Russell Wilhide, of Wall, Allegheny County, as Justice of the Peace in the Borough of Wall, Allegheny County, until the first Monday in January, 1938.

GEORGE H. EARLE.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 20, 1936.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following appointments to compute from the date of confirmation:

Edgar R. Sparrow, of Smock, Fayette County, as Justice of the Peace in the Township of Franklin, Fayette County (to fill a vacancy), until the first Monday in January, 1938.

Francis A. Polliard, of Greensburg, Westmoreland County, as Justice of the Peace in the Township of Unity, Westmoreland County, vice A. G. Myers, resigned, until the first Monday in January, 1938.

GEORGE H. EARLE.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 20, 1936.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Joseph C. Stine, Jr., of R. D. 5, Tyrone, Blair County, for appointment as Justice of the Peace in the Township of Snyder, Blair County (to fill a vacancy), until the first Monday in January, 1938.

GEORGE H. EARLE.

EXECUTIVE SESSION

By unanimous consent,

A motion was made by Mr. SONES,

That Rule 38, which requires nominations made by the Governor, to lie on the table one day be dispensed with, and the Senate do now resolve itself in Executive Session, for the purpose of acting upon the foregoing nominations:

Which was agreed upon.

Whereupon,

A motion was made by Mr. SONES,

That the Senate do advise and consent to the nominations reported.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—47

Aron,	Harvey,	Pierson,	Salus,
Batchelor,	Homsher,	Prince,	Scott,
Baumer,	Howell,	Pytko,	Shapiro,
Bean,	Huffman,	Rankin,	Sones,

Buckman,	Kahle,	Reed,	Staudenmeier,
Cavalcante,	Lanius,	(Dauphin)	Thompson,
Chapman,	Law,	Reed,	(Centre)
Coyne,	Mallery,	(Washington)	Thompson,
Ealy,	McClure,	Rice,	(Westmoreland)
Frey,	McCreesh,	Roberts,	Trainer,
Gelder,	McGinnis,	Rodgers,	Woodward,
Graff,	Miller,	Rupp,	Ziesenheim,
Harris,	Owlett,	Ruth,	

NAYS—0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, Taat the Governor be informed accordingly.

Mr. SONES. Mr. President, I move that the Executive Session do now rise.

Mr. RICE. Mr. President, I second the motion.

The motion was agreed to.

MOTION TO READ BILLS THE FIRST TIME

Mr. BUCKMAN. Mr. President, I move that all bills reported from committees at today's session be read the first time.

Mr. WOODWARD. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON FIRST READING

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 53 (House Bill No. 66), entitled:

An Act making an appropriation to the Department of Property and Supplies for increasing the capacity of overcrowded State institutions eliminating fire and other hazards to safety at State institutions providing for the purchase of safety and other equipment the erection and construction of new buildings and repairs alterations and additions to and replacement of existing buildings and equipment.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 93 (House Bill No. 134), entitled:

An Act requiring unemployment relief orders to be presented for payment within a certain period otherwise to be cancelled and the moneys appropriated for their payment to be escheated to the Commonwealth and credited to the current appropriation for unemployment relief purposes.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 94 (House Bill No. 135), entitled:

An Act appropriating to the State Emergency Relief Board for unemployment relief all restitutions and overpayments collected by or for said board.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 109 (House Bill No. 58), entitled:

A Supplement to act number seventy-seven-A, approved the twentieth day of July, one thousand nine hundred thirty-five (One Thousand Nine Hundred Thirty-five, Appropriation Acts, page seventy-one), entitled "An act to provide for the ordinary expenses of the Executive, Legislative, and Judicial Departments of the Commonwealth, interest on the public debt, and the support of the public schools for two years beginning June first, one thousand nine hundred and thirty-five; and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first, one thousand nine hundred and thirty-five," providing for additional appropriations to certain departments, boards and commissions.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 117 (House Bill No. 165), entitled:

An Act to amend the act, approved the ninth day of April, one thousand nine hundred twenty-nine (Pamphlet Laws, three hundred forty-three), entitled "An act relating to the finances of the State government; providing for the settlement, assessment, collection, and lien of taxes, bonus and all other accounts due the Commonwealth, the collection and recovery of fees and other money or property due or belonging to the Commonwealth, or any agency thereof, including escheated property and the proceeds of its sale the custody and disbursement or other disbursement of funds and securities belonging to or in the possession of the Commonwealth, and the settlement of claims against the Commonwealth, the resettlement of accounts and appeals to the courts, refunds of moneys erroneously paid to the Commonwealth, auditing the accounts of the Commonwealth, and all agencies thereof, of all public officers collecting moneys payable to the Commonwealth, or any agency thereof, and all receipts of appropriations from the Commonwealth and imposing penalties; affecting every department, board, commission, and officer of the State Government, every political subdivision of the State, and certain officers of such subdivisions, every person, association, and corporation required to pay, assess, or collect taxes, or to make returns or reports under the laws imposing taxes for State purposes, or to pay license fees or other moneys to the Commonwealth, or any agency thereof, every State depository and every debtor or creditor of the Commonwealth," as amended, by making further provision relative to the settlement, resettlement and collection of certain taxes, and further defining the powers and duties of the Department of Revenue with relation thereto.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

ADJOURNMENT

Mr. BUCKMAN. Mr. President, I move that the Senate do now adjourn until tomorrow afternoon at 1 o'clock.

Mr. WOODWARD. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 6:38 P. M. until tomorrow afternoon, July 22nd, at 1 o'clock.

HOUSE OF REPRESENTATIVES

TUESDAY, JULY 21, 1936.

The House met at 12.00 o'clock noon.

The SPEAKER (Roy E. Furman) in the Chair.

PRAYER

The Reverend OSCAR F. R. TREDER, Rector of St. James Episcopal Church, Bedford, Pa. offered the following prayer:

O God, at Whose Word man goeth forth unto his work and to his labor until the evening; be merciful to all whose duties are difficult or burdensome, and comfort them concerning their toil. Shield from bodily harm and accident the workmen at their work. Protect the efforts of sober and honest industry, and suffer not the hire of the laborers to be kept back by fraud. Incline the hearts of employers and of those whom they employ to mutual forbearance, fairness and good-will. Give the spirit of governance and of a sound mind to all in places of authority. Remember all who by reason of weakness are overtasked, or by reason of poverty are forgotten. Give ear unto our prayer, O merciful and gracious Father, for Thy Name's sake. Amen.

JOURNAL APPROVED

The SPEAKER. The Clerk will read the Journal of yesterday.

The Clerk proceeded to read the Journal of yesterday, when, on motion of Mr. WHITE, the further reading was dispensed with and the Journal approved.

SENATE MESSAGE

The Clerk of the Senate being introduced presented extracts from the Journal of the Senate which were laid upon the table.

LEAVE OF ABSENCE

Mr. Schrope asked and obtained leave of absence for Mr. John J. Downey on account of illness in the family.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 55.

An Act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies requiring employers to pay certain contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons providing procedure and administrative details for the determination payment and collection of such contributions and the payment of such compensation providing for cooperation with the Federal Government and its agencies creating certain special funds in the custody of the State Treasurer and prescribing penalties

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend title, page 1, lines 2 and 3, by striking out the words "the Department of Labor and Industry and its existing and newly created agencies" and inserting in lieu thereof the following: "a newly created independent administrative commission of five members appointed by the Governor President Pro Tempore of the Senate the Speaker of the House of Representatives the Auditor General and the State Treasurer establishing a civil service system for employes of the commission transferring the existing system of free public employment offices from the Department of Labor and Industry to the commission."

Amend Article I, Section 4, page 3, lines 6 and 7, by striking out the words "Board of Review" and inserting in lieu thereof the word "Commission"; also in lines 17 and 18, by striking out all of said lines as follows: "(d) 'Department' means the Department of Labor and Industry of the Commonwealth of Pennsylvania"; also at the beginning of line 19, by striking out the letter "(e)" and inserting in lieu thereof the letter "(d)"; also at the beginning of line 24, by striking out the letter "(f)" and inserting in lieu thereof the letter "(e)"; also on page 4, by striking out all of lines 7 to 18 inclusive as follows:

"In determining the number of employes of an employer and in determining the amount of contributions required to be paid by an employer all of the individuals employed by a contractor or subcontractor or helpers or assistants of such individuals with whom the employer contracts for any work which is part of the employer's usual trade occupation profession or business shall be deemed to be employed by such employer who shall alone be liable for the contributions payable with respect to the wages of the employes of such contractor or subcontractor but who may recover from such contractor or subcontractor the amount of such contributions actually paid by him."

Also same page, line 26, by striking out the word "department" and inserting in lieu thereof the word "commission"; also line 28, by striking out the word "department" and inserting in lieu thereof the word "commission"; also on page 5, at the beginning of line 1, by striking out the letter "(g)" and inserting in lieu thereof the letter "(f)"; also in line 7, by striking out the word and figure "either (1)"; also in lines 8 to 15 inclusive by striking out as follows: "or (2) the contract of employment is entered into within this Commonwealth and the work is in any part performed within this Commonwealth For the purposes of this act contracts entered into by employers subject to this act with persons residing in this Commonwealth shall be deemed to be contracts entered into within this Commonwealth"

Also same section, page 6, by striking out at the beginning of line 11 the letter "(h)" and inserting in lieu thereof the letter "(g)"; also at the end of line 12, by striking out the word "department" and inserting in lieu thereof the word "commission"; also at the beginning of line 13, by striking out the letter "(i)" and inserting in lieu thereof the letter "(h)"; also in line 15, by striking out the word "department" and inserting in lieu thereof the word "comission"; also in lines 16 to 21 inclusive by striing out all of said lines as follows:

"(j) 'Referee' means a referee appointed by the department with the approval of the Governor to hear appeals under this act

(k) 'Secretary' means the Secretary of Labor and Industry of this Commonwealth or his duly authorized representative"

Also at the beginning of line 22, by striking out the letter "(l)" and inserting in lieu thereof the letter "(i)"; also on page 7, at the beginning of line 4, by striking out the letter "(m)" and inserting in lieu thereof the letter "(j)"; also at the beginning of line 6, by striking out the letter "(n)" and inserting in lieu thereof the letter "(k)"; also at the beginning of line 8, by striking out the letter '(o)" and inserting in lieu thereof the letter "(l)"; also at the beginning of line 18, by striking out the letter "(p)" and inserting in lieu thereof the letter "(m)"; also at the beginning of line 21, by striking out the letter "(q)" and inserting in lieu thereof the letter "(n)"; also at the beginning of line 23, by striking out the letter "(r)" and inserting in lieu thereof the letter "(o)"; also at the beginning of line 26, by striking out the letter "(s)" and inserting in lieu thereof the letter "(p)"; also at the end of line 28, by striking out the word "department" and inserting in lieu thereof the word "commission"; also on page 8, at the beginning of line 1, by striking out the letter "(t)" and inserting in lieu thereof the letter "(q)"; also in line 7, by striking out the word "department" and inserting in lieu thereof the word "commission"; also in line 9, by striking out the word 'department" and inserting in lieu thereof the word "commission"; also in line 25, by inserting after the word "tax" the words "or in the event that the Social Security Board shall not

approve the provisions of this act"; also on page 9, at the end of line 3, by striking out the word "department" and inserting in lieu thereof the word "commission."

Amend Article II, page 9, line 6, by striking out all of said Article as follows:

"Section 201 General Powers and Duties of Department It shall be the duty of the department to administer and enforce this act It shall have power and authority to adopt amend and rescind such rules and regulations require such reports from employers employes the board and other parties affected by this act make such investigations and take such other action as it deems necessary or suitable Such rules and regulations shall not be inconsistent with the provisions of this act and shall be effective upon publication in the manner the department shall prescribe in such rules and regulations The department shall submit to the Governor a biennial report covering the administration and operation of this act and shall make such recommendations for amendments to this act as it deems proper

Section 202 Personnel and Employment Offices The secretary shall have power to establish such offices and to appoint and fix the compensation of such employes in such offices and in the department as he may deem necessary to administer this act The secretary shall also have power to assign such employes of the department as he deems necessary to assist in the administration of this act

Section 203 Unemployment Compensation Board of Review (a) There is hereby created in the department an Unemployment Compensation Board of Review The Board shall consist of three members one of whom shall be a representative of employers one a representative of employees and one a representative of the public nominated and appointed by the Governor by and with the advice and consent of two-thirds of all the members of the Senate for terms of six years each except that the terms of the members first taking office shall commence on July first one thousand nine hundred thirty-seven and shall be for two four and six years respectively as designated by the Governor at the time of appointment The Governor shall designate one of the members as chairman Vacancies in said board shall be filled for the unexpired terms The chairman of the board shall receive a salary at the rate of nine thousand dollars per annum The other members of the board shall receive salaries at the rate of eight thousand five hundred dollars per annum Such salaries shall be paid from the Administration Fund Two members of the board shall be a quorum and no action of the board shall be valid unless it shall have the concurrence of at least two members A vacancy on the board shall not impair the right of a quorum to exercise all the rights and perform all the duties of the board

(b) The board shall be a departmental administrative board and shall have all the powers and perform all the duties generally vested in and imposed upon departmental administrative boards and commissions by The Administrative Code of one thousand nine hundred twenty-nine and its amendments

(c) It shall be the duty of the board to hear appeals arising from claims for compensation adopt amend and rescind such rules of procedure undertake such investigations and take such other action required for the hearing and disposition of appeals at it deems necessary and consistent with this act Such rules of procedure shall be effective upon publication in such manner as the board shall prescribe in such rules and shall not be inconsistent with this act Any investigation hearing or appeal which the board has power to undertake hold hear or determine may be undertaken held or heard by or before any one or more of the members of the board but any determination ruling or order of a member or members upon any such investigation hearing or appeal undertaken held or heard by him or them shall not become and be effective until approved and confirmed by at least a quorum of the board The chairman of the board shall have the power as often as he may deem the work of the board requires to designate the time and place for the conducting of investigations hearings and appeals and to assign cases to a member or members for such purposes

(d) The secretary with the approval of the Governor shall appoint and fix the compensation of such referees as may be deemed necessary with power to take testimony in any appeals coming before the board

(e) The board shall submit to the department a biennial report concerning the performance of its powers and duties and shall make such recommendations for the improvement of its service and the amendment of this act as it deems proper

Section 204 Advisory Councils The department shall have power to create and appoint members of State-wide and local advisory councils composed in each case of an equal number of employer and employe representatives who may fairly be regarded as representative because of their vocation employment or affiliations On each such council there shall also be members representing the general public

Such councils shall aid the department in formulating policies in discussing problems related to the administration of this act in assuring impartiality and freedom from political influence in the administraton of this act in taking steps to reduce and prevent unemployment and in making studies relating to partial and seasonal unemployment

The members of such advisory councils shall serve without compensation but shall be entitled to be reimbursed out of the Administration Fund for all necessary expenses incurred in the discharge of their duties

Section 205 Stabilization of Employment Partial and Seasonal Unemployments The department shall take appropriate steps to (a) reduce and prevent unemployment (b) encourage and assist in the adoption of practical methods of vocational training and guidance (c) investigate recommend advise and assist in the establishment by political subdivisions of reserves for public works to be used in times of business depression and unemployment (d) promote the reemployment of unemployed workers (e) make studies of partial unemployment and recommendations in respect to provisions for the payment of compensation for partial unemployment and (f) make studies of seasonal unemployment and recommendations in respect to provisions for seasonal industries under this system of unemployment compensation

Copies of all such studies and recommendations shall be transmitted to the Governor

Section 206 Records of and Reports by Employers Each employer shall keep accurate employment records in such form and containing such information as may be prescribed by the rules and regulations adopted by the department Such records shall be open to inspection by the department and its agents at any reasonable time and as often as may be deemed necessary The department may require from such employers such reports as it deems necessary which shall be sworn to if required by the department

Information thus obtained shall not be made public or be open to public inspection other than to the members of the board and the officers and employes of the department and the Social Security Board in the performance of their public duties but any claimant at a hearing of his claim shall upon request be supplied with information from such records to the extent necessary for the proper presentation of his claim

Any officer or employe of the department or the board or any other public employe who shall violate any of the provisions of this section shall upon conviction in a summary proceeding be sentenced to pay a fine of not less than twenty nor more than two hundred dollars and in default of the payment of such fine and costs of prosecution shall be sentenced to imprisonment for not longer than thirty days

Section 207 Co-operation with Social Security Board and Other Agencies (a) In the administration of this act the department shall co-operate to the fullest extent consistent with the provisions of this act with the Social Security Board It shall make such reports in such form and containing such information as the Social Security Board may from time to time require and shall comply with such provisions as the Social Security Board may from time to time find necessary to assure the correctness and verification of such reports

(b) Upon request therefor the department shall furnish to any agency of the United States charged with the administration of public works or assistance through pub-

lic employment the name address ordinary occupation and employment status of each recipient of compensation and such recipients rights as to further compensation under this act

(c) The department is hereby authorized to enter into reciprocal arrangements and compacts with the proper authorities of other states and the Federal Government for the purpose of carrying out the objectives of the unemployment compensation acts of this and other states or adopted by the Congress of the United States"

and inserting in lieu thereof the following:

"Section 201 Creation and Organization of Commission This act shall be administered by an independent administrative commission to be known as the "Unemployment Compensation Commission" which is hereby created and which shall consist of five members who shall be appointed as follows One by the Governor with the approval of the Senate one by the President Pro Tempore of the Senate one by the Speaker of the House of Representatives one by the Auditor General and one by the State Treasurer The chairman of the commission shall at all times be the member appointed by the Governor As promptly as possible after the passage of this act the respective appointing powers shall appoint the members of said commission who shall serve subject to removal by the respective appointing powers for terms running concurrently with the term of office of the appointing power and until their successors are duly appointed Appointments to fill vacancies shall be for the unexpired portion of the term of the officer making the appointment and until a successor is appointed The compensation of each member shall be seven thousand five hundred dollars ($7,500) per annum They shall not be permitted to engage in any business or profession during the terms of their service nor shall any of them serve as an officer or committee member of any political organization during said period Any three members shall constitute a quorum and no vacancy or vacancies shall impair the right of the commission to exercise all of its powers

Section 202 Duties Powers and Functions of Commission

(a) Duties and Powers in General The commission shall have power and authority to adopt amend or rescind such rules and regulations to employ such persons make such expenditures require such reports make such investigations and take such other action as it deems necessary or suitable to the administration of this act Such rules and regulations shall be effective upon publication in such manner not inconsistent with the provisions of this act as the commission may prescribe The commission shall determine its own organization and methods of procedure in accordance with the provisions of this act and shall have an official seal which shall be judicially noticed Biennially the commission shall submit to the Governor a report covering the administration and operation of this act during the two preceding calendar years and shall make such recommendations for amendments to this act as the commission deems proper

(b) General Commission Rules Rules and regulations which apply to all or to all of a class of employers employes or other persons or agencies shall be known as general commission rules and may be adopted amended or rescinded by the commission only after public hearing or opportunity to be heard thereon of which appropriate public notice shall be given Such rules shall become effective ten days after filing with the Secretary of State and publication in one or more newspapers of general circulation as defined by law in this State

(c) Publication and Notice The commission shall cause to be printed for distribution to the public the text of this act the commission's general rules and its biennial reports to the Governor and any other material the commission deems relevant and suitable and shall furnish the same to any person upon application therefore The commission may further require that employers shall post any printed notices statements or rulings of the commission issued hereunder in a conspicuous place or places convenient for the inspection thereof by their employes

(d) Personnel Subject to the other provisions of this act the commission is authorized to appoint fix the compensation and prescribe the duties and powers of such officers accountants attorneys experts and other persons as may be necessary in the performance of its duties All positions shall be filled by persons so selected and appointed on a nonpartisan merit basis as hereinafter provided The commission shall not employ appoint or engage any person who is an officer or committee member of any political party organization The commission may delegate to any person appointed hereunder such power and authority as it deems reasonable and proper for the effective administration of this act and may in its discretion bond any person handling moneys or signing checks hereunder.

(e) Advisory Councils The Governor shall appoint a State Advisory Council and may appoint such local advisory councils as the commission recommends composed in each case of equal numbers of (1) employer representatives (2) employe representatives and (3) representatives of the general public not to exced a total of twelve who shall serve for terms not to exceed six years and without compensation but shall be reimbursed for their necessary expenses Such council or councils shall aid the commission in formulating policies and discussing problems related to the administration of this act in insuring impartiality and freedom from political influence in the solution of such problems and in preparing reports and recommendations to the Legislature They shall meet at least twice in each year and submit their reports and recommendations at least annually to the Governor

(f) Employment Stabilization The commission with the advice and aid of the advisory councils shall take all appropriate steps to reduce and prevent unemployment to encourage and assist in the adoption of practical methods of vocational training retraining and vocational guidance to investigate recommend advise and assist in the establishment and operation by municipalities counties school districts and the State of reserves for public works to be used in times of business depression and unemployment to promote the re-employment of unemployed workers through the State to make studies of partial unemployment and recommendations in respect to provisions for the payment of compensation hereunder for partial unemployment such recommendations to be submitted to the Governor prior to January first one thousand nine hundred and thirty-seven to make studies of unemployment in seasonal industries and unemployment of individuals normally employed for short periods at full time and submit recommendations as to provisions to give fair and reasonable protection to the reserve accounts of employers in such industries or employers of such individuals from liability for unemployment which occurs otherwise than during the normal season or period of employment in such industry or of such individuals such recommendations to be submitted to the Governor prior to January first one thousand nine hundred and thirty-seven and to make studies and recommendations regarding the liability of employers' reserve accounts for compensation hereunder to individuals who voluntarily leave their employment or are discharged therefrom for misconduct but who obtain other employment before claiming compensation hereunder and to these ends to carry on and publish the results of such investigations and such research as the commission may deem advisable

(g) Records and Reports The commission shall require every employer whether or not subject to this act under the definition set forth in section one hundred and four (g) to keep true and accurate employment records containing such information as it may prescribe Such records shall be open to inspection and be subject to being copied by the commission or its authorized representatives at any reasonable time and as often as may be necessary The commission may require from any such employer any sworn or unsworn reports with respect to persons employed by it which the commission deems necessary for the effective administration of this act but such reports shall not be made public or opened to public inspection but claimants hereunder shall be supplied upon request with information from such records as far as pertinent to the presentation of their claims All reports and records of employers required

by or furnished to the commission may be used by it for statistical purposes and published in connection therewith in any manner which will not disclose the employer's identity

(h) Cooperation with Federal Agencies In the administration of this act the commission shall cooperate to the fullest extent consistent with the provisions of this act with the Social Security Board It shall make such reports in such form and containing such information as the Social Security Board may from time to time require and shall comply with such provisions as the Social Security Board may from time to time find necessary to assure the correctness and verification of such reports Upon request therefor the commission shall furnish to any agency of the United States charged with the administration of public works or assistance through public employment the name address ordinary occupation and employment status of each recipient of compensation and such recipient's rights as to further compensation under this act

(i) Adjustment of Contributions and Benefits In the event that the Federal excise tax imposed in title nine of the Social Security Act or the credit allowed thereunder for contributions to State plans are increased or reduced by further act of Congress then in that event the commission shall have power by reasonable and proper rules to adjust the amount of contributions required hereunder and benefits payable hereunder in proportion to such increase or reduction

(j) Reciprocal Agreements The commission shall be authorized to make such agreements with appropriate authorities to other States having similar laws or of the Federal Government and to prescribe such rules in collaboration with such authorities as it may deem necessary and advisable in order to affect a fair and reasonable adjustment in the requirement of contributions and in the payment of benefits with respect to the employment of employes who remove from one state to another or whose employment is regularly in more than one state or otherwise to carry out the objectives of the unemployment compensation acts of this and other states or of the Federal Government

(k) General Powers The commission shall also have all the powers generally vested in independent administrative commissions by the Administrative Code of nineteen hundred and twenty-nine and its amendments

Section 203 Transfer of Employment Offices The system of free public employment offices established under the jurisdiction and control of the Bureau of Employment in the Department of Labor and Industry as provided in the act approved the fourteenth day of June one thousand nine hundred and fifteen (Pamphlet Laws eight hundred thirty-three) shall be and is hereby transferred to the jurisdiction and control of the commission and shall be known as the employment service thereof The commission may from time to time appoint a full-time salaried director of said division and shall appoint engage and employ all such other officers or employes as is deems necessary to administer manage and control said employment offices Such director and all other persons so appointed engaged or employed shall be selected in accordance with the provisions of section five hundred and two (d) and five hundred and thirteen of this act subject also to the provisions of the act onf Congress approved by the President the sixth day of June one thousand nine hundred and thirty-three the provisions and benefits of which were accepted in this Commonwealth by the act approved the twenty-seventh day of December one thousand nine hundred and thirty-three (Pamphlet Laws one hundred ten)

The commission shall maintain and establish free public employment offices including those now in existence such number and in such places as it may deem necessary for the proper administration of this act All duties and powers heretofore conferred on any other department agency or officer of this Commonwealth relating to the establishment maintenance and operation of such employment offices shall be and are hereby vested in the commission

The commission through its employment service shall be charged with the duty of cooperating in the administration of this act with the United States employment service or with any official or agency thereof having powers and duties under the provisions of the aforesaid act of Congress approved the sixth day of June one thousand nine hundred and thirty-three so as to secure to this Commonwealth the benefits thereof and to carry out the purposes of said act approved the twenty-seventh day of December one thousand nine hundred and thirty-three as well as the other purposes of this act If the provisions of this act should be suspended pursuant to section one hundred and three hereof then said system of public employment offices shall be transferred back to the jurisdiction and control of the Department of Labor and Industry and shall be operated as heretofore in the same manner as though this act had not been passed

Section 204 Duties and Powers of Employment Offices Subject to such rules as the commission may prescribe employment offices established or maintained under section five hundred and three hereof shall (1) receive and record registration of unmeployed individuals hereunder (2) administer the payment of benefits hereunder (3) receive and approve or reject claims by employes for benefits hereunder subject to review by the commission or its designated agent (4) certify to the commission or to its designated agent the eligibility or non-eligibility of employes to receive benefits hereunder and (5) do and perform all their now existing duties and functions so far as consistent herewith

Section 205 Selection of Personnel

(a) No officer except members of the commission and no employe shall be appointed or be employed by the Unemployment Compensation Commission except as provided in this section Any officer or employes transferred under the provisions of this act shall be deemed employes and may be retained under the provisions of htis section without examination The Unemployment Compensation Commission is hereby authorized to prescribe from time to time by rule or regulation the qualifications to be possessed by persons desiring employment under it The qualifications shall be such as will best promote the efficient operation and management of its affairs but in all cases persons appointed shall be citizens of the United States and residents of this Commonwelath

(b) Every person desiring employment under the Unemployment Compensation Commission shall file with the commission an application under oath or affirmation which shall be in such form and shall set forth such information as the commission shall prescribe Provided however That the commission shall not require an applicant to furnish a photograph of him or herself and that no application blank shall require the color religion or political affiliation of the applicant to be designated

(c) Upon receiving such application the Unemployment Compensation Commission shall transmit the same to the Department of Public Instruction which shall determine whether under the rules or regulations of the Unemployment Compensation Commission the applicant is qualified for the employment he seeks If so the applicant shall be admitted to competitive examination when examinations shall next be held for positions in the class of employment he seeks Such competitive examinations shall be practical in character and as far as may be possible shall relate to those matters which will fairly test the relative capacity and fitness of the persons examined to perform the duties of the service to which they seek to be appointed

(d) The Department of Public Instruction shall conduct such examinations at such places in the Commonwealth as to make it reasonably convenient and inexpansive for applicants to attend them The department may divide the State into districts for the purpose of conducting such examinations

(e) Every candidate admitted to such examinations shall be given a number so that when his paper is marked and graded it will be impossible for the person passing upon the examination papers to ascertain his identity until his grade has been established The examination papers of such candidates shall be marked by committees composed of representatives of the department and of persons not employed by the Commonwealth in any other capacity designated by the presidents of the colleges and

universities receiving State aid from the Commonwealth All such examination papers shall be graded on a basis of one hundred per centum and less Such examination papers shall immediately thereafter be filed and the applicants listed Any person who shall have been a member of the armed forces of the United States during a war or expedition for which the Government of the United States issued a campaign badge whose separation from said service was honorable whether by discharge or otherwise shall receive in addition to his rating on his examination paper an additional rating of five per centum (5%) All such outside examiners shall receive compensation at the rate of fifteen dollars ($15) per day for their services payable from the Unemployment Compensation Fund The number of committees which may be necessary shall be determined by the department and each committee shall consist of three persons The selections made by the president of State-aided colleges and universities shall be submitted to the department in writing by each such president and the department shall designate commttee members from the lists so submitted in rotation

(f) Except as hereinbefore or hereinafter provided all offices places and employments under the Unemployment Compensation Commission shall be filled by selections from persons who have satisfactorily passed the examinations The persons receiving the highest grade shall be first appointed and so on

(g) If a list of eligible certified by the Department of Public Instruction is available for any position another examination shall not be given until after the expiration of twelve months from the date of the last examination for that position Such subsequent examination may be held in the discretion of the Unemployment Compensation Commission at any time after the expiration of such twelve month period and when such subsequent examination has been held and the list therefrom duly certified by the department of Public Instruction the previous list shall expire and no further appointment shall be made from such previous list Provided that when a position is to be filled by appointment from a list of eligible and a list of persons eligible for appointment to such position is not available examinations shall be held for that position at the earliest convenient date after the vacancy occurs

(h) Vacancies in positions in the competitive class whether such positions be newly created or vacated for any reason by any former incumbent shall be filled so far as practicable by promotion from among persons holding positions in a lower grade In all cases a person to be promoted shall have serve not less than six months in a position under the commission Promotion shall be based on merit and upon the superior qualifications of the person promoted as shown by his previous service

(i) In the event it is not deemed practicable to fill a vacancy by promotion in the manner prescribed in the foregoing paragraph such vacancy shall be filled by appointment from an eligible list of the person next in line for appointment from such list except that no such appointment may be made to any position having a rate of compensation higher than that paid to any employe or employes who have been appointed from the same list within six months prior to the date of the current appointment and in order that this may be carried out the commission shall make such changes as it deems advisable in the then status of any employe or employes who have been appointed from the same list within six months prior to the date of the current appointment Provided however That such changes are not required except where they are necessary to insure that the most recent appointment shall be to a position which does not have a higher rate of compensation then that paid to any employe or employes who been appointed from the same list within six months prior to the date of the current appointment

(j) The tenure of any person holding a position under the provisions of this act shall be during good behavior but any such person may be removed demoted suspended without pay or with reduced pay transferred reprimanded temperance immorality profanity discourteous treatment of the public or other employes wilful disobedience violation of the provisions of this act or of the rules and regulations of the commission or for any other failure of or restored to his position or another position with such pay as may be equitable for any of the following causes Incompetency inefficiency insubordination dishonesty ingood behavior or any other act or acts which are incmpatible with or inimical to the public service No person shall be required to contribute to any political fund nor support any political party or organization nor shall any such person be removed or otherwise prejudiced for refusing to do so

(k) Whenever it is necessary because of lack of work or lack of funds or whenever it is advisable in the interests of eccnomy to reduce the staff of the commission it may lay off employes In the event that the commission decides to abolish one or more positions or to temporarily employes of the commission equal to the number of posi- of funds or in the interests of economy then a number of discontinue the same because of lack of work or lack tions to be so abolished or discontinued shall be laid off

(l) When it becomes necessary for any employe to be removed demoted suspended without pay or with reduced pay transferred reprimanded or restored to a former position or another position with such pay as will be equitable for any of the above named causes or when it is necessary because of lack of work or lack of funds or in the interest of economy to lay off an employe or in the event the commission decides to abolish or temporarily discontinue one or more positions because of lack of work lack of funds or in the interest of economy the employe or employes selected to be removed in any of the manners so mentioned shall have a right to appeal for a hearing and consideration of his case or otherwise to be filled employes who have been previously placed on leave of absence because of the abolishment or temporary discontinuance of a position or other reduction in personnel of economy such employes shall be recalled to service because of lack of work lack of funds or in the interest within their proper classification and in the order of their rank before any appointment can be made from a list created and certified at a later date then the list from which the furloughed employe was originally appointed

(m) In the foregoing section the terms "promotion" "transfer" and "demotion" shall be interpreted as follows

"Promotion" means a change from one position to another position having a higher rate of compensation or involving a change of duties or responsibilities or either or both

"Transfer" means a change from one position to another position at the same rate of compensation

"Demotion" means a change from one position to another position having a lower rate of compensation or in which different and less responsible duties are involved or either or both whether made for the purpose of better adjusting personnel to the needs of the commission or as a disciplinary measure"

Amend Article III, Section 301, page 15, line 12, by striking out the word "department" and inserting in lieu thereof the word "commission"; also Section 303, page 16, lines 17 and 18, by striking out the word "department" and inserting in lieu thereof the word "commission"; also in line 18, by striking out the word "department" and inserting in lieu thereof the word "commission"; also in Section 304, page 16, line 24, by striking out the word "department" and inserting in lieu thereof the word "commission"; also in line 25, by striking out the word "department" and inserting in lieu thereof the word "commission"; also in Section 305, page 16, line 29, by striking out the word "department" and inserting in lieu thereof the word "commission"; also on page 17, line 2, by striking out the word "department" and inserting in lieu thereof the word "commission"; also Section 308, page 17, line 21, by striking out the word "department" and inserting in lieu thereof the word "commission"; also Section 309, page 17, line 25, by striking out the word "department" and inserting in lieu thereof the word "commission"; also Section 312, page 19, line 8, by striking out the word "department" and inserting in lieu thereof the word "commission"; also in line 10, by striking out the word "department" and inserting in lieu thereof the word "commission"; also in line 13, by strik-

ing out the word "department" and inserting in lieu thereof the word "commission"; also in line 17, by striking out the word "department" and inserting in lieu thereof the word "commission."

Amend Article IV, page 19, Section 401, line 29, by striking out the word "department" and inserting in lieu thereof the word "commission"; also same section, page 20, line 2, by striking out the word "department" and inserting in lieu thereof the word "commission"; also Section 402, page 20, line 24, by striking out the word "department" and inserting in lieu thereof the word "commission"; also Section 403, page 21, line 10, by striking out the word "department," and inserting in lieu thereof the word "commission"; also Section 405, page 21, at the end of line 29, by striking out the word "department" and inserting in lieu thereof the word "commission."

Amend Article V, page 22, by striking out beginning with line 4, all of said article as follows:

"Section 501 Initial Determination of Compensation Appeals The department shall promptly examine any claim filed and on the basis of the facts found by it shall determine whether or not the claim for compensation is valid and if valid the week with respect to which compensation shall commence the weekly compensation payable and the maximum duration thereof The claimant and other affected parties shall be promptly notified of the decisions and the reasons therefor Unless the claimant or other affected parties file an appeal from such decision to the board within ten calendar days after such notification was mailed to his last known post office address and applies for a hearing such decision of the department shall be final and compensation shall be paid or denied in accordance therewith In the event that an appeal is filed with the board the payment of compensation shall be withheld pending determination of the claim by a referee When a referee or the board affirms a decision of the department allowing compensation such compensation shall be paid notwithstanding any further appeal which may thereafter be taken.

Section 502 Decision of Referee Further Appeals and Reviews Where an appeal from the decision of the department is taken a referee shall after affording the parties reasonable opportunity for a fair hearing affirm modify or reverse the findings of fact and the decision of the department as to him shall appear just and proper The parties shall be duly notified of the referee's decision and the reasons therefor which shall be deemed the final decision of the board unless within ten days after the date of such decision the board acts on its own motion or upon application permits any of the parties to institute a further appeal before the board A memorandum of testimony of any hearing before any referee shall be made and be preserved for a period of two years

Section 503 Disqualifications to Participate in Hearings No referee or no member of the board or No employe of the department shall sit in the hearing of any case in which he himself is an interested party The board may designate an alternate to serve in the absence or disqualification of any referee

Section 504 Powers of Board Over Claims The board shall have power on its own motion or on appeal to remove transfer or review any claim pending before or decided by a referee and in any such cases and in cases where a further appeal is allowed by the board from the decision of a referee may affirm modify or reverse the decision of the department or referee on the basis of the evidence previously submitted in the case or direct the taking of additional evidence A complete record shall be kept of each case heard before the board All testimony at any hearing before the board whether on appeal or otherwise shall be taken by a reporter but need not be transcribed unless the disputed claim is further appealed

Section 505 Rules of Procedure The manner in which appeals shall be taken the reports thereon required by the secretary the claimant and employers and the conduct of hearings and appeals shall be in accordance with rules of procedure prescribed by the board whether or not such rules conform to common law or statutory rules of evidence and other technical rules of procedure.

Section 506 Power to Administer Oaths Subpoenas In the discharge of the duties imposed by this act the secretary the members of the board any agent duly authorized in writing by the board and any referee shall have power to administer oaths and affirmations take depositions and certify to official acts The board shall have power to issue summons or subpoenas to compel the attendance of witnesses and the production of books papers correspondence memoranda and other records deemed necessary as evidence in connection with the disputed claim or the administration of this act Such summons or subpoenas shall be signed by the chairman of the board or some person duly authorized in writing by the board

Section 507 Procedure where Summons or Subpoenas Disobeyed In case any person refuses fails or neglects to obey a summons or subpoena issued under the authority of this act or fails refuses or neglects to produce any books papers correspondence memoranda or record the board or its agent duly authorized in writing may petition the court of common pleas of the county in which the inquiry is being carried on or within which the person summoned or subpoenaed is found or resides or transacts business setting forth the facts whereupon the court shall have jurisdiction to issue to such person its subpoena requiring such person to appear before the court at a time fixed and there to give testimony touching the matter under investigation or to produce such other evidence as may be required

Any person who shall without just cause fail neglect or refuse to obey a subpoena of the court or who shall without just cause fail or refuse to attend and testify or to answer any lawful inquiry or to produce books papers correspondence memoranda and other records if it is in his power so to do in obedience to a subpoena of the court may be punished by said court for contempt

Section 508 Protection Against Self-Incrimination No person shall be excused from attending or testifying or from producing books papers correspondence memoranda and other records before the department the board or any referee or court in obedience to any summons or subpoena on the ground that the testimony or evidence documentary or otherwise required of him may tend to incriminate him or subject him to a penalty or forfeiture but no individual shall be prosecuted or subjected to any penalty or forfeiture for or on account of any transaction matter or thing concerning which he is compelled after having claimed his privilege against self-incrimination to testify or produce evidence except that such individual shall not be exempt from prosecution and punishment for perjury committed in so testifying

Section 509 Finality of Decisions Any decision made by the department or any referee or the board shall become final after ten days after the date thereof unless appealed from as hereinbefore provided but any decision of the board or of a referee where an appeal has been disallowed by the board shall nevertheless be subject to appeal to the Superior Court after the same has become final

Section 510 Appeals to Superior Court An appeal to the Superior Court may be taken by any party claiming to be aggrieved but only after he has exhausted his remedies before the board In any such appeal the board shall be made the party defendant Every appeal to the Superior Court must be taken within thirty days after the decision of the referee or board became final The appeal shall be by petition and shall state the grounds upon which a judicial review is sought A copy of such appeal petition shall be served upon a member or agent of the board and sufficient additional copies shall be left with the board to enable the board to furnish a copy to every party in interest in the proceeding who has not joined in the appeal The board shall file an answer in the Superior Court within thirty days after the petition has been served on it and shall at the same time file with the court certified copies of all documents and papers a record of all testimony taken and all findings of facts and decisions thereon The board may also in its discretion certify to such court questions of law involved in any decision by it

In any appeal to the Superior Court the findings of the board or referee as the case may be as to the facts if supported by the evidence and in the absence of fraud shall be conclusive and in such cases the jurisdiction of the court shall be confined to questions of law and shall be given precedence over all other civil cases except cases arising under the Workmen's Compensation Law

Section 511 Exceptions and Bond not Necessary No Supersedeas to be Granted In order to take an appeal to the Superior Court it shall not be necessary to enter exceptions to the rulings of the board and no bond shall be required for entering an appeal No appeal to the Superior Court shall act as a supersedeas

Section 512 Final Order of Board Upon the final determination of any appeal the board shall enter an order in accordance with the decree of the court."

and inserting in lieu thereof the following:

"Section 501 Initial Determination The designated representative of the commission at the employment office at which any claim for benefit is filed hereinafter referred to as a "deputy" shall promptly examine the claim and on the basis of the facts found by him determine whether or not such claim is valid and if valid the week with respect to which compensation shall commence the weekly benefit payable and the maximum duration thereof The claimant and the employer or employers against whose reserve account such compensation is chargeable shall be promptly notified of said decision and the reasons therefor Unless the claimant or such employer or employers shall within five days after the delivery of such notifications or within seven days after such notification was mailed to his or their last known address file an appeal from such decision and apply for a hearing such decision shall be final and compensation shall be paid or denied in accordance therewith In the event that a hearing is requested compensation with respect to the period prior to the final determination of the commission shall be paid only after such final determination but such compensation if allowed upon such final determination shall be paid regardless of any further appeal which may be taken If the decision is reversed on such further appeal compensation so paid shall be charged to the fund's pooled account

Section 502 Appeals Unless such appeal is withdrawn a referee appointed by the commission shall after affording the parties reasonable opportunity for a fair hearing affirm modify or reverse the findings of fact and the decision of the deputy the parties shall be duly notified of such referee's findings of fact and decision thereon and unless within ten days after the date thereof the commission permits any of the parties to conduct a further appeal before it or directs a reopening of such decision and a further hearing thereon before such referee such decision shall at the end of said ten-day period become the final determination of the commission A complete record shall be kept of each case before a referee and all testimony taken shall be stenographically recorded but need not be transcribed unless the disputed claim is further appealed

Section 503 Referees The commission shall appoint one or more full-time salaried referees to hear and decide disputed claims hereunder No referee or other employe of the commission shall sit in the hearing of any case in which he himself is an interested party The commission may designate an alternate to serve in the absence or disqualification of any referee

Section 504 Commission Review The commission on its own motion or upon application of any of the interested parties may within ten days after the date of any decision by a referee order a rehearing of such decision or determine to conduct a review of the same Upon such review the commission shall file a decision which shall be the final determination of the commission affirming modifying or reversing the decision of the referee No member of the commission shall participate in the review of a case in which he himself is an interested party

Section 505 Continuous Jurisdiction Upon its own initiative or upon application of any party in interest the commission may at any time for proper cause review an award of benefits or the denial of a claim therefor in accordance with the procedure prescribed in respect to claims and in accordance with such review may issue a new decision which may award terminate continue increase or decrease such benefits Such new order shall not affect any benefits paid before the date thereof under authority of the prior order and shall be subject to review as provided in this section

Section 506 Rules and Procedure The manner in which claims shall be presented the reports thereon required from the claimant and from employers and the conduct of hearings and appeals shall be in accordance with rules prescribed by the commission for determining the rights of the parties whether or not such rules conform to common law or statutory rules of evidence and other technical rules of procedure

Section 507 Oaths and Subpoenas In the discharge of the duties imposed by this section referees and the members of the commission shall have power to administer oaths and affirmations take depositions certify to official acts and issue summons and subpoenas to compel the attendance of witnesses and the production of books papers correspondence memoranda and other records deemed necessary as evidence In case of refusal to obey a summons or subpoena issued to any person any court of this State within the jurisdiction of which the inquiry is carried on or within the jurisdiction of which said person guilty of refusal to obey is found or resides or transacts business upon application by a referee or by the commission or any member thereof shall have jurisdiction to issue to such person its subpoena requiring such person to appear before it there to give testiquestion or to produce such evidence as may be required Any failure to obey such subpoena of the court may be punished by said court as a contempt thereof

Section 508 Protection against Self-Incrimination No person shall be executed from attending and testifying or from producing books papers correspondence memoranda and other records before the commission or in obedience to the subpoena of a referee or of the commission in any cause or proceeding instituted by the commission on the ground that the testimony or evidence documentary or otherwise required of him may tend to incriminate him or subject him to a penalty or forfeiture but no individual shall be prosecuted or subjected to any panelty or forfeiture for or on account of any transaction matter or thing concerning which he is compelled after hearing claimed his privilege against self-incrimination to testify or produce evidence documentary or otherwise except that such individual so testifying shall not be exempt from prosecution and punishment for perjury committed in so testifying

Section 509 Witness Fees Witnesses subpoenaed pursuant to this section shall be allowed fees at a rate fixed by the commission Such fees shall be deemed a part of the expense of administering this act

Section 510 Finality of Decision Any decision made by a deputy or by a referee shall become the final determination of the commission unless appealed from or reopened as hereinbefore provided but any such final determination by the commission shall nevertheless be subject to appeal to the Superior Court as hereinafter provided

Section 511 Appeal to Superior Court An appeal to the Superior Court may be taken by any party claiming to be aggrieved but only after he has exhausted his remedies before the commission. In any such appeal the commission shall be made the party defendant Every appeal to the Superior Court must be taken within thirty days after the final determination of the commission The appeal shall be by petition and shall state the grounds upon which a judicial review is sought A copy of such appeal petition shall be served upon a member or agent of the commission and sufficient additional copies shall be left with the commission to enable it to furnish a copy to every party in interest in the proceeding who has not joined in the appeal The commission shall file an answer in the Superior Court within thirty days after the petition has been served on it and shall at the same time file with the court certified copies of all documents and papers a record of all testimony taken and all findings of fact and decisions thereon The commission may

also in its discretion certify to such court questions of law involved in any decision by it In any appeal to the Superior Court findings of fact of the referee or of the commission as the case may be unless unsupported by the evidence or affected by fraud shall be conclusive and the decision of the Superior Court shall be based upon questions of law Such cases shall be given precedence over all other civil cases except cases arising under the Workmen's Compensation Law In order to take an appeal to the Superior Court it shall not be necessary to enter exceptions to the rulings of the referee or of the commission and no bond shall be required for entering an appeal. No appeal to the Superior Court shall act as a supersedeas

Section 512 Final Order of the Commission Upon final determination of any appeal to the Superior Court the commission shall enter an order in accordance with the decree of said court and take such action in the case as may be directed by said decree"

Amend Article VI, page 27, Section 601, lines 24 and 25 by striking out the word "department" and inserting in lieu thereof the word "commission"; also in line 27, by striking out the word "department" and inserting in lieu thereof the word "commission"; also on page 28, line 3, by striking out the word "department" and inserting in lieu thereof the word "commission"; also in line 5, by striking out the word "department" and inserting in lieu thereof the word "commission"; also in line 9, by striking out the word "department" and inserting in lieu thereof the word "commission"; also in line 15, by striking out the word "department" and inserting in lieu thereof the word "commission"; also Section 602, page 28, line 21, by striking out the word "department" and inserting in lieu thereof the word "commission"; also in line 26, by striking out the word "department" and inserting in lieu thereof the word "commission"; also Section 603, page 29, lines 8 and 9, by striking out the word "department" and inserting in lieu thereof the word "commission"; also by striking out all of lines 19 to 21 inclusive as follows: "department All requisitions issued by the department shall bear the signature of the Secretary or his duly authorized agent for such purpose" and inserting in lieu thereof the word "commission."

Amend Article VII, Section 702, page 30, line 19, by striking out the words "department the board" and inserting in lieu thereof the word "commission"; also in line 21, by striking out the words "department the board or a referee" and inserting in lieu thereof the word "commission"; also in line 25, by striking out the word "board" and inserting in lieu thereof the word "commission".

On the question,

Will the House concur in the amendments made by the Senate?

Mr. MOOMAW. Mr. Speaker and members of the House, in view of the fact that this bill has been returned from the Senate varying greatly from the bill which we passed here in the House some two months ago and there are at present considerable differences of opinion as to the proper amendments or the proper changes to be made in the bill, I move that this House do not concur in the amendments of the Senate, so that if the Senate does not recede from its amendments this bill will go to a conference committee, where an equitable measure can be worked out.

On the question,

Will the House agree to the motion?

The yeas and nays were required by Mr. Blumberg and Mr. Peters and were as follows:

YEAS—109.

Achterman,	Downey, G. E.,	LaRue,	Robinson,
Alexander,	Eberharter,	Long,	Ruffennach,
Allen,	Eroe,	Lovett,	Sarraf,
Andrews,	Falkenstein,	Lynch,	Scanlon,
Anthony,	Ferko,	Male,	Schaeffer,
Arnold,	Finnerty,	McCreary,	Schrope,
Aukerman,	Fitch,	McDermott,	Schwab,
Baine,	Flanagan,	McElroy,	Shaw,
Baker, J. J.,	Flinchbaugh,	McHenry,	Shugarts,
Bradley,	Gerard,	Melchiorre,	Siegel,
Brancato,	Haberlen,	Moomaw,	Simon,
Brown, H. S.,	Hagerty,	Mooney,	Sinwell,
Brown, J. E.,	Haluska,	Moran,	Smith, J. A.,
Brownfield,	Hamilton, F. P.,	Moul,	Smith, W. G.,
Brumbaugh,	Harkins,	Munley,	Stank,
Burke,	Harmuth,	Murrin,	Stevens,
Caputo,	Hetrick,	Nagel,	Stone,
Carson,	Hindman,	O'Keefe,	Sumney,
Chervenak,	Hirsch,	Ominsky,	Tronzo,
Coakley,	Holland,	Patterson, C.,	Tumelty,
Cochran,	Holstrom,	Patterson, J. W.,	VanSickle,
Cohen,	Hoopes,	Pearson,	Weiss,
Coleman,	Kelso,	Pfaff,	Welliver,
Coolahan,	Kilroy,	Piole,	Welsh,
Decker,	Kinney,	Powers,	Westrick,
Dent,	Klinger,	Reising,	Yourishin,
Diehl,	Kobelak,	Rinn,	Furman,
Dilley,			

NAYS—68.

Altenburg,	Gates,	Moore,	Stott,
Atkins,	Habbyshaw,	Muir,	Surface,
Baker, F. T.,	Hamilton, R. S.,	Perry,	Sweeney,
Baldi,	Hermansen,	Peters,	Tahl,
Barnhardt,	Hoffner,	Phillips,	Trout,
Beadman,	Horst,	Rhys,	Turner,
Bernhard,	Jackson,	Royer,	Van Allsburg,
Blumberg,	Jones,	Schrock,	Wall,
Boose,	Kane,	Serrill,	Wasserman,
Boyer,	Kelder,	Shortz,	Weidemann,
Carr,	Kenney,	Shreiner,	White,
Castor,	Linderman,	Sloan,	Wickersham,
Cooper,	Longaker,	Snyder, F. E.,	Winner,
Cordier,	Mason,	Sowers,	Witkin,
Denning,	McDevitt,	Sproul,	Wood,
Duffort,	McKinney,	Stewart,	Woodside,
Flynn,	Merrell,	Stockham,	Yeakel,
Forrest,			

So the question was determined in the affirmative and the motion was agreed to.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL NO. 40.

An Act to provide for the commemoration by the Commonwealth of Pennsylvania of the Three Hundredth Anniversary of the Earliest Settlement the First Courts of Law and the First Capital within what is now Pennsylvania and making an appropriation

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend Whereas Clause, page 3, line 15, by inserting after the word "and" and before the word "the" the word "of."

Amend Section 1, page 3, line 4, by inserting after the word "instruction" the words "through the Pennsylvania Historical Commission"; also in line 9, by inserting after the word "Instruction", the words "through the Pennsylvania Historical Commission."

Amend Section 2, page 4, lines 13 and 14, by striking out the words and numerals "twenty-five thousand dollars ($25,000)" and inserting in lieu thereof the words and numerals "twelve thousand five hundred dollars ($12,500)"; also in line 16, by striking out the word "use" and inserting in lieu thereof the words "the use of the Pennsylvania Historical Commission."

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—202

Achterman,	Eroe,	McCreary,	Shaw,
Alexander,	Falkenstein,	McDermott,	Shepard,
Allen,	Ferko,	McDevitt,	Shortz,
Altenburg,	Finnerty,	McElroy,	Shreiner,
Andrews,	Fitch,	McHenry,	Shugarts,
Anthony,	Flanagan,	McKinney,	Siegel,
Arnold,	Flinchbaugh,	Melchiorre,	Simon,
Atkins,	Flynn,	Mentzer,	Simpson,
Aukerman,	Forrest,	Merrell,	Sloan,
Baine,	Gates,	Moomaw,	Smith, J. A.,
Baker, F. T.,	Gerard,	Mooney,	Smith, W. G.,
Baker, J. J.,	Gillette,	Moore,	Snyder, F. E.,
Baldi,	Greenstein,	Moran,	Snyder, J. L.,
Barber,	Habbyshaw,	Moul,	Sowers,
Barnhardt,	Haberlen,	Muir,	Sproul,
Beadman,	Hagerty,	Munley,	Stank,
Bernhard,	Haluska,	Murrin,	Stevens,
Blumberg,	Hamilton, F. P.,	Nagel,	Stewart,
Boose,	Hamilton, R. S.,	Nothnagle,	Stockham,
Boyer,	Harkins,	O'Keefe,	Stone,
Bradley,	Harmuth,	Ominsky,	Stott,
Brancato,	Hartman,	O'Neill,	Sumney,
Brennan,	Hermansen,	Panton,	Surface,
Brown, H. S.,	Hetrick,	Parks,	Sweeney,
Brown, J. E.,	Hindman,	Patterson, C.,	Tahl,
Brownfield,	Hirsch,	Patterson, J. W.,	Terry,
Brumbaugh,	Hoffner,	Pearson,	Tronzo,
Burke,	Holland,	Perry,	Trout,
Cannon,	Holstrom,	Peters,	Tumelty,
Caputo,	Hoopes,	Pfaff,	Turner,
Carr,	Horst,	Phillips,	VanAllsburg,
Carson,	Jackson,	Piole,	VanSickle,
Castor,	Jones,	Powers,	Wall,
Chervenak,	Kane,	Reising,	Wasserman,
Coakley,	Kelder,	Reynolds,	Weidemann,
Cochran,	Kelso,	Rhys,	Weiss,
Cohen,	Kenney,	Rinn,	Welliver,
Coleman,	Kilroy,	Roan,	Welsh,
Condon,	Kinney,	Robinson,	Westrick,
Coolahan,	Klingler,	Rooney,	White,
Cooper	Kobelak,	Root,	Wickersham,
Cordier,	LaRue,	Royer,	Winner,
Davies,	Linderman,	Ruffennach,	Witkin,
Decker,	Long,	Sarraf,	Wood,
Denning,	Longaker,	Scanlon,	Woodside,
Dent,	Lovett,	Schaeffer,	Yeakel,
Diehl,	Lynch,	Schrock,	Yourishin,
Dilley,	Male,	Schrope,	Zappala,
Downey, G. E.,	Mallen,	Schwab,	Zimmerman,
Duffort,	Mason,	Serrill,	Furman,
Eberharter,			

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative, and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 98.

An Act to create a State Planning Board prescribing its powers and duties imposing certain duties upon political subdivisions and making an appropriation

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend Section 2, page 2, lines 17 and 18, by striking out the words "except as hereinafter provided"; also in lines 23 to 27 inclusive by striking out the following: "The board may pay to its citizens members honoraria not to exceed ten dollars ($10.00) for each official board meeting attended provided that the total amount paid to any board member in any biennium shall not exceed five hundred dollars ($500.00)"

Amend Section 4, page 3, line 22, by inserting after the word "State" and before the word "Such" the words "by the State its agencies and political subdivisions"; also lines 28 and 29, by striking out the words "for the prevention of stream pollution railroad and"; also at the end of line 29, by striking out the word "power"; also page 4, by striking out at the beginning of line 1, the words "transmission facilities"; also in line 2, by striking out the words "utilities facilities"; also in line 4, by inserting after the word "location" the word "or"; also same line by striking out after the word "status" the words "or other reason"; also in line 8, by striking out after the word "officials" the words "or which for any reason"; also same line by inserting after the word "reason" and before the word "are" the words "and which"; also in line 27, by inserting after the word "State" the words "by the State its agencies and political subdivisions."

Amend bill, page 7, by striking out all of lines 1 to 29 inclusive as follows:

"Section 7 From and after the adoption by the State Planning Board of the State master plan or of any part thereof and the certification by the board to the Governor of a copy of the plan or such parts thereof then and thenceforth no State highway park forest reservation or other State way or ground and no State building or structure or property shall be constructed or acquired with State funds or located constructed or authorized by any State board official or department unless the proposed location and extent thereof shall have been submitted to the State Planning Board and the report and advice of the board thereon shall have been received but this requirement shall be deemed to be waived if the board fails to furnish in writing its report and advice upon the proposal within forty-five days after the submission thereof to it In case any such way ground building structure or property be given a location or extent which does not accord with the report and advice of the State Planning Board the State department or official having charge of the location authorization construction or acquisition of the same shall file in its or his office a statement of its or his reason for the departure from such report and advice and such statement shall be open to public inspection

This section shall not apply to ways grounds buildings structures or properties which are under construction or acquisition which shall have been fully authorized or whose location and extent shall have been determined previous to the taking effect of this act"

Amend bill, page 8, by striking out all of lines 1 to 7 inclusive, as follows:

"Section 8 Upon request by the Governor the General Assembly or any State department or agency and if the money therefor is made available over and above the board's appropriation the board is authorized to make special studies and recommendations with respect thereto of any subject or problem coming within the general purview of the board as defined by this act"

Amend Section 9, page 8, line 8, by striking out after the word "Section" the numeral "9" and inserting in lieu thereof the numeral "7"; also in line 9, by striking out after the word "boards" the words "if and when."

Amend Section 10, page 8, line 17, by striking out after the word "Section" the numerals "10" and inserting in lieu thereof the numeral "8."

Amend Section 11, page 8, line 23, by striking out after the word "Section" the numerals "11" and inserting in lieu thereof the numeral "9"; also in line 25, by inserting after the word "hearings" the words "and in conducting public hearings may"; also same line by inserting after the word "oaths" the word "and"; also

same line by striking out after the word "affidavits" the following: "and may by subpoena compel the attendance of witnesses and the production of books records papers and evidence relating to the authority for investigation and study invested in the board Upon application by the board the court"; also on page 9, by striking out all of lines 1 to 4 inclusive as follows: "of common pleas of any county shall by proper proceedings enforce the attendance before it and the production of testimony of witnesses and the production and examination of books papers and records by issuing its subpoena."

Amend Section 12, page 9, line 5, by striking out after the word "Section" the numerals "12" and inserting in lieu thereof the numerals "10".

Amend Section 13, page 9, line 8, by striking out after the word "Section" the numerals "13" and inserting in lieu thereof the numerals "11".

Amend Section 14, page 9, line 14, by striking out after the word "Section" the numerals "14" and inserting in lieu thereof the numerals "12"; also in lines 15 and 16, by striking out the words and figures "twenty-five thousand dollars ($25,000)" and inserting in lieu thereof the words and figures "ten thousand dollars ($10,000)".

Amend Section 15, page 9, line 21, by striking out after the word "Section" the numerals "15" and inserting in lieu thereof the numerals "13".

Amend Section 16, page 10, line 1, by striking out after the word "Section" the numerals "16" and inserting in lieu thereof the numerals "14".

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—202

Achterman,	Eroe,	McDermott,	Shepard,
Alexander,	Falkenstein,	McDevitt,	Shortz,
Allen,	Ferko,	McElroy,	Shreiner,
Altenburg,	Finnerty,	McHenry,	Shugarts,
Andrews,	Fitch,	McKinney,	Siegel,
Anthony,	Flanagan,	Melchiorre,	Simon,
Arnold,	Flinchbaugh,	Mentzer,	Simpson,
Atkins,	Flynn,	Merrell,	Sinwell,
Aukerman,	Forrest,	Moomaw,	Sloan,
Baine,	Gates,	Mooney,	Smith, J. A.,
Baker, F. T.,	Gerard,	Moore,	Smith, W. G.,
Baker, J. J.,	Gillette,	Moran,	Snyder, F. E.,
Baldi,	Greenstein,	Moul,	Snyder, J. L.,
Barber,	Habbyshaw,	Muir,	Sowers,
Barnhardt,	Haberlen,	Munley,	Sproul,
Beadman,	Hagerty,	Murrin,	Stank,
Bernhard,	Haluska,	Nagel,	Stevens,
Blumberg,	Hamilton, F. P.,	Nothnagle,	Stewart,
Boose,	Hamilton, R. S.	O'Keefe,	Stockham,
Boyer,	Harkins,	Ominsky,	Stone,
Bradley,	Harmuth,	O'Neill,	Stott,
Brancato,	Hartman,	Panton,	Sumney,
Brennan,	Hermansen,	Parks,	Surface,
Brown, H. S.,	Hetrick,	Patterson, C.,	Sweeney,
Brown, J. E.,	Hindman,	Patterson, J. W.,	Tahl,
Brownfield,	Hirsch,	Pearson,	Terry,
Brumbaugh,	Hoffner,	Perry,	Tronzo,
Burke,	Holland,	Peters,	Trout,
Cannon,	Holstrom,	Pfaff,	Tumelty,
Caputo,	Hoopes,	Phillips,	Turner,
Carr,	Horst,	Piole,	VanAllsburg,
Carson,	Jackson,	Powers,	VanSickle,
Castor,	Jones,	Reising,	Wall,
Chervenak,	Kane,	Reynolds,	Wasserman,
Coakley,	Kelder,	Rhys,	Weidemann,
Cochran,	Keiso,	Rinn,	Weiss,
Cohen,	Kenney,	Roan,	Welliver,
Coleman,	Kilroy,	Robinson,	Welsh,
Condon,	Kinney,	Rooney,	Westrick,
Coolahan,	Klingler,	Root,	White,
Cooper,	Kobelak,	Royer,	Wickersham,
Cordier,	LaRue,	Ruffennach,	Winner,
Davies,	Linderman,	Sarraf,	Witkin,
Decker,	Long,	Scanlon,	Wood,
Denning,	Longaker,	Schaeffer,	Woodside,
Dent,	Lovett,	Schrock,	Yeakel,
Diehl,	Lynch,	Schrope,	Yourishin,
Dilley	Male,	Schwab,	Zappala,
Downey, G. E.,	Mallen,	Serrill,	Zimmerman,
Duffort,	Mason,	Shaw,	Furman,
Eberharter,	McCreary,		

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative, and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

RESOLUTIONS

TRANSFER OF FUNDS

Mr. WITKIN offered a resolution and asked and obtained unanimous consent that it be read for the information of the House.

The resolution was read by the Clerk as follows:

In the House of Representatives, July 21, 1936.

Resolved (if the Senate concur), That the General Assembly hereby authorizes the Governor and fiscal officers of the Commonwealth to transfer to the General Fund from the State Stores Fund the sum of $1,500,000 for the purpose of making the same available for expenditure for unemployment relief purposes.

Resolved, That the General Assembly hereby pledges that it will pass at this session of the Legislature appropriate legislation validating the action of the Governor and the fiscal officers of the Commonwealth, in making said transfer and in making said moneys available for unemployment relief purposes and appropriating to the State Emergency Relief Board for unemployment relief purposes the sum of $1,500,000.

Mr. WITKIN. Mr. Speaker, I ask unanimous consent for the immediate consideration of the resolution.

The SPEAKER. Will the House give its unanimous consent to the immediate consideration of the resolution? Are there objections?

Mr. COHEN. Mr. Speaker, I object.

The SPEAKER. The Chair hears objection and consent is not granted.

MOTION TO SUSPEND RULE

Mr. WITKIN. Mr. Speaker, I move that House Rule 84, be suspended for the specific purpose of immediately considering this resolution.

On the question,

Will the House agree to the motion?

The yeas and nays were required by Mr. WITKIN and Mr. BLUMBERG and were as follows

YEAS—80

Altenburg,	Greenstein,	Parks,	Stockham,
Atkins,	Habbyshaw,	Perry,	Stott,
Baker, F. T.,	Hamilton, R. S.,	Peters,	Surface,
Baldi,	Hermansen,	Phillips,	Sweeney,
Barnhardt,	Hoffner,	Reynolds,	Tahl,
Beadman,	Horst,	Rhys,	Terry,
Bernhard,	Jones,	Roan,	Trout,
Blumberg,	Kane,	Rooney,	Turner,
Boose,	Kelder,	Root,	VanAllsburg,
Brennan,	Kenney,	Royer,	Wall,
Carr,	Longaker,	Schrock,	Wasserman,
Castor,	Mallen,	Shortz,	Weidemann,
Condon,	Mason,	Shreiner,	White,
Cordier,	McCreary,	Simpson,	Wickersham,
Denning,	McDevitt	Sloan,	Winner,
Duffort,	McKinney,	Snyder, F. E.,	Witkin,
Flynn,	Merrell,	Snyder, J. L.,	Wood,
Forrest,	Moore,	Sowers,	Woodside,
Gates,	Muir,	Sproul,	Yeakel,
Gillette,	Nothnagle,	Stewart,	Zimmerman,

NAYS—115

Achterman,	Downey, G. E.,	Long,	Sarraf,
Alexander,	Eberharter,	Lovett,	Scanlon,
Allen,	Eroe,	Lynch,	Schaeffer,
Andrews,	Falkenstein,	Male,	Schrope,
Anthony,	Ferko,	McDermott,	Schwab,
Arnold,	Finnerty,	McElroy,	Serrill,
Aukerman,	Fitch,	McHenry,	Shaw,
Baine,	Flanagan,	Melchiorre,	Shepard,
Baker, J. J.,	Flinchbaugh,	Mentzer,	Shugarts,
Bradley,	Gerard,	Moomaw,	Siegel,
Brancato,	Haberlen,	Mooney,	Simon,
Brown, H. S.,	Hagerty,	Moran,	Sinwell,
Brown, J. E.,	Haluska,	Moul,	Smith, J. A.,
Brownfield,	Hamilton, F. P.,	Munley,	Smith, W. G.,
Brumbaugh,	Harkins,	Murrin,	Stank,
Burke,	Harmuth,	Nagel,	Stevens,
Cannon,	Hartman,	O'Keefe,	Stone,
Caputo,	Hetrick,	Ominsky,	Sumney,
Carson,	Hindman,	O'Neill,	Tronzo,
Chervenak,	Hirsch,	Patterson, Cliff,	Tumelty,
Coakley,	Holland,	Patterson, J. W.,	VanSickle,
Cochran,	Holstrom,	Pearson,	Weiss,
Cohen,	Hoopes,	Pfaff,	Welliver,
Coleman,	Kelso,	Piole,	Welsh,
Coolahan,	Kilroy,	Powers,	Westrick,
Cooper,	Kinney,	Reising,	Yourishin,
Decker,	Klingler,	Rinn,	Zappala,
Diehl,	Kobelak,	Robinson,	Furman,
Dilley,	LaRue,	Ruffennach,	

So the question was determined in the negative and the motion was not agreed to.

The SPEAKER. The resolution will be filed with the Clerk under the rules.

JOINT COMMISSION TO INVESTIGATE MAGISTRATES SYSTEM IN PHILADELPHIA

Mr. OMINSKY offered a resolution and asked and obtained unanimous consent that it be read for the information of the House.

The resolution was read by the Clerk as follows:

In the House of Representatives, July 21, 1936.

Whereas, the Grand Jury of the County of Philadelphia, impaneled for the August Term, one thousand nine hundred thirty-five and thereafter, continued as a special grand jury, and, after careful investigation, did make its presentment to the Court of Quarter Sessions of said county, in which said Grand Jury made certain findings as to abuses, imperfections, insufficiencies and defects and evils in the Magistrates System of Philadelphia, and recommended the study of appropriate legislation to correct the same, so far as practical, and to that end recommended the establishment of a commission to study its presentment and to draft and recommend to the Legislature of one thousand nine hundred thirty-seven such legislation as might be necessary to correct the evils found to exist; and

Whereas, in said presentment it was recommended that the commission be composed of the following:

Four citizens, one to be selected by the Governor of Pennsylvania, one by the Mayor of Philadelphia, one by the Philadelphia Bar Association, and one by the Criminal Justice Association;

Three members of the Grand Jury, to be selected by the Grand Jury;

Two representatives of the District Attorney of Philadelphia, to be selected by the District Attorney;

Two representatives of the Attorney General of Pennsylvania, to be selected by the Attorney General; and

Two magistrates, to be selected by the Board of Magistrates; and

Whereas, pursuant to said recommendation the respective appointments were duly made and the commission organized and thereafter the commission elected to its membership the Controller of the City and County of Philadelphia; and

Whereas, it is desirable to augment said commission by the addition of members of the Legislature, and to give said augmented commission an official status: therefor be it

Resolved, (if the Senate concur), That the commission created as recited in the foregoing preambles, together with two members of the Senate, to be appointed by the President Pro Tempore, and two members of the House of Representatives, to be appointed by the Speaker, be, and it is hereby, designated a legislative commission to study and investigate the Magistrates System of the City of Philadelphia, and to report to the General Assembly of one thousand nine hundred thirty-seven its recommendation as to such changes, revisions or improvements in the law as it may find to be necessary or desirable; and be it further

Resolved, That the said commission shall have power to issue subpoenas, under the hand and seal of its chairman, requesting and commanding any person or persons to appear before it and to answer such questions touching matters properly being inquired into by the commission, and to produce such books, papers, records and documents as the commission may deem necessary. Such subpoenas may be served upon any person and shall have the force and effect of subpoenas issued out of the courts of this Commonwealth. Each member of said commission shall have the power to administer oaths and affirmations to witnesses appearing before the commission. Any person who shall wilfully neglect or refuse to testify before said commission, or to produce any books, papers, records or documents, shall be subject to the penalties provided by the laws of the Commonwealth in such cases.

The SPEAKER. The resolution will be filed with the Clerk under the rules.

HOUSE INVITED TO ATTEND ALLENTOWN FAIR

Mr. RINN offered a resolution which was twice read as follows:

In the House of Representatives, July 21, 1936.

During the period commencing September 22nd, and ending September 26th, will be held again the best known and actually and factually the best county agricultural fair in the United States. During this week the great industrial city of Allentown, where this fair is held annually, will the the centre of education. At that time all roads and skyways lead to Allentown, the birth place of that famous American dish, ice cream.

As far back as the year 1774 a fair was held in Allentown, then known as Northampton. The charter to hold said fair was granted to John Penn.

The present great Allentown fair has been conducted successfully since 1855, by men who receive no dividends upon their memberships, but who devote all the profits which accrue from year to year to the building up of the properties of the fair.

The fair conducts one of the outstanding national poultry shows with exhibits coming from representative poultry breeders throughout the eastern part of the United States. In the cattle, sheep and swine departments the representative breeders east of the Mississippi are always represented at this fair. A parade of the prize winning animals is held daily on the race track. The Allentown race track is one of the fastest half mile tracks in the world, and holds three world's records at this time. Such great horses as Dan Patch, Peter Manning, Prince Albert Democracy, Joe Patchen, Sweet Marie, George Gano, Joe Boy, Exall, Major Delmar, Uhlan and many others have raced on this track in better than 2:10, and with a record of 1:55¼.

A comprehensive survey of attendance in 1935 disclosed that there were visitors from twenty-nine states and two provinces of Canada.

The society provides entertainment for all visitors through an unsurpassed clean show, participated in by the highest class of American and European acts.

In the midway will be found all the oddities and freaks of nature from the four corners of the world.

Near by is the world-renowned game preserve presented by General Trexler to the County of Lehigh, wherein during your visit you may see Buffalo and Elk roaming at large in a natural habitat greater in area than the city of Buffalo; therefore be it

Resolved, That in recognition of this outstanding coming event, the Members of this House of Representatives now agree, regardless of politics, race or creed, to forego all business and pleasure elsewhere, and to spend September 22nd to the 26th, 1936, at the finest county agricultural fair in the United States, and in a city second to none, there to be educated, enlightened, entertained, renewed and strengthened.

On the question,

Will the House adopt the resolution?

Mr. SIMON. Mr. Speaker, I desire to interrogate the sponsor of this resolution.

The SPEAKER. Will the gentleman from Lehigh, Mr. Rinn, permit himself to be interrogated?

Mr. RINN. I will, Mr. Speaker.

Mr. SIMON. Mr. Speaker, I just wanted to ask the gentleman from Lehigh where Allentown is.

Mr. RINN. Mr. Speaker, for the information of the gentleman from Clinton, I would say that Allentown is known all over the world. It is on the map of the United States, and it is known every place people go.

For the further information of the gentleman from Clinton, Mr. Speaker, there are business people in Lock Haven who do business every month in Allentown.

The SPEAKER. Will the gentleman from Lehigh please tell the gentleman from Clinton where Allentown is?

Mr. RINN. Mr. Speaker, it is ninety-two miles from New York.

The SPEAKER. Does the gentleman from Clinton wish further to interrogate the gentleman from Lehigh?

Mr. SIMON. No, Mr. Speaker. He has answered the question very satisfactorily, that it is ninety-two miles from New York. I can find it now.

Mr. FLINCHBAUGH. Mr. Speaker, I desire to interrogate the gentleman from Lehigh.

The SPEAKER. Will the gentleman from Lehigh permit himself to be interrogated?

Mr. RINN. I will, Mr. Speaker.

Mr. FLINCHBAUGH. Mr. Speaker, has the gentleman from Lehigh ever been to the York County Fair?

Mr. RINN. I have, Mr. Speaker.

Mr. FLINCHBAUGH. Mr. Speaker, will the gentleman from Lehigh not concede that the York County Fair is far superior to the Allentown Fair?

Mr. RINN. Mr. Speaker, I will be perfectly frank with my friends. In my opinion there would not be any York County Fair at all if it was not for the Allentown Fair, because the York County Fair comes after the Allentown Fair on account of the liberality that we show the horsemen who come to the Allentown Fair, and in that way we are helping the York County Fair out.

Mr. FLINCHBAUGH. Will the gentleman from Lehigh not concede that the ladies of the York County Fair are more attractive than the ladies of the Allentown Fair?

Mr. RINN. Mr. Speaker, I do not concede that, because the world's most famous beauties—

POINT OF ORDER

Mr. WITKIN. Mr. Speaker, I rise to a point of order.

The SPEAKER. The gentleman will state his point of order.

Mr. WITKIN. The gentleman from York, Mr. Flinchbaugh, has no right to ask a question that will tend to incriminate the gentleman.

The SPEAKER. The Chair feels that the point of order is well taken.

On the question recurring,

Will the House adopt the resolution?

It was unanimously adopted.

PROTESTING PRIVATE SALES BY DEPARTMENT OF BANKING

Mr. STONE offered a resolution and asked and obtained unanimous consent that it be read for the information of the House.

The resolution was read by the Clerk as follows:

In the House of Representatives, July 21, 1936.

Whereas, The Department of Banking in liquidating financial institutions in its possession should as a fiduciary use due diligence to protect the interests of depositors in such institutions and the owners of mortgages and other securities; and

Whereas, The present practice of selling properties and mortgages at private sale does not afford such full protection to depositors and owners: therefore be it

Resolved, That it is the sense of the House of Representatives that the Department of Banking as receiver of a financial institution, should not permit the private sale of any property or mortgage in its possession until the same has first been offered for sale at a public sale after due notice for at least ten days, and that if at such public sale no bid is offered in excess of that offered for such property or mortgage at a private sale, then that the private sale be effected;

Resolved, That a copy of this resolution be transmitted to the Department of Banking by the Chief Clerk of this House.

The SPEAKER. The resolution will be filed with the Clerk under the rules.

STATE BOARDS TO INVEST IN TAX ANTICIPATION NOTES

Mr. BLUMBERG offered a resolution and asked unanimous consent that it be read for the information of the House.

The SPEAKER. Will the House give its unanimous consent to the reading of the resolution at this time? Are there objections?

Mr. BURKE. Mr. Speaker, I object.

Mr. WITKIN. Do I understand that the gentleman from Philadelphia, Mr. Burke, objects to the reading of the resolution?

The SPEAKER. The Chair did hear objection, and consent is not granted.

MOTION TO SUSPEND RULE

Mr. WITKIN. Mr. Speaker, I move that House Rule No. 84 be suspended for the specific purpose of having this resolution read.

On the question,

Will the House agree to the motion?

Mr. WITKIN. Mr. Speaker and members of the House, the only question involved here is the reading of this resolution for the information of the House, not for its immediate consideration.

I want to serve notice on this House and to the gentleman from Philadelphia that if this resolution is not read, I am going to appoint myself as a committee of one to object to every resolution introduced by you, when you ask for unanimous consent to have it read.

Common courtesy indicates that you ought to permit a resolution to be read for the information of the House, if you do not choose to extend to the membership on this side of the House that common courtesy, you will be here five hours every session that you are here.

Mr. BURKE. Mr. Speaker and members of the House, in raising my objection I had no intention of being discourteous.

We have followed the rules pretty rigidly this year. We have objected to resolutions being read or being considered for the reason that it hampered the progress of the session.

Now, I inquire of the members before they introduce a resolution, when I know they are going to introduce it. as to the contents of the resolution. I knew Mr. Blumberg was going to introduce one, because I saw him stand up. Not succeeding in getting the floor, I inquired of him the contents and he refused to tell me. Since I usually look with political suspicion upon resolutions introduced by the gentleman from Philadelphia, I objected to it, but after my objection he explained to me the contents, and, Mr. Speaker, I withdraw my objection of having it read for the information of the House.

The SPEAKER. The objections are withdrawn and the resolution will be read for the information of the House.

The resolution was twice read by the Clerk as follows:

In the House of Representatives, July 21, 1936.

Resolved (if the Senate concur), That the Governor and the fiscal officers be authorized to negotiate with the School Employes Retirement Board, the State Employes Retirement Board and the Workmens Insurance Board to ascertain the amount, if any, which [the funds under the control of] said boards may agree to invest in tax anticipation notes to be issued under authority of law to be enacted at this session of the General Assembly, and with the consent of the boards having the management of said funds to transfer to the General Fund for expenditure for unemployment relief purposes such sums as said boards may agree to invest in such notes.

Resolved, That the Governor and the fiscal officers be authorized to issue temporary notes of the Commonwealth to said funds for any moneys so invested and transferred until such times as definitive notes may be issued under the authority of law, such temporary notes to bear the same rate of interest as may be provided for in the definitive notes when issued.

Resolved, That the General Assembly hereby pledges that it will enact appropriate legislation at this session of the General Assembly validating the action of the Governor and fiscal officers and of the boards making such investments and transfers and authorizing the issue to said boards of tax anticipation notes as of the date or dates when such investments were first made under the authority of this resolution, and also appropriating to the State Emergency Relief Board for unemployment relief purposes the sum of money so invested.

Mr. BLUMBURG. Mr. Speaker, I ask unanimous consent for the immediate consideration of the resolution.

The SPEAKER. Will the House give its unanimous consent for the immediate consideration of the resolution? Are there objections?

Mr. COHEN. Mr. Speaker, since the introduction of this resolution is an attempt to carry the transfer policy to funds to which even the membership does not have title, I object.

The SPEAKER. The Chair hears objection and consent is not granted.

MOTION TO SUSPEND RULE

Mr. BLUMBERG. Mr. Speaker, I move that House Rule 84 be suspended for the specific purpose of considering the resolution.

On the question,

Will the House agree to the motion?

Mr. BLUMBERG. The motion to suspend, Mr. Speaker and members of the House, was made for a specific purpose, so that some explanation could be offered on this resolution.

The gentleman from York has stated to the House that these funds are funds over which the House has no control. That is true insofar as the mere statement is concerned, but it has no bearing on the resolution.

The purpose of the resolution is to authorize the Governor and the fiscal officers of the Commonwealth to negotiate with the managers of the State Employes Retirement Fund, the School Employes Retirement Fund, and the Workmen's Insurance Fund for the purpose of ascertaining the amount, if any, which those boards intend to invest in tax anticipation notes. If they notify these officials that they intend to invest a certain sum—and it has been currently rumored that the Employees Retirement Fund intends to invest ten million dollars in tax anticipation notes,—then this resolution authorizes the fiscal officers to enter into an agreement with the Board or Boards providing for the payment of that money in advance into the General Fund, and by the General Fund transferred to the SERB, the fiscal officers giving to those boards now temporary notes, so that when the proper definitive notes of the tax anticipation loans go through, these temporary notes can be exchanged for the permanent notes at the same rate of interest.

In other words, this resolution is an attempt to offset the objection that is being made now to transfer funds. This resolution does not provide for a transfer of funds. It provides for a payment in advance by these boards of the investments which they will make in due course. We are not attempting to tap any fund, we are not attempting to transfer any funds. It is purely a voluntary action on the part of the boards and merely permits them to anticipate the amount of the payment or investment which they will ultimately make.

Now, it seems to me that this House cannot continue to be inconsistent in its relief attitude by taking the stand that it will not transfer special funds, and taking the stand that it will not pass the tax anticipation bill, and at the same time refusing to make any effort to secure in advance the payment of large sums of money, which ultimately would come to us.

I have heard of no plan this week which is going to prevent the stoppage of relief. Unless some plan is offered and adopted, if we do not pass the bills for the anticipation loan, then it seems to me if we do not pass this resolution, this week is going to see the same state of affairs that we so strongly deplored last week.

With that explanation I ask the House to pass this resolution.

Mr. COHEN. Mr. Speaker and members of the House, the gentleman from Philadelphia has attempted to explain the purpose of this resolution. He has indicated by the presentation of this resolution the necessity of raising money by transfer or other means can be avoided by the utilization of the proposed tax anticipation note issued and the subscription to a certain amount of those tax

anticipation notes by the funds that he has enumerated, namely, the State Teachers Retirement Fund, the State Employees Retirement Fund, the State Workmen's Insurance Fund.

The real purpose that underlies the introduction of this particular resolution is an effort on the part of the gentleman and his friends who have concocted this idea to avoid the necessity of passing the tax legislation.

One week ago, or more, in this House a statement was read by the gentleman from Philadelphia, Mr. Witkin, which emanated from Senator McClure of the Republican Senate's Finance Committee, which indicated that $45,000,000 of tax revenue measures would be passed. The membership of this House, I am sure, has the recollection almost too fresh in its mind of the week that has just passed—a week in which this House sat, a continuous week—dillying dallying, twiddling their thumbs and accomplishing nothing, awaiting the action of the Senate. For an entire week the House reconvened, recessed, adjourned, remained at ease, and for an entire week it accomplished nothing, awaiting communications from the Senate upon which this House could act, and I might say that it was only due to the fact that the House was persistent in staying in session and calling the attention of the Senate to the fact that it was waiing for the messages of the Senate that we finally did have the opportunity to concur in one of the tax measures.

The purpose of this resolution, aside from all the logical arguments that the gentleman from Philadelphia produces, the real purpose, the germane purpose of this resolution is again to give to the Senate an opportunity for more delay, more inactivity, more aversion to action. For that reason I ask the membership of this House to take the position it has taken before, namely, to oppose these transfers until we get activity on the part of the Senate.

Mr. BLUMBERG. Mr. Speaker and members of the House, were I certain that the gentleman from York was careful in the use of his language, I believe I would resent the statement that this resolution was concocted by myself and members on this side of the House. I am rather of the opinion that his use of the language was rather loose and the implication that the word conveys was not intended.

I cannot conceive, however, the position of the gentleman from York to the effect that this resolution was introduced only for the purpose of permitting the Senate to further dilly dally, as he states, in the passage of tax legislation.

I cannot for one moment come to the belief that the gentleman from York is satisfied that relief should stop in Pennsylvania and use that situation as a club to compel the Senate to act either with dispatch or with haste or with carelessness in the passage of tax legislation.

Now, the gentleman from York well knows that the Senate has already passed tax legislation in the neighborhood of some thirty odd million dollars. That money can be made available for the use of relief purposes by the passage of the tax anticipation bills, but that isn't being done.

Now, there is no political implication behind a resolution of this sort, and I am sorry that my friends on the other side of the House refuse to see it that way. I do not imagine that it is possible for you to believe that any resolution on this side of the House could be for the interests of the people of the State. You seem to feel that the monopoly for that sentiment rests wholly on your side, but let me urge you to think for a moment what you are doing. Under this resolution you are not transferring any funds, you are merely anticipating the receipt of funds and you are making an honest attempt to prevent the stoppage of the mailing of these orders again.

Now, you now that the Senate is in session and you know that they are considering the tax bills. Not only that, they are considering the social legislation bills, and acted on one of them this morning.

Now, if you men want to take the position that you are taking here and that your action is merely a club to compel some kind of action by the Senate and you are willing to take that responsibility, then I say, "Less or more power to you." Answer to those people who won't have relief for the next week or two."

Mr. WITKIN. Mr. Speaker and members of the House, I merely want to answer one comment made by the gentleman from York, Mr. Cohen. He refers to the dilly dallying in the tax program. I want to say to him that the people in this Commonwealth ought to thank God that there is Republican Senate—and next session there will be a Republican House—by reason of the fact that millions of dollars of taxes have been saved to them.

Just today we ascertained that this Democratic Administration was hiding and concealing five or ten million dollars of revenue, which they were hiding and concealing from the Senate, but the Senate found out by their dilly dallying ten million dollars worth of liquor funds running over and above the estimated figure for the two years of five million dollars per year, or ten million dollars.

Well, if by dilly dallying and if by waiting patiently and if by refusing to follow the dictates of the Democratic chieftains of this State in passing seventy million dollars, the Democratic Senators and the Republican Senators and the Republican members of this House have come to the conclusion that the Governor was all wet with his seventy million dollars and they only needed forty-five million and if by dilly dallying we find ten million dollars of that, at least there is proper argument for investigation as to the ten million dollars which does not have to be raised in the form of new taxes, and if the representatives of Dr. Goodrich's Committee or the Governor, either one, are inclined to agree that if the bankers of Pennsylvania will give money upon these tax anticipation certificates to the extent of this ten million dollars, that was discovered to be concealed by the Democratic Administration at Harrisburg, then I want to say that I believe that the Senate of Pennsylvania is doing a valiant job and has done it for the taxpayers of Pennsylvania, because in their search for facts they have unearthed the facts, they are reducing taxation and yet at the same time are providing for relief. The amount has been agreed upon both by the Democratic and the Republican Senators of the same Senate as being the proper amount necessary for expenditure for relief and also the amount that His Excellency the Governor has decided is the proper amount or at least an amount sufficient to take care of relief needs, which is a reduction of twenty-six million dollars, and I also want to say that when it comes to the raising of the twenty-six million dollars, if we have to raise it, the additional

taxation, you would have trouble even in this Democratic House of getting it through.

POINT OF ORDER

Mr. AUKERMAN. Mr. Speaker, I arise to a point of order.

The SPEAKER. The gentleman from Blair will state his point of order.

Mr. AUKERMAN. Mr. Speaker, the question before the House is the suspension of Rule No. 84 and not any discussion of the resolution or matters pertinent to a resolution.

The SPEAKER. The point of order is well taken. All the speakers heretofore have failed to discuss the motion before the House and have discussed the resolution. The Chair has given considerable latitude to every speaker on this question.

Mr. AUKERMAN. Mr. Speaker, in view of the fact that this latitude has been granted to all the speakers, I withdraw my objection.

Mr. WITKIN. Mr. Speaker, I want to thank the gentleman from Blair and I also want to say that he is absolutely correct when he says that I am not speaking on the motion, and the only reason I did so was because the gentleman from York in his argument was not talking on the motion. However, I will not take advantage of his generosity and will not pursue that argument any further.

Apparently the gentleman from York does not understand or does not want to understand the purpose of this resolution. The gentleman from Philadelphia, Mr. Blumberg, has clearly pointed it out but perhaps repetition may enable the gentleman from York to understand it.

It is not a transfer of funds at all. Here is what would happen if you passed this resolution. The State Employees Retirement Fund, for example, would decide whether they were going to buy a million or two million or three million dollars of these tax anticipation notes when the tax anticipation notes were due, and that would be the end of it; or they could buy a million dollars worth, and that would be the end of it, or they could decide they would buy three million dollars worth. And now, we are not doing a thing to hinder them. We are not doing a thing to interfere with that part of it. We are not touching that fund, but we are going to give them the opportunity of meeting and deciding what they want to buy from the State of Pennsylvania. Now, if they state that they want to buy a million dollars worth, all we do is to anticipate their ability to buy it, to make the payment, and then have the money available to the State Emergency Relief Board. They may say, "we are ready to buy two weeks from now or we are ready to buy to-day." Now, we would say, "All right", and we will go ahead and give them a document to that effect, and we then turn the money over to the State. They have not been coerced nor have they been compelled, they do it voluntarily. The result is that the money goes into the General Fund, and the General Fund can make that money available for unemployment relief. What is wrong with that? It is not a transfer of funds. It is plain, ordinary, common-sense ability to get the money a little ahead of time without making anybody do it. I do not know what the gentleman from York is talking about. He talks about concoctions. I don't know what gra matter in his head can possibly concoct the imaginar theory that this resolution is a transfer of funds. To m it is most ridiculous. The same thing applies to the othe funds. Now, what does this argument consist of? Doe it hurry up the Senate. You will not hurry up the Senat because they are not going to be hurried. They ar going to find out where this money is. They are goin to get the facts. Now, you might as well make up you minds that you are faced with the problem of givin relief to the people or not giving relief to the peopl Therefore, if the Democratic majority of this House want to walk away today or tomorrow and not give relie to the people, when we already have thirty million dol lars of taxes, when we know that the money is avail able, if out of stubbornness, if out of spite, if unde orders in order to get revenge on the Republican Senate you want the people to starve, then let it be upon you conscience. If you have a conscience and you will exer cise that conscience without orders, then I say to yo suspend the rule and consider this resolution and pass it

When you do these groups can meet that situation At least they can buy these tax anticipation notes. Ther is no transfer of funds here, there is nobody hurt, an the people can eat this week.

Mr. LOVETT. Mr. Speaker and members of thi House, in answer to the gentleman from Philadelphi in regards to thanking God that the people of the Stat of Pennsylvania have a Republican Senate, I might sa that during my term of office here the transfer of fund by the Republican House and Senate is the reason wh we are here today, and I think it is about time that w quit thanking God for the Republican Senate and th Republican House and go along with the Democrati House and pass tax legislation, so that we will not com back here again in two or three months and find our selves in the same position. That is all.

Mr. COHEN. Mr. Speaker and members of the House I think that the gentleman from Philadelphia was a littl loose with his facts in his attempt to explain the financia situation of the Commonwealth and if his ideas wer to receive any amount of publicity, an incorrect pictur of the situation would be presented.

The gentleman from Philadelphia accuses the administration of secreting ten million dollars of liquor funds Had the gentleman from Philadelphia known the facts the gentleman from Philadelphia would not have mad that statement. In an effort to elucidate—

POINT OF ORDER

Mr. BLUMBERG. Mr. Speaker, I rise to a point of order.

The SPEAKER. The gentleman from Philadelphia will state his point of order.

Mr. BLUMBERG. Mr. Speaker, may I request that the gentleman's answer to this question be confined either to the motion to suspend or to the resolution rather than to the statement made by the gentleman from Philadelphia, Mr. Witkin? I believe that the widest latitude ought to be given to a discussion of the resolution, but I fear in getting to the side of the subject, we will be losing sight of the real importance of the resolution we are discussing.

The SPEAKER. The Chair has allowed a very wide latitude to all speakers and feels that it should be in the discretion of the speaker, the remarks that they make.

Mr. COHEN. Mr. Speaker, may I ask the indulgence of the House? I feel sure the statement coming from the gentleman from Philadelphia, particularly in the official position that he holds as minority floor leader, would indicate that there are $10,000,000 of funds which are not being utilized by the Commonwealth. It is of such importance to the membership of this House and to the entire citizenry of the Commonwealth of Pennsylvania that an explanation should be forthcoming from somebody who has an intimate knowledge of the situation.

I ask the indulgence of the Republican membership of this House not to object if I possibly do go astray in discussing the resolution which is now under consideration.

However, the suggestion has been made by the gentleman from Philadelphia that ten million dollars of liquor store profits are being secreted by the administration and not being utilized for other purposes.

Let us pause to analyze the situation as far as the Liquor Control Board is concerned. In the first place, if the gentleman from Philadelphia and the members of this House will consult the figures on the estimated revenue for the Commonwealth for the biennium of 1935 and 1937, they will see that it was estimated there would be ten million dollars of profits from the liquor store operations and the collection of eleven million dollars in liquor floor taxes, making a total of twenty-one million dollars. What has happened? Through the very efficient administration of the Liquor Control Board, the profits for the first year alone were $10,000,000, the first year of the biennium, and in addition, during the first year of the biennium there was collected $11,165,000 in floor tax collections. The second year of the biennium we are hopeful, and I feel sure that the citizenry of the Commonwealth is hopeful, that the Liquor Store profits will amount to $14,000,000. However, there will be no floor tax collections pending the outcome of a suit which is now being prosecuted by the Attorney General in an effort to collect floor tax moneys without the necessity of having them in reality paid by the Liquor Store consumer. So, we have those three items of income from the Liquor Store for the biennium of 1935 down to 1937 of about ten million dollars profit for the first year of the biennium, fourteen million dollars for the second year of the biennium, and $3,165,000 from the floor tax collections, making a total of $27,165,000 against which we have anticipated a collection of $21,000,000, and deducting the $21,000,000 from the $27,165,000 we have an excess of income accruing to the Commonwealth of Pennsylvania from the Liquor Store operation of $6,165,000. So, when the gentleman from Philadelphia indicates $10,000,000, he is incorrect in that indication, for the simple reason that the figure is not ten million but in reality $6,165,000.

Now, we come to the accusation of the secreting of this fund at the end of this first year of the biennium. From impartial studies made by the Pennsylvania Economic Council, and studies by our own budget department, and studies by the fiscal officers, it would seem that the income of the Commonwealth of Pennsylvania over the first year of the biennium was short the sum of $22,000,000. What caused that shortage is a question about which we naturally will be concerned. Of the $22,000,000 which we are short, $4,000,000 is represented by the fact that we didn't take over from the Liquor Store profits $4,000,000 into the General Fund. So, deducting $4,000,000 from the $22,000,000 we have now a shortage in the General Fund amounting to $18,000,000, $8,000,000 of that shortage is in reality deferred payments. At the last session of the Legislature the members here will all remember that we had passed a bill which allowed corporations a four percent discount on anticipated tax payments. Apparently the corporations did not take advantage of that four percent anticipated tax payment with the result that $8,000,000 of anticipated income in the first year of the biennium did not come into the Treasury of the Commonwealth. I wish to call attention to the fact that those moneys are not lost. Those moneys are deferred and will come in during the second year of the biennium. Deducting that $8,000,000 that did not come in through anticipated payments from the $18,000,000 which we have left after deducting the $4,000,000 from the $22,000,000 we have a balance of $10,000,000, the deficiency in the income of the Treasury of the Commonwealth of Pennsylvania during the first year of the biennium.

Now, what occasioned that deficiency? The membership of this House can well remember that in the last throes of that session, in attempting to close the session, in an attempt to balance the budget, it was indicated that the Administration's estimates on income were out the sum of $20,000,000. In an effort to compromise and in an effort to get the budget in balance and in an effort to accede to the theorists who felt that business improvement would occasion an increase in taxes, the income of the Commonwealth of Pennsylvania was upped some $10,000,000 rather than the $20,000,000 which had been indicated, and these general revenues were held to be in an amount lower than the actual collections which resulted. However, after a year of actual experience, it is now ascertained that the Administration was 100 percent in their estimates as to the gross amount of revenue so that the boost of $10,000,000 represents the deficiency of the income in the first year of the biennium.

And now, when the gentleman from Philadelphia indicates that the Administration is trying to secrete $10,000,000 of Liquor Store profits and not to divert those profits to governmental obligations, the gentleman from Philadelphia forgets that it is necessary to have $10,000,000 of additional revenue for the Commonwealth of Pennsylvania in order to maintain a balanced budget. I am sure that the gentleman from Philadelphia does not desire that every tax item which is an over tax payment, every item in which our anticipation was lower than our actual tax incomes that those moneys should not be utilized for the payment of other governmental obligations.

In the case of the cigarette tax we are running away ahead in our anticipation, but on the other hand, in the collection of the corporate five-mill tax, we are running away behind, but the net result of these balances indicates that at the present time we are some ten million dollars short in actual collections over the first year of

the biennium, and while we collected in the first year of the biennium in actual cash revenues an amount approximating $115,000,000, in order to keep the budget balanced over the second year of the biennium, it is necessary to collect $175,000,000 or an increase of $60,000,000 more than has been collected during the first year of the biennium.

Now, when the gentleman from Philadelphia indicates that there are hidden, secret funds that are not being utilized for governmental expenses, I ask the gentleman from Philadelphia and I ask the membership of this House, I ask the citizenry of the Commonwealth of Pennsylvania in what manner are we secreting those funds when those funds are utilized to make up the deficiency of income in other tax revenue measures.

Let us come back now to the problem of the purpose of this resolution. The gentleman from Philadelphia maintains that it is not a transfer resolution. It is immaterial what you desire to call it. Actually what we are doing, in one instance we transfer moneys from the motor vehicle fund and from the other funds of the Commonwealth, and I have indicated that we would pass revenue measures in order to replenlish those funds. We have pledged the House to make that return. In this particular instance the gentleman from Philadelphia is asking this House that the trustee funds, the retirement funds of this Commonwealth, should be utilized to buy tax anticipation notes, on the pledge that we will issue those tax anticipation notes. In either case the transfer is based upon the pledge and the answer in both cases is the answer that has been given in this House a number of times: Pass the tax measures.

Mr. ANDREWS. Mr. Speaker and members of the House, everybody having answered everybody else, it should now be possible to bring this discussion back within the range of the pending question.

It is interesting, Mr. Speaker, to note that when we wander into parliamentary byways, we are invariably lead by the brilliant gentleman from Philadelphia, the minority leader, and the brilliant gentleman from York, the majority leader. Of course, under such brilliant leadership it is delightful to traverse the parliamentary wildernesses.—

QUESTION OF INFORMATION

Mr. WITKIN. Mr. Speaker, I arise to a question of information.

The SPEAKER. The gentleman from Philadelphia, Mr. Witkin, will state his question of information.

Mr. WITKIN. Mr. Speaker, will the gentleman state whether that was sarcastic or whether he meant it?

Mr. ANDREWS. Now, Mr. Speaker, I object to the pending motion, because it is absolutely unfair. The gentleman's resolution prescribes or calls for a series of legislation, complicated and probably unconstitutional. Certainly for a line of action that could only be undertaken on the basis of a bill or placed upon the basis of a resolution printed that can be read. I have no disposition at the present time to be bound to the course the gentleman suggests on the basis of a verbal reading from the desk and it is absolutely unfair to anyone who wants it act intelligently and honestly to ask them to make such an important decision on the basis of a document you can't have in your hand to read. There is no such compelling necessity that the gentleman cannot wait until the membership of the House is supplied with the document upon which he asks us to pass.

Mr. TURNER. Mr. Speaker and members of the House, I absolutely agree with the gentleman from Cambria that we have gone far afield and that we ought to come back to the particular resolution that is before us and the motion that has been made to suspend the rule, in order that we may give immediate consideration to this resolution.

However, it seems to me that it is rather unfair for the other side to display or to give forth all of its arguments and for the gentleman from York to set forth all the figures pertaining to the tax question and to the fiscal question of the Commonwealth and then to say to those of us on this side that we have strayed away from parliamentary procedure and that, therefore, it should cease.

I am going to ask the indulgence of the House for just a few moments if I can confine myself to that matter, because the chairman of the Judiciary General Committee has just told me he has a hearing at two o'clock and I realize that the House is anxious to recess for that purpose. I am, therefore, not going to take the time that I had intended to answer a number of the arguments put forth by the gentleman from York. I tried to follow him through the maze of figures. We have heard them here before.

I have sat here and listened to the Democratic majority constantly talk about a tax program and that nothing would be done, whether it was a transfer of funds or anything else, until that tax program was adopted. I have sat here patiently waiting for them to put forth some program or to offer some means by which we might escape some of that tax program.

I think I said the other day on the floor of the House, and the gentleman from Westmoreland Mr. Dent answered me, when I said they had the cart before the horse, that instead of coming into this session of the Legislature with an inquiry as to the fiscal situation of the Commonwealth, it was not until the report of the Pennsylvania Economic Council that we had any clear picture as to the fiscal situation in the Commonwealth, and even yet we haven't the information that is necessary and should be necessary for any legislative body of this kind in order to determine what the tax program should be.

It is true that it is going to take about fifty million dollars to take care of unemployment relief and the necessary appropriation in this session, but it seems to me that the only idea of the Democratic side and of the administration is that when you say, "fifty million dollars" you immediately start out with a tax program.

Now, the fallacy in the statement of the gentleman from York is this: That while he talks about the moneys received during the first year from taxes falling below the amount that we anticipated we would receive, he is only talking about actual collections and not considering the very patent fact to those who are familiar with it and to those who have made an investigation of it that the difficulty lies in the fact that the Revenue Department of this State is not collecting the taxes that have already been levied and the taxes that could be collected.

While it is true that we have fallen ten million dollars behind in the first year, there is nothing in the whole program and no one on the other side has been able to

point out to me the place where we will fall below the anticipated revenue.

On the other hand, I say to you that we are going to exceed the anticipated revenue of this biennium by at least fifteen million dollars. When you stop to consider that the gentleman from York has already admitted that the cigarette tax is running about double the amount anticipated, over eight million dollars, when we stop to consider that the State stores are going to make a profit of over six million dollars above the amount that was anticipated, when we stop to consider that the Corporation Tax, by reason of the removal of the exemption on the manufacturers, is going to exceed by ten million dollars the amount anticipated—when you take into consideration all these factors, you are going to come to the conclusion and you are going to find that on June first, 1937, if the Revenue Department and the Democratic Administration will get down to work and stop firing people from that department who know how to settle these taxes and who know how to put them over, and not put inexperienced and inefficient men in that department, you will find that we can exceed the anticipated revenue by fifteen million dollars.

Now, let me point out something else. It seems to me that with all the skill of the gentlemen on the other side in their anxiety to throw mud at the Senate of Pennsylvania in their deliberations in trying to work out this revenue problem of the State of Pennsylvania and to keep taxes off the backs of the people of Pennsylvania—let me point out that if the Governor of Pennsylvania would keep the promise that he made to the people of this Commonwealth during the campaign of 1934, when he said that he would reduce the cost of our State government by twenty-five percent, that we would not have any program today and we would not be here levying taxes upon the people.

The biennium appropriation for the biennium of 1933 to 1935, taking out such things as Mother's Assistance and the State employe's retirement fund and other items of that kind, was $133,347,321.30. Twenty-five percent of that would be $33,339,107.10.

Now, I, never believed that the Governor of the Commonwealth of Pennsylvania could cut the expenses of our State Government by twenty-five percent or that any other group of men working upon it could cut it twenty-five percent, but in the organization of our State government and misguided perhaps by those surrounding him politically, he made that statement, that promise to the people of Pennsylvania.

For the biennium '35—'37, taking out the same items, such as old age assistance, and the blind, and so forth, the total appropriations were $138,328,164.21, or approximately five million dollars higher than the 1933-'35 appropriation. So, if the Governor of the Commonwealth of Pennsylvania knew how to cut the expenses of this government twenty-five percent, he would have saved not only thirty-three million dollars but he would have saved an additional five million dollars that was appropriated in his administration, or a total of $38,000,000.

Now, in 1932 we had a special session and we were in just the same situation then as we are today. We were trying to find funds for unemployment relief by levying taxes. Governor Pinchot and the legislature got together upon a compromise and saved thirteen million dollars of the appropriation by that amount. Certainly the Governor of this State, if he could save twenty-five percent, could now save to the people of Pennsylvania ten million dollars at least on the appropriation for the balance of this biennium. If we add to that ten million dollars the fifteen million dollars anticipated revenue, we have twenty-five million dollars of the fifty million dollars of what we need, and as we now have passed tax bills amounting to approximately thirty million dollars, there is no problem here and the Democratic majority of this House are playing politics with the situation and are trying now to force further tax measures and they are trying to prevent the appropriation of money for unemployment relief, in order that they may force the hand of the Senate, if it is possible to do so.

I want to say to you, as members of this House, that I am tired of hearing these arguments about a tax program. I am tired of hearing you men talk about the Senate over there and its dallying. It is a patent fact, it is a fact that you cannot deny that through the deliberations of the Senate, as we have gone along week after week, we have discovered facts which we could not have picked out, which should have been presented to us by the Ways and Means Committee and by the Appropriations Committee of this House and by the Revenue Department of this State. They have not come forward and given us the facts.

As far back as April, when the bi-partisan committee met here in Harrisburg, we asked Mr. Evleth, of the Department of Revenue whether there were any more revenues anticipated, that would come in during the biennium than those anticipated, and he said no; that we would fall down on some and that we would go ahead on others, and yet the plain fact that has not been answered is that we have here these large increases that have already been mentioned, and which I freely predict will amount to fifteen million dollars.

Therefore, I say to you that this resolution is timely, that it is proper to stop right now and that we try to find the money that we have already appropriated and voted in tax measures of thirty-million dollars. If the Governor of this Commonwealth would go to Washington and get from Washington the moneys that the State of Pennsylvania ought to have for unemployment relief, if the Governor of this Commonwealth would get busy with the Revenue Department and speed up its collections, if you will keep some of these men who know how to settle these taxes, in order that these settlements may go through and in order that we may collect this money, if the Governor of the Commonwealth will go out and take his blue pencil and his red pencil and go over the budget and go over his departments and instead of increasing the number of employes he will cut down the number of employes, then we will have ample; we can go ahead and stop talking about the tax program, and we can go ahead and give the people of Pennsylvania the relief they deserve.

On the question recurring,

Will the House agree to the motion?

The yeas and nays were required by Mr. BLUMBERG and Mr. PETERS and were as follows:

YEAS—78

Altenburg,	Hermansen,	Parks,	Stockham,
Atkins,	Hoffner,	Perry,	Stott,
Baker, F. T.,	Hoopes,	Peters,	Surface,
Baldi,	Horst,	Phillips,	Sweeney,
Barnhardt,	Jackson,	Reynolds,	Tahl,

Beadman,	Jones,	Rhys,	Trout,
Bernhard,	Kane,	Roan,	Turner,
Blumberg,	Kelder,	Root,	VanAllsburg,
Boose,	Kenney,	Royer,	Wall,
Boyer,	Linderman,	Schrock,	Wasserman,
Carr,	Longaker,	Serrill,	Weidemann,
Cooper,	Mallen,	Shortz,	White,
Cordier,	Mason,	Simpson,	Wickersham,
Denning,	McCreary,	Sloan,	Winner,
Duffort,	McDevitt	Snyder, F. E.,	Witkin,
Flynn,	McKinney,	Snyder, J. L.,	Wood,
Forrest,	Merrell,	Sowers,	Woodside,
Gates,	Moore,	Sproul,	Yeakel,
Habbyshaw,	Muir,	Stewart,	Zimmerman,
Hamilton, R. S.	Nothnagle,		

NAYS—108

Achterman,	Eroe,	Lovett,	Ruffennach
Alexander,	Falkenstein,	Lynch,	Sarraf,
Allen,	Ferko,	Male,	Scanlon,
Andrews,	Finnerty,	McDermott,	Schaeffer,
Anthony,	Fitch,	McElroy,	Schwab,
Arnold,	Flanagan,	McHenry,	Shaw,
Aukerman,	Flinchbaugh,	Melchiorre,	Shepard,
Baine,	Gerard,	Mentzer,	Shugarts,
Baker, J. J.,	Haberlen,	Moomaw,	Siegel,
Bradley,	Hagerty,	Mooney,	Simon,
Brown, H. S.,	Haluska,	Moran,	Sinwell,
Brown, J. E.,	Hamilton, F. P.,	Moul,	Smith, J. A.,
Brownfield,	Harkins,	Munley,	Smith, W. G.,
Burke,	Harmuth,	Murrin,	Stank,
Caputo,	Hartman,	Nagel,	Stevens,
Carson,	Hetrick,	O'Keefe,	Stone,
Chervenak,	Hindman,	Ominsky,	Sumney,
Coakley,	Hirsch,	O'Neill,	Tronzo,
Cochran,	Holland,	Patterson, C.,	Tumelty,
Cohen,	Holstrom,	Patterson, J. W.,	VanSickle,
Coleman,	Kelso,	Pearson,	Weiss,
Coolahan,	Kilroy,	Pfaff,	Welliver,
Decker,	Kinney,	Piole,	Welsh,
Dent,	Klinger,	Powers,	Westrick,
Diehl,	Kobelak,	Reising,	Yourishin,
Downey, G. E.,	LaRue,	Rinn,	Zappala,
Eberharter,	Long,	Robinson,	Furman,

So the question was determined in the negative and the motion was not agreed to.

The SPEAKER. The resolution will be filed with the Clerk under the rules.

JOINT RESOLUTION INTRODUCED

Mr. SOWERS asked and obtained unanimous consent of the House to introduce a Joint Resolution the title of which was read as follows:

A Joint Resolution making application to the Congress of the United States to call a convention for the purpose of proposing an amendment to the Constitution of the United States.

The SPEAKER. The Joint Resolution will be filed with the Clerk under the rules.

ANNOUNCEMENT

The SPEAKER. There will a hearing before the sub-committee of the Judiciary General Committee in the House Caucus Room at 2:00 o'clock sharp today. All members of the sub-committee must be present.

BILLS SIGNED BY THE SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

HOUSE BILL No. 40.

An Act to provide for the commemoration by the Commonwealth of Pennsylvania of the Three Hundredth Anniversary of the Earliest Settlement the First Courts of Law and the First Capitol within what is now Pennsylvania and making an appropriation

HOUSE BILL No. 98.

An Act to create a State Planning Board prescribing its powers and duties imposing certain duties upon political subdivisions and making an appropriation

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

RECESS

The SPEAKER. If there are no objections the Chair is about to declare a recess until 5.00 p. m. Are there objections? The Chair hears none and declares a recess until 5.00 p. m.

AFTER RECESS

The House reconvened at 5.00 p. m.

The SPEAKER (Roy E. Furman) in the Chair.

BILL REFERRED

By Messrs. SOWERS and BEADMAN.

HOUSE BILL No. 166.

A Joint Resolution making application to the Congress of the United States to call a convention for the purpose of proposing an amendment to the Constitution of the United States.

Referred to the Committee on Constitutional Amendments.

RESOLUTIONS INTRODUCED AND REFERRED

By Mr. BLUMBERG (Concurrent).

RESOLUTION No. 47.

In the House of Representatives, July 21, 1936.

Resolved (if the Senate concur), That the Governor and the fiscal officers be authorized to negotiate with the School Employes Retirement Board, the State Employes Retirement Board and the Workmens Insurance Board to ascertain the amount, if any, which said boards may agree to invest in tax anticipation notes to be issued under authority of law to be enacted at this session of the General Assembly, and with the consent of the boards having the management of said funds to transfer to the General Fund for expenditure for unemployment relief purposes such sums as said boards may agree to invest in such notes.

Resolved, That the Governor and the fiscal officers be authorized to issue temporary notes of the Commonwealth to said funds for any moneys so invested and transferred until such time as definitive notes may be issued under the authority of law, such temporary notes to bear the same rate of interest as may be provided for in the definitive notes when issued.

Resolved, That the General Assembly hereby pledges that it will enact appropriate legislation at this session of the General Assembly validating the action of the Governor and fiscal officers and of the boards making such investments and transfers and authorizing the issue to said boards of tax anticipation notes as of the date or dates when such investments were first made under the authority of this resolution, and also appropriating to the State Tmergency Relief Board for unemployment relief purposes the sum of money so invested.

Referred to the Committee on Rules.

By Mr. STONE RESOLUTION No. 48.

In the House of Representatives, July 21, 1936.

Whereas, The Department of Banking in liquidating financial institutions in its possession should as a fidu-

ciary use due diligence to protect the interests of depositors in such institutions and the owners of mortgages and other securities; and

Whereas, The present practice of selling properties and mortgages at private sale does not afford such full protection to depositors and owners; therefore be it

Resolved, That it is the sense of the House of Representatives that the Department of Banking as receiver of a financial institution, should not permit the private sale of any property or mortgage in its possession until the same has first been offered for sale at a public sale after due notice for at least ten days, and that if at such public sale no bid is offered in excess of that offered for such property or mortgage at a private sale, then that the private sale be effected;

Resolved, That a copy of this resolution be transmitted to the Department of Banking by the Chief Clerk of this House.

Referred to the Committee on Rules.

By Mr. WITKIN (Concurrent) RESOLUTION No. 49.

In the House of Representatives, July 21, 1936.

Resolved (if the Senate concur), That the General Assembly hereby authorizes the Governor and fiscal officers of the Commonwealth to transfer to the General Fund from the State Stores Fund the sum of $1,500,000 for the purpose of making the same available for expenditure for unemployment relief purposes.

Resolved, That the General Assembly hereby pledges that it will pass at this session of the Legislature appropriate legislation validating the action of the Governor and the fiscal officers of the Commonwealth in making said transfer and in making said moneys available for unemployment relief purposes and appropriating to the State Emergency Relief Board for unemployment relief purposes the sum of $1,500,000.

Referred to the Committee on Rules.

By Mr. OMINSKY.

(Concurrent) RESOLUTION No. 50.

In the House of Representatives, July 21, 1936.

Whereas, the Grand Jury of the County of Philadelphia, impaneled for the August Term, one thousand nine hundred thirty-five and thereafter, continued as a special grand jury, and, after careful investigation, did make its presentment to the Court of Quarter Sessions of said county, in which said Grand Jury made certain findings as to abuses, imperfections, insufficiencies and defects and evils in the Magistrates System of Philadelphia, and recommended the study of appropriate legislation to correct the same, so far as practical, and to that end recommended the establishment of a commission to study its presentment and to draft and recommend to the Legislature of one thousand nine hundred thirty-seven such legislation as might be necessary to correct the evils found to exist; and

Whereas, in said presentment it was recommended that the commission be composed of the following:

Four citizens, one to be selected by the Governor of Pennsylvania, one by the Mayor of Philadelphia, one by the Philadelphia Bar Association, and one by the Criminal Justice Association;

Three members of the Grand Jury, to be selected by the Grand Jury;

Two representatives of the District Attorney of Philadelphia, to be selected by the District Attorney;

Two representatives of the Attorney General of Pennsylvania, to be selected by the Attorney General; and

Two magistrates, to be selected by the Board of Magistrates; and

Whereas, pursuant to said recommendation the respective appointments were duly made and the commission organized and thereafter the commission elected to its membership the Controller of the City and County of Philadelphia; and

Whereas, it is desirable to augment said commission by the addition of members of the Legislature, and to give said augmented commission an official status; therefore be it

Resolved, (if the Senate concur), That the commission created as recited in the foregoing preambles, together with two members of the Senate, to be appointed by the President Pro Tempore, and two members of the House of Representatives, to be appointed by the Speaker, be, and it is hereby, designated a legislative commission to study and investigate the Magistrates System of the City of Philadelphia, and to report to the General Assembly of one thousand nine hundred thirty-seven its recommendations as to such changes, revisions or improvements in the law as it may find to be necessary or desirable; and be it further

Resolved, That the said commission shall have power to issue subpoenas, under the hand and seal of its chairman, requesting and commanding any person or persons to appear before it and to answer such questions touching matters properly being inquired into by the commission, and to produce such books, papers, records and documents as the commission may deem necessary. Such subpoenas may be served upon any person and shall have the force and effect of subpoenas issued out of the courts of this Commonwealth. Each member of said commission shall have the power to administer oaths and affirmations to witnesses appearing before the commission. Any person who shall wilfully neglect or refuse to testify before said commission, or to produce any books, papers, records or documents, shall be subject to the penalties provided by the laws of the Commonwealth in such cases.

Referred to the Committee on Rules.

SENATE MESSAGE

SENATE INSISTS UPON AMENDMENTS NON-CONCURRED IN BY HOUSE

The Clerk of the Senate being introduced, informed that the Senate has insisted upon its amendments, non-concurred in by the House of Representatives, to House Bill No. 55, entitled:

An Act establishing a system of unemployment compensation to be administered by a newly created independent administrative commission of five members appointed by the Governor President Pro Tempore of the Senate the Speaker of the House of Representatives the Auditor General and the State Treasurer establishing a civil service system for employes of the commission transferring the existing system of free public employment offices from the Department of Labor and Industry to the commission requiring employers to pay certain contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons providing procedure and administrative details for the determination payment and collection of such contributions and the payment of such compensation providing for cooperation with the Federal Government and its agencies creating certain special funds in the custody of the State Treasurer and prescribing penalties.

Mr. MOOMAW. Mr. Speaker, I move that the House insist upon its non-concurrence in the amendments made and insisted upon by the Senate and that a Committee of Conference be appointed.

The motion was agreed to.

APPOINTMENT OF CONFERENCE COMMITTEE ON HOUSE BILL No. 55

The SPEAKER. The Chair appoints as a Committee of Conference on House Bill No. 55, Messrs. Moomaw, Dent and Wickersham.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

RESOLUTION FOR CONCURRENCE

The Clerk of the Senate being introduced presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, May 12, 1936.

Whereas, a centralized administration of relief is unsuited in some respects to a protracted program of dealing with the consequences of unemployment

Whereas the present constituted agencies for the care of the indigent throughout the Commonwealth are inadequate at the present time to assume the burden of the distribution of funds provided for unemployment relief. and

Whereas, private industry is failing to keep re-employment abreast of industrial and commercial recovery, and

Whereas, it appears to be the duty of the Commonwealth for some period in the future to provide against the social consequences of unemployment,

Resolved (if the House of Representatives concur) That the President Pro Tempore of the Senate appoint three Senators and the Speaker of the House of Representatives appoint three members of the House of Representatives to serve as a committee whose duty it shall be to prepare a plan of permanent administration of unemployment relief, which plan shall coordinate the activities of the Commonwealth and its municipal subdivisions, and to draft legislation which incorporates such plan, or plans and to report the same to the regular session of the Legislature in 1937.

Resolved, That the said committee shall have power to issue subpoenas under the hand and seal of its chairman. requesting and commending any person or persons to appear before them and to answer such questions touching matters properly being inquired into by the committee and to produce such books, papers, records and documents as the committee may deem necessary. Such subpoenaes may be served upon any person and shall have the force and effect of subpoenas issued out of the Courts of this Commonwealth. Each member of said committee shall have the power to administer oaths and affirmations to witnesses appearing before the committee. Any person who shall willfully neglect or refuse to testify before said committee or to produce any books, papers, records or documents shall be subject to the penalties provided by the laws of the Commonwealth in such cases.

Resolved, That the Senate and House of Representatives will appropriate the sum of Five Thousand Dollars ($5,000.00) to pay the expenses of the Committee in prosecuting its study of such legislation, the summoning of witnesses, postage, secretarial and clerical hire, the attendance of members at meetings and other expenses.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

The SPEAKER. The resolution will be filed with the Clerk under the rules.

LEAVES OF ABSENCE

Mr. J. L. SNYDER asked and obtained leave of absence for himself for the remainder of the week.

Mr. BLUMBERG asked and obtained leave of absence for himself for the remainder of the week.

RECESS

The SPEAKER. If there are no objections the Chair is about to declare a recess for fifteen minutes. Are there objections? The Chair hears none and declares a recess for fifteen minutes.

AFTER RECESS

The SPEAKER (Roy E. Furman) in the Chair.

The time of recess having expired the House will be in order.

STATEMENT BY MR. WITKIN

Mr. WITKIN asked and obtained unanimous consent to make the following statement:

Mr. Speaker and members of the House in view of the fact that the Chairman of the Committee on Cities happens to be the lady from Philadelphia, Miss Brancato, and not having any desire to interrogate her because of her position, I merely wanted to direct her attention to the fact that there is in her committee Senate Bill No. 76, House Bill No. 158, known as the Aron Bill, dealing with manufacturing industries in Philadelphia. I have been endeavoring to have her call a meeting of that committee for consideration of this bill, and I desire the records to show that I am making the request before the membership of this House, to be followed by action next Monday night unless a meeting of that committee is called for the consideration of that bill, whether in the affirmative or negative is a matter for the committee to consider and determine, but I do want her to call a meeting of that committee for the consideration of that bill.

ADJOURNMENT

Mr. JAMES W. PATTERSON. Mr. Speaker, I move that this House do now adjourn until tomorrow at 12:00 o'clock noon.

The motion was agreed to, and (at 6.07 p. m.) the House adjourned until Wednesday, July 22, 1936, at 12:00 o'clock noon.

ERRATUM

Correct Legislative Journal, Tuesday, July 14. 1936, Vol. 19, No. 34, Page 1096, second column, by striking out lines 48 to 60 inclusive, reading as follows:

Mr. PIOLE. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend section 1, (a) on Page 2, line 9, by inserting after the syllable "lished", the following: "and in more populous counties in such additional newspapers as the General Assembly by statute may require"

Amend Section 1 (b) on page 3, in line 2, by inserting after the syllable "lished", the following: "and in the more populous counties in such additional newspapers as the General Assembly by statute may require"

and inserting in lieu thereof the following:

"Mr. HOMER S. BROWN. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend Sec. 1, page 2, line 20, by inserting after the word 'thereafter' the following: "but no amendment or amendments shall be submitted oftener than once in five years"

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Extraordinary Session of 1936.

Vol. 19. HARRISBURG, PA., WEDNESDAY, JULY 22, 1936. No. 39.

SENATE

WEDNESDAY, JULY 22, 1936

The Senate met at 1 o'clock P. M.

The PRESIDENT (Lieutenant-Governor Thomas Kennedy) in the Chair.

PRAYER

The Chaplain, Rev. William E. Howard, D. D., offered the following prayer:

O Thou, the Father of all men, we are proud of our American heritage. When we study the early history of our land and behold the scenes enacted at her birth, set forth upon the printed page, depicted by the artist's skill or described by patriotic speakers, our hearts are thrilled. To see in retrospect the self-abasement of our forebears is to be exultant in the fact that we inherit the fruits of their labor and valor.

But is there not danger, O God, that we may become smug and inactive in our pride of national ancestry? Do we not at times forget that history is being made today and that future generations will scan the record we leave behind us, just as we review the deeds of the heroes of long ago? Lord we would be men of like caliber as our fathers. Men who realize that it is well to have good ancestors but more important to be good ancestors. Grant that we may so live that one hundred years from today our descendants may rise up and call us blessed. May Thy Name be glorified in our lives. Amen.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. SONES, the further reading was dispensed with, and the Journal was approved.

PETITION

WORKERS' ALLIANCE OF PENNSYLVANIA REQUESTING PERMISSION FOR TWO MEMBERS TO ADDRESS THE SENATE

Mr. SHAPIRO. Mr. President, I have been asked by representatives of the Workers' Alliance of Pennsylvania to present the following petition:

Harrisburg, Pa., July 22, 1936.

To the Senate of Pennsylvania
Gentlemen:

Representing the Workers' Alliance of Pennsylvania and in behalf of the unemployed workers of Pennsylvania, the undersigned petition the Senate for the privilege of having two of our number address the Senate at once for the purpose of stating our position on certain proposed legislation and the issues involved in the relief crisis.

Respectfully submitted

WORKERS' ALLIANCE OF PENNSYLVANIA
Provisional State Committee
CHARLES M. SANDWICK
JOHN MULDOWNEY
CHARLES SPENCER
BERNARD CHILD
PAUL A. RASMUSSEN
SAM GORDON
HARRY BROWN
LESTER W. HECKMAN

RECESS

Mr. SHAPIRO. Mr. President, I move that the Senate do now take a recess for thirty minutes, to give the representatives of the petitioners an opportunity to address the Senate.

Mr. CAVALCANTE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

A division being called for, fourteen Senators voted in the affirmative and five in the negative.

Whereupon the question was decided in the affirmative.

AFTER RECESS

The PRESIDENT. The time of recess having elapsed, the Senate will be in order.

NOMINATIONS BY THE GOVERNOR

The Secretary to the Governor being introduced, presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows, and referred to the Committee on Executive Nominations:

NOTARIES PUBLIC

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 22, 1936.

To the Honorable, the Senae of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

ALLEGHENY COUNTY

Miss Muriel Wilson, 5037 Second Ave., Pittsburgh.

CLEARFIELD COUNTY

Mrs. Elizabeth M. Boggs, DuBois.

NORTHUMBERLAND COUNTY

Miss Anna Surak, Shamokin.

GEORGE H. EARLE.

HOUSE MESSAGE

APPOINTMENT OF COMMITTEE OF CONFERENCE

The Clerk of the House of Representatives being introduced, informed the Senate that the House insists upon its non-concurrence in the amendments made by the Senate to House Bill No. 55, entitled:

An Act establishing a system of unemployment compensation to be administered by a newly created independent administrative commission of five members appointed by the Governor, President Pro Tempore of the Senate, the Speaker of the House of Representatives, the Auditor General, and the State Treasurer; establishing a civil service system for employes of the commission; transferring the existing system of free public employment offices from the Department of Labor and Industry to the commission requiring employers to pay certain contributions based on pay rolls to provide moneys for the payment of compensation to certain unemployed persons providing procedure and administrative details for the determination payment and collection of such contributions and the payment of such compensation providing for cooperation with the Federal Government and its agencies creating certain special funds in the custody of the State Treasurer and prescribing penalties.

and has appointed Mr. Moomaw, Mr. Dent and Mr. Wickersham as a Committee of Conference to confer with a similar committee of the Senate (if the Senate shall appoint such committee) to consider the differences existing between the two Houses in relation to said bill.

TIME OF NEXT MEETING

Mr. BUCKMAN, offered the following resolution, which was twice read, considered and agreed to:

In the Senate, July 22, 1936.

Resolved (if the House of Representatives concur), That when the Senate adjourns this week it reconvene on Monday evening, July 27th at nine o'clock Eastern Standard Time, and when the House of Representatives adjourns this week it reconvene on Monday evening, July 27th at nine o'clock Eastern Standard Time.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

QUESTION OF PERSONAL PRIVILEGE

Mr. CAVALCANTE. Mr. President, I rise to a question of personal privilege.

The PRESIDENT. The Senator from Fayette, Mr. Cavalcante, will state his question of personal privilege.

Mr. CAVALCANTE. Mr. President, some weeks ago I stated on the floor of this Senate that I entertained no hesitancy to vote for a $100,000,000 appropriation for the relief of the unemployed of this Commonwealth if certain changes were made in the system of administering the fund. The Journal sets forth my remarks pointing out the changes that this Senate should make. The Journal is also teeming with remarks of other members of this Senate on the same subject.

Whether the remarks come from members of the Republican majority or Democratic minority is of minor consequence. The major concern of the substantial members of this House, and the people they represent, irrespective of political affiliation, is the sincerity behind the remarks and the willingness to yield when yielding is the part of honesty. A man who is not ready to admit the possibility of human error in the management of our State government is neither human nor sensible. Such a man is unfit to sit in council with human beings and much less is he fit to sit as a member of this Senate representing the sincere and honest people of this Commonwealth. "To err is human; to forgive divine."

Remarks have been made in this House by members of the Republican majority that suggest a state of mind and condition of heart beastly insensible to humanity, divinity or honesty. These members are inhuman because the jingle of gold and the cries of privileged masters enslave their ears more potently than the cries of suffering humanity nailed to a cross of social injustice.

These members are unholy because their love for mammon grossly outweighs their love for the God of humanity—that same loving God to whom the Chaplain of this Senate appeals in our behalf for divine guidance.

These members are dishonest because they barter the rights of all the people for the favors of rich and privileged individuals. And then to add perfidy to their imperfections, they give to their inhumanity, unholiness and dishonesty the lying tongue of an Ananias.

Let me warn these members that the time is at hand when human rights shall be made paramount to the property rights of greedy capital.

Let me warn these members that the time is at hand when the God of humanity will use the might of human hands to stay their mad love for mammon.

Let me warn these members that the time is at hand, as it has already overtaken one of their number, when the starving people will violently remove dishonesty from the floor of this Senate.

A timely warning is also in order to those privileged lobbyists who without authority invade the floor of this Senate to practice their corrupt influences upon privately or personally interested members.

Let these lobbyists for chain stores, public utilities, oil, coal, steel and manufacturers be warned that the time is at hand when the unprivileged people of this Commonwealth will use avenging ropes to clear these lobbying rascals from the floor and halls of this Senate. Had it not been for the corruption practiced by these lobbyists the work of this special session would have ended six weeks ago.

It is common knowledge that the conduct of some members of this Senate is highly suggestive that they are in fact personally and privately interested in defeating bills and measures designed to provide proper social security and unemployment relief for the needy of our Commonwealth. I have in my possession documentary evidence showing pre-arrangement, pre-combination and collusion between members of this Senate and privileged interest to defeat bills and measures proposed and pending in this Senate. In seasonable time I shall make this evidence public.

I am not threatening. I am leveling these charges against the guilty ones, because I feel it my duty, under my oath, to point this out to all the members of this Senate for their consideration. Honesty cannot dictate otherwise.

Some may tolerate the manner the lobbyists ply their profession in this Senate chamber but no honest man should be asked to tolerate the plying of this profession by members of the Senate on this Senate floor.

This is a shameful practice and the time may soon come when the unprivileged citizen of the Commonwealth will remove it from their midst by the application of stern measures.

I trust that that day may be avoided. It can be avoided if this Senate can be induced to follow the provision of the Constitution. I now refer to Article III, Section 33, of that document which reads as follows:

"A member who has a personal or private interest in any measure or bill proposed or pending before the General Assembly shall disclose the fact to the House of which he is a member and shall not vote thereon."

It is because members of the Senate are violating this provision of the Constitution that the program for Flood control, Unemployment Relief and Social Security is being scuttled and destroyed in malingering committees manned by malingering members. It is time that we bring this to an honorable end. A resolution was presented in this Senate to correct this evil. I now demand that that resolution be now acted upon.

MOTION TO DISCHARGE COMMITTEE

Mr. CAVALCANTE. Mr. President, I move that the Committee on State Government, of this Senate, be discharged from further consideration of Senate Resolution Serial No. 23, so that the same may be returned to the floor of this Senate for constitutional consideration.

Mr. THOMPSON (Centre). Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. CAVALCANTE. Mr. President, I ask that the resolution be read in full; and I also ask for a roll call on the motion.

The resolution was read as follows:

SENATORS TO FILE RECORD OF THEIR SERVICE IN PUBLIC UTILITIES OR CORPORATIONS WITH CLERK OF SENATE

In the Senate, June 8, 1936.

Whereas, numerous measures or bills forwarded by the House of Representatives are now before this Senate or in the hands of its committees for consideration, and

Whereas, many of said measures or bills deal with revenue and other matters directly affecting Public Utilities and other corporations of this Commonwealth, and

Whereas, reports are current throughout this Commonwealth that the final passage of some of said measures or Bills will be defeated or unnecessarily delayed by this Senate or its committees by reason of influence exerted to that end by individuals having a personal or private interest in said measures or Bills, and

Whereas, Article III, Section 33, of the Constitution of this Commonwealth provides as follows:

"A member who has a personal or private interest in any measure or bill proposed or pending before the General Assembly shall disclose the fact to the House of which he is a member, and shall not vote thereon," and,

Whereas, it is the sworn duty of the members of this Senate to abide by the Constitution of this Commonwealth,

Now, Therefore Be It Resolved, that each member of this Senate deliver to the clerk of the Senate, on or before Wednesday, June 10, 1936, a certificate, to be spread upon the Journal of this Senate, answering truthfully the following interrogatories:

1. Are you an officer, or employe or the solicitor or attorney of a Public Utilities or corporation that will be directly affected by any measure or bill proposed or pending before this Senate?
2. Do you derive a salary, fee or wage of any kind from income of a Public Utilities or corporation that will be directly affected by any measure or bill proposed or pending before this Senate, excepting earnings derived from your ownership of stocks or bonds of said Utilities or corporation?

And the question recurring,

Will the Senate agree to the motion?

Mr. REED (Dauphin). Mr. President and members of the Senate, I desire to state for the information of the Senate that very shortly after that resolution was referred to the Committee on State Government, of which committee I have the honor of being the chairman, at a largely attended meeting of that committee I brought this resolution to the attention of the committee. That committee consists of fifteen members, eleven Republicans and four Democrats. With practically all the members of the Committee present I brought the resolution before the committee. No member of the committee would make a motion to bring that resolution out of the committee.

Subsequently, at another meeting of the Committee on State Government, I again brought the resolution before that committee, with the statement that Senator Cavalcante had requested me to bring it before the committee. Again no motion was made by any member of that committee but by agreement it was postponed.

I simply desire to make this statement—that that resolution has been considered by the committee, has been on two occasions brought to the attention of the members of the committee, it has had as complete and full consideration as it is possible to have in any committee and I do not know of any member of the committee who is willing to make the motion to bring that resolution before the Senate.

And the question recurring,

Will the Senate agree to the motion?

The yeas and nays were required by Mr. CAVALCANTE and Mr. THOMPSON (Centre), and were as follows, viz:

YEAS—17

Cavalcante,	Lanius,	Rankin,	Shapiro,
Frey,	McGreesh,	Reed,	Staudenmeier,
Harris,	McGinnis,	(Washington)	Thompson,
Huffman,	Prince,	Roberts,	(Centre)
Kahle,	Pytko,	Ruth,	

NAYS—28

Aron,	Gelder,	Owlett,	Salus,
Batchelor,	Graff,	Pierson,	Sones,
Baumer,	Harvey,	Reed,	Thompson,
Bean,	Homsher,	(Dauphin)	(Westmoreland)
Buckman,	Howell,	Rice,	Trainer,
Chapman,	Law,	Rodgers,	Woodward,
Coyne,	Mallery,	Rupp,	Ziesenheim,
Ealy,	McClure,		

So the question was determined in the negative.

HOUSE MESSAGES

RESOLUTION RECALLING FROM THE GOVERNOR HOUSE BILL NO. 109

The Clerk of the House of Representatives being introduced presented extract from the Journal of the House of Representatives, which was twice read as follows, considered and agreed to:

In the House of Representatives, July 22, 1936.

Resolved (if the Senate concur), That House Bill No. 109 entitled:

A Supplement to act number seventy-seven-A, approved the twentieth day of July, one thousand nine hundred thirty-five (One Thousand Nine Hundred Thirty-five Appropriation Acts, page seventy-one), entitled "An act to provide for the ordinary expenses of the Executive, Legislative, and Judicial Departments of the Common-

wealth, interests on the public debt, and the support of the public schools for two years beginning June first, one thousand nine hundred and thirty-five; and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first, one thousand nine hundred and thirty-five," providing for additional appropriations to certain departments, boards and commissions

be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk inform the House of Representatives accordingly.

HOUSE CONCURS IN SENATE BILL NO. 6

He also returned to the Senate, Senate Bill No. 6, entitled:

A Joint Resolution proposing an amendment to article nine, section eight, of the Constitution of the Commonwealth of Pennsylvania

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL No. 17

He also returned to the Senate, Senate Bill No. 17 entitled:

An Act to amend sections seven and eight of the act, approved the twenty-second day of June, one thousand nine hundred and thirty-five (P. L. 414), entitled "An act to provide revenue for State purposes; imposing taxes upon certain classes of personal property; providing for the assessment, collection, and lien of the same, and the distribution of the proceeds thereof; imposing duties on executors, administrators, registers of wills, recorders of deeds, prothonotaries, and court clerks, and on persons, copartnerships, associations, banks, national banks, trust companies, and other corporations receiving deposits of money, and on certain corporations, and limited partnerships; conferring powers and imposing penalties; and making State officers and departments; imposing penalties; and making and appropriation," by changing certain penalties imposed by said act

with the information that the House has passed the same without amendment.

BILLS SIGNED

The PRESIDENT (Lieutenant Governor Thomas Kennedy) announced that the Chief Clerk having reported that the following bills had passed both House of the General Assembly and the same being correct, the titles were publicly read as follows:

Senate Bill No. 6 entitled:

A Joint Resolution proposing an amendment to article nine, section eight, of the Constitution of the Commonwealth of Pennsylvania.

Senate Bill No. 17 entitled:

An Act to amend sections seven and eight of the act, approved the twenty-second day of June, one thousand nine hundred and thirty-five (P. L. 414), entitled "An act to provide revenue for State purposes; imposing taxes upon certain classes of personal property; providing for the assessment, collection, and lien of the same, and the distribution of the proceeds, thereof; imposing duties on executors, administrators, registers of wills, recorders of deeds, prothonotaries, and court clerks, and on persons, copartnerships, associations, banks, national banks, trust companies, and other corporations receiving deposits of money, and on certain corporations and limited partnerships; conferring powers and imposing duties on certain State officers and departments; imposing penalties; and making an appropriation," by changing certain penalties imposed by said act.

Whereupon,

The PRESIDENT (Lieutenant Governor Thomas Kennedy) in the presence of the Senate signed the same.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 53 (House Bill No. 66), as follows:

An Act making an appropriation to the Department of Property and Supplies for increasing the capacity of overcrowded State institutions eliminating fire and other hazards to safety at State institutions providing for the purchase of safety and other equipment the erection and construction of new buildings and repairs alterations and additions to and replacement of existing buildings and equipment

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of two million six hundred thousand dollars ($2,600,000) is hereby appropriated to the Department of Property and Supplies for the following purposes

For eliminating fire and other hazards to safety at State-owned institutions including repairs alterations additions to or replacement of existing buildings and the purchase of fire or other safety equpiment the sum of five hundred thousand dollars ($500,000)

For increasing the capacity of State-owned institutions under the supervision of the Department of Welfare by the erection and construction of new buildings or by repairs alterations or additions to existing buildings the sum of one million dollars ($1,000,000)

For increasing the capacity of State-owned institutions under the supervision of the Department of Health by the erection and construction of new buildings or by repairs alterations or additions to existing buildings the sum of six hundred thousand dollars ($600,000)

For the erection and construction of new armories and other buildings and repairs alterations additions to and replacement of existing armories and other buildings under the supervision of the Department of Military Affairs including buildings and utilities at the State Military Reservation the sum of five hundred thousand dollars ($500,000)

Section 2 Within the meaning of this act the erection and construction of or alterations or additions to buildings shall include the installation or replacement of fittings and equipment affixed to buildings and the installation or replacement of heating systems and heating sewage and other service lines within the grounds of an institution armory or stable for the accommodation of a building or buildings and the foregoing appropriations be and the same are hereby made available for the payment of the cost of necessary plans specifications advertising for bids supervision and architectural and engineering fees required for the purposes of this act

Section 3 The amount of any of the foregoing appropriations to be expended for or upon any building or buildings for any particular institution shall be determined with the approval of the Governor by the Department of Property and Supplies and the department of the State government operating such institution or with which the board of trustees of such institution is connected and the amount of the foregoing appropriation to be expended for any particular armory or the State Military Reservation shall be determined with the approval of the Governor by the Department of Property and Supplies and the Department of Military Affairs

Section 4 The remaining balance of any of the fore-

going appropriations which on May thirty-first one thousand nine hundred thirty-nine are unobligated shall lapse on that date

Section 5 This act shall become effective immediately upon its final enactment

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED

Mr. GELDER. Mr. President, I move that Senate Bill No. 53 (House Bill No. 66), the bill just read, be recommitted to the Committee on Appropriations.

Mr. WOODWARD. Mr. President, I second the motion.

The motion was agreed to.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 93 (House Bill No. 134), as follows:

An Act requiring unemployment relief orders to be presented for payment within a certain period otherwise to be cancelled and the moneys appropriated for their payment to be escheated to the Commonwealth and credited to the current appropriation for unemployment relief purposes.

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the State Emergency Relief Board shall as of the first day of January one thousand nine hundred and thirty-seven and periodically thereafter take credit on its books and calculate as cash to the credit of the current appropriation to the board for unemployment relief purposes all amounts held in the form of cash for the payment of unemployment relief orders issued by said board which have not been presented for payment within one year from the date of issue The State Emergency Relief Board shall cancel all such orders at the time credit is taken on its books and notify the State Treasurer accordingly in order that the full amount thereof shall be credited to the current appropriation to the board for unemployment relief purposes.

All claims against the Commonwealth represented by relief orders issued by the State Emergency Relief Board which are not presented for payment prior to the time of cancellation shall be considered paid and all sums of money held or appropriated for the payment of such relief orders not presented within said period are hereby escheated to the Commonwealth and shall be credited to the current appropriation to the board as hereinbefore provided

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED

Mr. GELDER. Mr. President, I move that Senate Bill No. 93 (House Bill No. 134), the bill just read, be recommitted to the Committee on Appropriations.

Mr. WOODWARD. Mr. President, I second the motion.

The motion was agreed to.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 94 (House Bill No. 135), as follows:

An Act appropriating to the State Emergency Relief Board for unemployment relief all restitutions and over-payments collected by or for said board

Section 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That all restitutions and over-payments of moneys paid out for unemployment relief purposes collected by or for the State Emergency Relief Board shall be deposited in the General Fund and be credited to the current appropriation for unemployment relief and shall be available and are hereby appropriated to the State Emergency Relief Board for the same purposes for which such current appropriation is available

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED

Mr. GELDER. Mr. President, I move that Senate Bill No. 94 (House Bill No. 135), the bill just read, be recommitted to the Committee on Appropriations.

Mr. WOODWARD. Mr. President, I second the motion

The motion was agreed to.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 109 (House Bill No. 58), as follows:

A Supplement to act number seventy-seven-A approved the twentieth day of July one thousand nine hundred thirty-five (One Thousand Nine Hundred Thirty-five Appropriation Acts page seventy-one) entitled "An act to provide for the ordinary expenses of the Executive Legislative and Judicial Departments of the Commonwealth interest on the public debt and the support of the public schools for two years beginning June first one thousand nine hundred and thirty-five and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred and thirty-five" providing for additional appropriations to certain departments boards and commissions

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the following sums or so much thereof as may be necessary be and the same are hereby specifically appropriated to the several departments hereinafter named

EXECUTIVE DEPARTMENT

To the Department of Agriculture

For the payment of salaries wages or other compensation of employes for the payment of general expenses necessary for the proper conduct of the work of the State Farm Products Show Commission for the payment of premium awards for exhibits at the State Farm Products Show and for the maintenance of the State Farm Show Building and the grounds surrounding it including the shelter and care of refugees in such building the sum of five thousand nine hundred twenty-seven dollars and seventy cents ($5,927.70)

To the Department of Health

For the payment of salaries wages or other compensation of a deputy secretary and other employes for the payment of general expenses necessary for the proper conduct of the work of the department the Sanitary Water Board the Advisory Health Board and other boards the sum of five thousand eight hundred three dollars and seventy-eight cents ($5,803.78)

To The Department of Labor and Industry

For the payment of salaries wages or other compensation of the members of the Workmen's Compensation Board Workmen's Compensation referees the members of the Industrial Board a deputy secretary and other employes for the payment of general expenses necessary for the proper conduct of the work of the department the Workmen's Compensation Board the Workmen's Compensation Referees and the Industrial Board and for the purchase of artificial appliances for and the payment of maintenance costs of physically handicapped persons in training and all other expenses necessary to carry out the provisions of the rehabilitation acts the sum of one hundred fifty-nine thousand four hundred sixty-one dollars and twenty-six cents ($159,461.26) Of this amount one hundred thirty-four thousand six hundred sixty-six geted for the purpose of matching Federal funds availdollars and twenty-six cents ($134,666.26) shall be budable under the Federal Social Security Act or other Fedcost of preparation of plans designs and specifications ineral acts for vocational rehabilitation purposes

To the Department of Military Affairs

For the purpose of placing at the disposal of the Governor and making the same available for replacement or repair such military stores and supplies issued to the Commonwealth of Pennsylvania by the Federal government as may be destroyed or damaged in whole or in part by fire flood storm or any other unavoidable cause for the payment of transportation pay of officers and enlisted men horse hire subsistance quartermaster stores and other proper and necessary expenses incident to field service rendered by the Pennsylvania National Guard under orders of the Governor in repelling invasion subduing insurrection riot tumult or disorder or the prevention of the same and when such Pennsylvania National Guard may be placed on duty under orders of the Governor under extraordinary circumstances for the protection of property or human life and in the event of all or any portion of said Pennsylvania National Guard being called into active service of the United States by the President of the United States or in furnishing the quota of volunteers from the Commonwealth of Pennsylvania under a call made by the President of the United States and for the payment of mileage and lawful expenses of commissioners to take the vote of Pennsylvania soldiers in Federal or State service when in the field on active duty for the payment of any and all expenses incident to furnishing men material and equipment to relieve unemployment or draught conditions throughout the State or when a disaster occurs for payment of claims against the Commonwealth of Pennsylvania for damages incurred by the operation or training of the Pennsylvania National Guard as provided by law for the payment of all necessary expenses including annual allowances for maintenance and armory rent individual pay officers' annual allowances passenger and freight transportation telegrams telephone toll charges subscriptions to The Pennsylvania National Guardsmen for distribution to officers and men of the Pennsylvania National Guard the expenses of operating and maintaining automobiles and other motor equipment the payment of mileage charges to the Department of Property and Supplies for the use of automobiles and other expenses necessary for the maintenance training government discipline and equipment for the Pennsylvania National Guard for the payment of claims made by the War Department based upon approved reports of survey covering loss damage or destruction of Federal property for the payment of salaries of members of the Armory Board of the State of Pennsylvania and inspectors for the payment of salaries wages or other compensation of employes for the payment of general expenses necessary for the proper conduct of the work of the Armory Board of the State of Pennsylvania for the maintenance and repair of armories and for the expenses of inspection of armories the sum of four hundred thousand dollars ($400,000)

To the Department of Property and Supplies

For the purchase of supplies including medicines medical surgical laboratory chemical biological and electrical supplies military stores and supplies stationery and office supplies for the purchase of food and forage and other animal foods for the purchase of furniture and equipment including office chemical laboratory medical surgical biological and electrical equipment furniture furnishings utensils military and police equipment fire arms and other accoutrements artificial appliances fire protection and fire fighting equipment for the purchase of animals poultry seedlings and transplants for the purchase of legal and other books periodicals maps charts manuscripts pamphlets exchanges records lantern slides archaeological and historical markers and for the purchase of all other materials supplies or equipment as set forth in the schedules of the Department of Property and Supplies or for which requisition is made but the want of which was not anticipated at the time of the making of said schedules for the cost of repairing office equipment for the cost of miscellaneous services for the payment of rental charges for telephones and other patented leased office devices for the payment of the cost of printing and printing processes such as binding ruling lithographing color printing and engraving for the purchase of paper envelopes cloth and other substances on which printing is done cuts electrotypes dies stamps and other printing and binding supplies as may be required for the Executive Mansion and the several administrative departments boards and commissions of the State government except the Department of Highways the Department of Banking and the Department of Revenue to the extent to which appropriations for these purposes shall have been made to them from special funds the Department of the Auditor General the Treasury Department the Board of Fish Commissioners the Board of Game Commissioners the State Farm Products Show Commission the Pennsylvania Liquor Control Board the Milk Control Board the State Workmen's Insurance Board the department administrative boards or commissions having control of State institutions or supervision over or the duty of planting for State parks harbors or canals for the payment of the cost of making tests of materials supplies and equipment whether purchased by the Department of Property and Supplies directly or as purchasing agency for the payment of the cost of preparation of plans designs and specifications including necessary tests or borings and the preparation of same required for the performance of the work of the Department of Property and Supplies (when said cost is not otherwise provided for) including those to be purchased or altered at the expense of a fund other than the General Fund and for the payment of expenses incident to condemnation proceedings in the event such expenses are not provided for in any act of the General Assembly authorizing the acquisition of land for the Commonwealth the sum of two hundred seventy-eight thousand two hundred ninety-nine dollars and seventy-five cents ($278,299.75)

For the purchase of office supplies and equipment stationery printing printing supplies and printing processes for the purchase of legal books periodicals maps pamphlets for the purchase of all other materials supplies and equipment for the costs of repairing office equipment for the payment of rental charges of telephone and other leased devices for the payment of telephone toll charges and telegrams required by the General Assembly and the Judicial Department for the payment of costs including delivery expenses of documents and publications furnished to members and officers of the General Assembly for the payment of the costs of all printing incident to the sessions of the General Assembly including the printing of

the Pamphlet Laws for the payment of costs of printing the Pennsylvania State Manual and for the payment of the cost of postage freight express paper and printing of departmental documents distributed to members of the Legislature in accordance with law the sum of one hundred thousand dollars ($100,000)

To The Department of Public Instruction

For the purpose of aiding financially handicapped and distressed school districts in such sums and in such manner as the Superintendent of Public Instruction shall determine the sum of one million dollars ($1,000,000)

To The Department of Revenue

For the payment of salaries wages or other compensation of a deputy secretary and other employes for the payment of general expenses necessary for the proper conduct of the work of the department for the payment of costs of filing liens for the purchase of tax stamps for the payment of costs of advertising required by any act of Assembly in connection with the escheat of moneys and property to the Commonwealth or in connection with the payment of unclaimed moneys into the State Treasury without escheat the sum of six hundred thousand dollars ($600,000) Provided however That to the extent to which appropriations have been made to the department out of special funds for any of the foregoing purposes this appropriation shall not be used for such purposes.

To The Pennsylvania State Police

For the payment of salaries wages or other compensation of the State Police Force a deputy superintendent and other employes for the payment of general expenses necessary for the proper conduct of the work of the Pennsylvania State Police for medical attendance and hospital charges not covered by insurance for members of the State Police Force injured in the line of duty and for the maintenance and operation of a radio broadcasting station the sum of nine thousand dollars ($9,000)

To the Department of Welfare

For the repair of flood damage to the grounds and buildings of the Western State Penitentiary at Pittsburgh including the repair and replacement of equipment the sum of one hundred thousand dollars ($100,000)

For the repair of flood damage to the grounds and buildings of the Danville State Hospital including the repair and replacement of equipment the sum of three thousand one hundred dollars ($3,100)

For the repair of flood damage to the buildings housing the prison industries shops at the Western State Penitetiary Pittsburgh including the repair and replacement of prison industries equipment the sum of one hundred fifty thousand dollars ($150,000)

For the repair of flood damage to the grounds and buildings of the Pennsylvania Industrial School including the repair and replacement of equipment the sum of twenty-six thousand dollars ($26,000)

Section 2 This act shall become effective immediately upon its final enactment

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED

Mr. GELDER. Mr. President, I move that Senate Bill No. 109 (House Bill No. 58), the bill just read, be recommitted to the Committee on Appropriations.

Mr. WOODWARD. Mr. President, I second the motion.

The motion was agreed to.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 117 (House Bill No. 165), as follows:

An Act to amend the act approved the ninth day of April one thousand nine hundred twenty-nine (Pamphlet Laws three hundred forty-three) entitled "An act relating to the finances of the State government providing for the settlement assessment collection and lien of taxes bonus and all other accounts due the Commonwealth the collection and recovery of fees and other money or property due or belonging to the Commonwealth or any agency thereof including escheated property and the proceeds of its sale the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth and the settlement of claims against the Commonwealth the resettlement of accounts and appeals to the courts refunds of moneys erroneously paid to the Commonwealth auditing the accounts of the Commonwealth and all agencies thereof of all public officers collecting moneys payable to the Commonwealth or any agency thereof and all receipts of appropriations from the Commonwealth and imposing penalties affecting every department board commission and officer of the State government every political subdivision of the State and certain officers of such subdivisions every person association and corporation required to pay assess or collect taxes or to make returns or reports under the laws imposing taxes for State purposes or to pay license fees or other moneys to the Commonwealth or any agency thereof every State depository and every debtor or creditor of the Commonwealth" as amended by making further provision relative to the settlement resettlement and collection of certain taxes and further defining the powers and duties of the Department of Revenue with relation thereto

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That Sections seven hundred eleven and seven hundred twelve of the act approved the ninth day of April one thousand nine hundred twenty-nine (Pamphlet Laws three hundred forty-three) entitled "An act relating to the finances of the State government providing for the settlement assessment collection and lien of taxes bonus and all other accounts due the Commonwealth the collection and recovery of fees and other money or property due or belonging to the Commonwealth or any agency thereof including escheated property and the proceeds of its sale the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth and the settlement of claims against the Commonwealth the resettlement of accounts and appeals to the courts refunds of moneys erroneously paid to the Commonwealth auditing the accounts of the Commonwealth and all agencies thereof of all public officers collecting moneys payable to the Commonwealth or any agency thereof and all receipts of appropriations from the Commonwealth and imposing penalties affecting every department board commission and officer of the State government every political subdivision of the State and certain officers of such subdivisions every person association and corporation required to pay assess or collect taxes or to make returns or reports under the laws imposing taxes for State purposes or to pay license fees or other moneys to the Commonwealth or any agency thereof every State depository and every debtor or creditor of the Commonwealth" as last amended by the act approved the third day of June one thousand nine hundred thirty-three (Pamphlet Laws one thousand four hundred seventy-four) are hereby amended to read as follows

Section 711 Reports by Banks and Savings Institutions Every bank and every savings institution having capital stock incorporated by or under any law of this Commonwealth or under any law of the United States and located within this Commonwealth shall on or before the fifteenth day of [March] February in each year report to the Department of Revenue the full number of the

the actual value thereof as of the preceding thirty-first day of December which actual value shall be ascertained in the manner provided by law.

Section 712 Reports by Title Insurance and Trust Companies Every company incorporated under the provisions of section twenty-nine of an act entitled "An act to provide for the incorporation and regulation of certain corporations" approved April twenty-ninth one thousand eight hundred and seventy-four and its supplements or any other act of Assembly hereafter approved for the insurance of owners of real estate mortgages and others interested in real estate from loss by reason of defective titles liens and incumbrances and every company entitled to benefits of and every company having any of the powers of companies entitled to the benefits of an act entitled "An act conferring upon certain fidelity insurance safety deposit trust and savings companies the powers and privileges of companies incorporated under the provisions of section twenty-nine of an act entitled 'An act to provide for the incorporation and regulation of certain corporations' approved April twenty-ninth Anno Domini one thousand eight hundred and seventy-four and of the supplement thereto" approved June twenty-seventh one thousand eight hundred and ninety-five commonly known as title insurance or trust companies and every company organized as a bank and trust company or as a trust company under any act of Assembly hereafter approved shall on or before the fifteenth day of [March] February in each and every year make to the Department of Revenue a report setting forth the full number of shares of the capital stock subscribed for or issued by such company and the actual value thereof as of December thirty-first preceding which shall be ascertained in the manner provided by law.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

RECESS

Mr. BUCKMAN. Mr. President, I move that the Senate do now take a recess until five o'clock this afternoon.

Mr. McCLURE. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS

The PRESIDENT. The time of recess having elapsed, the Senate will be in order.

REPORTS FROM COMMITTEES

Mr. OWLETT, from the Committee on Finance, re-reported as amended, Senate Bill No. 113 (House Bill No. 159), entitled:

An Act authorizing the Commonwealth to negotiate temporary emergency loans to defray the current and/or other expenses of the State government during the fiscal year ending the thirty-first day of May, one thousand nine hundred thirty-seven, evidenced by tax anticipation notes in two series secured by and payable from current revenues levied assessed collectible and/or accruing during such fiscal year defining the powers and duties of the Governor the Auditor General and the State Treasurer in relation thereto providing for the payment of interest on and the repayment of such loans providing for payments into the sinking fund and making an appropriation.

Mr. THOMPSON (Centre), from the Committee on Judiciary General, reported as committed the following resolution, which was laid on the table:

SENATE COMMITTEE TO ANALYZE REPORT ON MOTHERS' ASSISTANCE BOARDS PRESENTED PURSUANT TO SENATE RESOLUTION SERIAL NO. 33

In the Senate, July 16, 1936.

Whereas, By Senate Resolution, Serial No. 33, a report was requested from the Department of Welfare asking certain information with respect to the resignation and dismissal of members of the Boards of Trustees of the Mothers' Assistance Fund; and

Whereas, A report has been submitted by said Department, which is not responsive to the resolution, and from which a clear understanding of the facts cannot readily be gathered; therefore be it

Resolved, That the President Pro Tempore of the Senate is hereby authorized to appoint a committee of five Senators whose duty it shall be;

(a) To analyze the said report of the Department of Welfare filed pursuant to Resolution, Serial No. 33;

(b) To ascertain the accuracy of the statements made in said report;

(c) To gather and supply the information requested which said report failed to disclose; and

(d) To examine the records of the Department of Welfare for the purpose of supplying the information required to make said report in accurate form;

Resolved, That said committee shall make a report to the Senate as early as possible, and in the event that said report cannot be completed prior to the adjournment of this Session of the General Assembly, then to report to the Senate when next in Session.

Mr. GELDER, from the Committee on Appropriations, re-reported as amended, Senate Bill No. 108 (House Bill No. 18), entitled:

An Act making an appropriation to the State Emergency Relief Board for direct relief work relief and expenses defining the purposes for which such moneys may be expended and prescribing the powers and duties of the State Emergency Relief Board and certain State Departments.

Mr. RODGERS, from the Committee on Constitutional Changes, re-reported as amended, Senate Bill No. 102 (House Bill No. 136), entitled:

A Joint Resolution proposing an amendment to article nine of the Constitution of Commonwealth of Pennsylvania by adding thereto a section

Mr. COYNE, from the Committee on Executive Nominations, reported with favorable recommendation the following nominations made by His Excellency, the Governor of the Commonwealth:

NOTARIES PUBLIC

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, June 21, 1936.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for term of four years to compute from the date of confirmation:

ALLEGHENY COUNTY

W. S. Schwebel, 2800 Grant Bldg., Pittsburgh.

BEAVER COUNTY

Miss Gladys V. Dickey, Beaver.

LEHIGH COUNTY

Miss Dorothy W. Hagy, Allentown.

PHILADELPHIA COUNTY

Robert W. Brown, 133 S. 4th St., Philadelphia.
Miss Emma E. Mason, 141 S. 4th St., Philadelphia.

GEORGE H. EARLE.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 22, 1936.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for term of four years to compute from the date of confirmation:

ALLEGHENY COUNTY

Miss Muriel Wilson, 5037 Second Avenue, Pittsburgh.

CLEARFIELD COUNTY

Mrs. Elizabeth M. Boggs, DuBois.

NORTHUMBERLAND COUNTY

Miss Anna Surak, Shamokin.

GEORGE H. EARLE.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, June 21, 1936.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the dates set opposite their names:

ALLEGHENY COUNTY

Louis Winterhalter, Pittsburgh, July 27, 1936.

PHILADELPHIA COUNTY

Miss Marguerite D. Lyons, Philadelphia, August 1, 1936.

GEORGE H. EARLE.

COMMISSIONERS OF DEEDS FOR PENNSYLVANIA

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, June 29, 1936.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the reappointment of Joseph Fiell, 140 Cedar Street, New York City, as Commissioner of Deeds for Pennsylvania with residence in New York City, for a term of five years to compute from July 7, 1936.

GEORGE H. EARLE.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, June 15, 1936.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following appointment for a term of five years to compute from the date of confirmation:

Frank J. Bloom, 22 S. Pennsylvania Ave., Atlantic City, New Jersey, as Commissioner of Deeds for Pennsylvania with residence in Atlantic City, New Jersey.

GEORGE H. EARLE.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 4, 1936.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following appointments for a term of five years to compute from the date of confirmation:

Louis V. Smith, 160 Front Street, New York City, New York, as Commissioner of Deeds for Pennsylvania with residence in Merrick, Long Island, New York.

G. William Welsch, 120 Wall Street, New York City, New York, as Commissioner of Deeds for Pennsylvania with residence in New York City, New York.

GEORGE H. EARLE.

JUSTICES OF THE PEACE

Commonwealth of Pennsylvania,
Governors Office, Harrisburg, June 9, 1936.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate: John Jereb, of Beaverdale, Cambria County, for appointment as Justice of the Peace in the Township of Summerhill, Cambria County, until the first Monday in January, 1938, to compute from the date of confirmation.

GEORGE H. EARLE.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 1, 1936.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate: George T. Miller, of Hallam, York County, for appointment as Justice of the Peace in the Borough of Hallam, York County (to fill a vacancy), until the first Monday in January, 1938.

GEORGE H. EARLE.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, June 15, 1936.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following appointments to compute from the date of confirmation:

Charles H. Boback, of Monongahela, Washington County, as Justice of the Peace in the Township of Carroll, Washington County, until the first Monday in January, 1938.

Miss Edith R. Ney, of Tunkhannock, Wyoming County, as Justice of the Peace in the Township of Eaton, Wyoming County, until the first Monday in January, 1938.

GEORGE H. EARLE.

MEMBERS OF THE BOARD OF TRUSTEES OF THE EASTERN STATE PENITENTIARY

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, June 22, 1936.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following:

Vincent Henderson, of 517 Widener Building, Philadelphia, Philadelphia County, for appointment as a member of the Board of Trustees of the Eastern State Penitentiary, vice Dr. George E. Walk, of Philadelphia, resigned, for a term of four years to compute from the date of confirmation, and until his successor is duly appointed and qualified.

James L. Shields, of 116 Chestnut St., Philadelphia, Philadelphia County, for appointment as a member of the Board of Trustees of the Eastern State Penitentiary, vice Dr. Guy T. Holcombe, of Oxford, whose term expired, for a term of four years to compute from the date of confirmation, and until his successor is duly appointed and qualified.

GEORGE H. EARLE.

MEMBER OF THE BOARD OF TRUSTEES OF MANSFIELD STATE TEACHERS COLLEGE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 4, 1936.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following:

(Miss) Marion C. Stone, Coudersport, from February 13, 1936, for the term of four years, and until her successor is qualified.

MEMBER OF THE LAKE ERIE AND OHIO RIVER CANAL BOARD

J. P. Leaf, Rochester, from February 25, 1936, until the third Tuesday of January, 1939, and until his successor shall have been appointed and qualified.

MEMBER OF THE STATE PARKS COMMISSION

Ernest G. Smith, Wilkes-Barre, from March 12, 1936, until the third Tuesday of January, 1939, and until his successor shall have been appointed and qualified.

EXECUTIVE SESSION

By unanimous consent,

A motion was made by Mr. SONES,

That Rule 38, which requires nominations made by the Governor, to lie on the table one day be dispensed with, and the Senate do now resolve itself into Executive Session, for the purpose of acting upon the foregoing nominations

Which was agreed to.

Whereupon,

A motion was made by Mr. SONES,

That the Senate do advise and consent to the nominations reported.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46

Aron,	Harvey,	Pierson,	Salus,
Batchelor,	Homsher,	Prince,	Scott,
Baumer,	Howell,	Pytko,	Shapiro,
Bean,	Huffman,	Rankin,	Sones,
Buckman,	Kahle,	Reed,	Staudenmeier,
Cavalcante,	Lanius,	(Dauphin)	Thompson,
Chapman,	Law,	Reed,	(Centre)
Coyne,	Mallery,	(Washington)	Thompson,
Ealy,	McClure,	Rice,	(Westmoreland)
Frey,	McCreesh,	Roberts,	Trainer,
Gelder,	McGinnis,	Rodgers,	Woodward,
Graff,	Miller,	Ruth,	Ziegenheim,
Harris,	Owlett,		

NAYS—0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

Mr. SONES. Mr. President, I move that the Executive Session do now rise.

Mr. RICE. Mr. President, I second the motion.

The motion was agreed to.

BILL ON THIRD READING

Mr. OWLETT. Mr. President, I move that the Senate do now proceed to the consideration of Senate Bill No. 43 (House Bill No. 26), on third reading postponed for the present, entitled:

An Act to further amend section one of the act approved the thirteenth day of June one thousand nine hundred seven (Pamphlet Laws six hundred forty) entitled An act to provide revenue by levying a tax upon the shares of stock of companies incorporated under the provisions of section twenty-nine of an act entitled 'An act to provide for the incorporation and regulation of certain corporations' approved April twenty-ninth one thousand eight hundred and seventy-four and the supplements thereto for the insurance of owners of real estate mortgages and others interested in real estate from loss by reason of defective titles liens and encumbrances and of companies entitled to the benefits of and of companies having any of the powers of companies entitled to the benefits of an act entitled 'An act conferring upon certain fidelity insurance safety deposit trust and savings companies the powers and privileges of companies incorporated under the provisions of section twenty-nine of an act entitled "An act to provide for the incorporation and regulation of certain corporations" approved April twenty-ninth Anno Domini one thousand eight hundred and seventy-four and of the supplements thereto' approved June twenty-seventh one thousand eight hundred and ninety-five commonly known as title insurance or trust companies" by increasing the rate of tax for a limited period of time and by further modifying the method of computing the tax

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 43 (House Bill No. 26), as follows:

An Act to further amend section one of the act approved the thirteenth day of June one thousand nine hundred seven (Pamphlet Laws six hundred forty) entitled "An act to provide revenue by levying a tax upon the shares of stock of companies incorporated under the provisions of section twenty-nine of an act entitled 'An act to provide for the incorporation and regulation of certain corporations' approved April twenty-ninth one thousand eight hundred and seventy-four and the supplements thereto for the insurance of owners of real estate mortgages and others interested in real estate from loss by reason of defective titles liens and encumbrances and of companies entitled to the benefits of and of companies having any of the powers of companies entitled to the benefits of an act entitled 'An act conferring upon certain fidelity insurance safety deposit trust and savings companies the powers and privileges of companies incorporated under the provisions of section twenty-nine of an act entitled "An act to provide for the incorporation and regulation of certain corporations" approval April twenty-ninth Anno Domini one thousand eight hundred and seventy-four and of the supplements thereto' approved June twenty-seventh one thousand eight hundred and ninety-five commonly known as title insurance or trust companies" by increasing the rate of tax for a limited period of time and by further modifying the method of computing the tax

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of the act approved the thirteenth day of June one thousand nine hundred seven (Pamphlet Laws six hundred forty) entitled "An act to provide revenue by levying a tax upon the shares of stock of companies incorporated under the provisions of section twenty-nine of an act entitled "An act to provide for the incorporation and regulation of certain corporations' approved April twenty-ninth one thousand eight hundred and seventy-four and the supplements thereto for the insurance of owners of real estate mortgages and others interested in real estate from loss by reason of defective titles liens and encumbrances and of companies entitled to the benefits of and of companies having any of the powers of companies entitled to the benefits of an act entitled 'An act con-

ferring upon certain fidelity insurance safety deposit trust and savings companies the powers and privileges of companies incorporated under the provisions of section twenty-nine of an act entitled "An act to provide for the incorporation and regulation of certain corporations" approved April twenty-ninth Anno Domini one thousand eight hundred and seventy-four and of the supplements thereto' approved June twenty-seventh one thousand eight hundred and ninety-five commonly known as title insurance or trust companies" as last amended by the act approved the thirty-first day of May one thousand nine hundred thirty-three (Pamphlet Laws eleven hundred thirty-two) be and the same is hereby further amended to read as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That from and after the passage of this act every company incorporated under the provisions of section twenty-nine of an act entitled "An act to provide for the incorporation and regulation of certain corporations" approved April twenty-ninth one thousand eight hundred seventy-four and its supplements or any other act of Assembly heretofore or hereafter approved for the insurance of owners of real estate mortgages and others interested in real estate from loss by reason of defective titles liens and incumbrances and every company entitled to benefits of and every company having any of the powers of companies entitled to the benefits of an act entitled "An act conferring upon certain fidelity insurance safety deposit trust and savings companies the powers and privileges of companies incorporated under the provisions of section twenty-nine of an act entitled "An act to provide for the incorporation and regulation of certain corporations approved April twenty-ninth Anno Domini one thousand eight hundred and seventy-four and of the supplements thereto" approved June twenty-seventh one thousand eight hundred and ninety-five commonly known as title insurance or trust companies and every company organized as a bank and trust company or as a trust company under any act of Assembly heretofore or hereafter approved shall on or before the fifteenth day of February in each and every year make to the Department of Revenue a report in writing setting forth the full number of shares of the capital stock subscribed for or issued by such company and the actual value thereof as of December thirty-first preceding which shall be ascertained as hereinafter provided and thereupon it shall be the duty of the Department of Revenue for the calendar year ending December thirty-first one thousand nine hundred thirty-six to assess such shares for taxation at the rate of [five] eight mills upon each dollar of the actual value thereof and thereafter at the rate of five mills upon each dollar of the actual value thereof the actual value of each share of stock to be ascertained and fixed by adding together the amount of capital stock paid in the surplus and undivided profits

[As is not invested in shares of stock of corporations liable to pay to the Commonwealth a tax on shares or

As is not invested in such portion of the capital stock of corporations liable to pay to the Commonwealth a capital stock tax as the capital stock of such corporation employed within this Commonwealth and liable to a capital stock tax bears to the total capital stock of such corporation or

As is not invested in such portion of the capital stock of corporations specifically relieved under the laws of this Commonwealth from the payment of a capital stock tax as the capital stock of such corporation employed within this Commonwealth and relieved from the payment of a capital stock tax bears to the total capital stock of such corporation]

[And] and dividing this amount by the number of shares

It shall be the duty of every such company within a period of sixty days after the date of such settlement by the Department of Revenue to collect the amount of said tax from its shareholders and pay the same to the State Treasurer through the Department of Revenue Provided That upon the payment of the tax fixed by this act into the State Treasury through the Department of Revenue the shares and so much of the capital stock surplus profits and deposits of such company as shall not be invested in real estate shall be exempt from all other taxation under the laws of this Commonwealth The procedure in case the Department of Revenue be not satisfied with the report made by any title insurance or trust company and the penalties for failing to make such report and pay the tax shall be as provided by law

Section 2 This act shall become effective immediately upon its final enactment and shall apply for the calendar year ending December thirty-first one thousand nine hundred thirty-six and thereafter

And said bill having been read at length the third time, and the amendments made thereto having been printed as required by the Constitution,

On the question,

Will the Senate agree to the bill on third reading?

Mr. OWLETT. Mr. President, I ask unanimous consent to amend page 2, line 11 of the title by inserting after the word "time" and before the word "and" the following: "by providing that certain corporations shall not be subject to the tax"; also, section 1, page 4, line 13 by inserting after the word "approved" and before the word "shall" the following: "except any such corporations all of the shares of capital stock of which (other than shares necessary to qualify directors) are owned by a corporation which is liable to pay to the Commonwealth a tax on shares"; also page 6 by inserting between lines 4 and 5 the following new section: "Section 2 If any provision of this act relieving any corporation in while or in part from the payment of the tax imposed by this act is declared unconstitutional by final judgment order or decree of a court of competent jurisdiction or if any such provision is declared by a final judgment order or decree of a court of competent jurisdiction to discriminate against United States securities in such a manner as to require an exemption or deduction of the same proportionate or otherwise in the imposition assessment or settlement of the tax or to impose tax upon moneyed capital in the hands of individual citizens of this Commonwealth coming into competition with the business of national banks at a lesser rate than is imposed on shares of national banks the Legislature hereby declares its intent that any such provision shall thereupon become inoperative and inapplicable from the effective date of this act and the corporations subject to the tax imposed by this act shall for that period and thereafter be taxed to the same extent and in the same manner as if any such provision had not been enacted"; also section 2, page 6, line 5 by striking out after the word "Section" and before the word "This" the figure: "[2]" and inserting in lieu thereof the figure: "3"

The PRESIDENT. Is there objection?

Mr. SHAPIRO. Mr. President, I would like to have the Senator from Tioga state the purpose of the amendments so that we may know what they are trying to do.

The PRESIDENT. The Senator from Tioga, Mr. Owlett, will state the purpose of the amendments.

Mr. OWLETT. Mr. President, these amendments provide that stock in a wholly owned subsidiary corporation or a bank is exempt. If the parent company paid the capital stock tax on that stock, then the stock in the subsidiary company is exempt from capital stock tax as

provided in this Act, No. 26. In other words, these amendments in this Act reinstate the exemption which was already in the bill, but which was over-ruled by the Supreme Court in the Schuylkill Trust Company decision. I understand the amendments have been agreed upon.

The PRESIDENT. The Chair hears no objection.

The amendment was agreed to.

On the question,

Will the Senate agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended be printed for the use of the Senate.

RESOLUTION RELATIVE TO ASCERTAINING WHAT MONEYS ARE AVAILABLE FOR INVESTMENT IN TAX ANTICIPATION NOTES

Mr. HARRIS. Mr. President, I move that the Senate do now proceed to the consideration of a resolution which, in the absence of a number for it, I will describe as a resolution which provides for the paving of the way to bring immediate relief to the distressed.

Mr. GELDER. Mr. President, I second the motion.

The motion was agreed to.

Mr. HARRIS. Mr. President, I ask that the resolution be read.

The resolution was read as follows:

In the Senate, July 20, 1936.

Whereas, Moneys heretofore appropriated by this Session of the Legislature for unemployment relief will be again exhausted within a few days and further provision must be at once made to make available additional moneys for said purposes; and

Whereas, Objections to the further transfer of moneys from special funds has been made and it seems appropriate to ascertain whether other resources can be found; therefore be it

Resolved, That the Committee on Finance is hereby authorized to immediately ascertain whether tax anticipation notes may be legally authorized against the new taxes already imposed by this Session of the Legislature; and to contact the various boards of the Commonwealth, having moneys to invest, to ascertain what amount of moneys said boards may have available for investment; whether such boards will agree to advance moneys to the Commonwealth for unemployment relief pending the authorization and issue of tax anticipation notes and the rate of interest at which said boards will agree to invest said moneys;

Resolved, That said committee shall report the result of its investigation to the Senate as early as possible.

On the question,

Will the Senate agree to the resolution?

Mr. THOMPSON (Centre). Mr. President, I desire to interrogate the Senator from Allegheny, Mr. Harris.

The PRESIDENT. Will the Senator from Allegheny, Mr. Harris, permit himself to be interrogated?

Mr. HARRIS. Mr. President, I shall be more than glad to be interrogated.

Mr. THOMPSON (Centre). Mr. President, has the Senator from Allegheny County, Mr. Harris, made any attempt to inform himself, from these different boards, as to how much money may be available?

Mr. HARRIS. Mr. President, I have not.

Mr. THOMPSON (Centre). Mr. President, pending the time between the introduction of the resolution and the present time, has the Senator from Allegheny County made any attempt to inform himself of the situation with regard to the funds of these different boards.

Mr. HARRIS. Mr. President, I have inquired of one board, and am informed there is $6,000,000 in the Teachers' Retirement Fund.

Mr. THOMPSON (Centre). Mr. President, is that amount available for investment?

Mr. HARRIS. Mr. President, that is my information.

Mr. THOMPSON (Centre). Mr. President, from whom did the Senator from Allegheny, Mr. Harris, receive that information?

Mr. HARRIS. Mr. President, I am always willing to answer questions, but I am not willing to answer questions that will delay relief. This resolution speaks for itself; it says very plainly and definitely that the Committee on Finance is authorized to consult with these different boards to determine the very questions that the Senator from Centre is asking me. In the resolution it provides for the very thing which he is asking.

Mr. THOMPSON (Centre). Mr. President, I would just like to further interrogate the Senator from Allegheny, Mr. Harris.

The PRESIDENT. Will the Senator from Allegheny, Mr. Harris, permit himself to be interrogated further?

Mr. HARRIS. Mr. President, I will.

Mr. THOMPSON (Centre). Mr. President, does the resolution itself provide one cent for unemployment relief?

Mr. HARRIS. Mr. President, the resolution does not provide one cent, but it points the way, and the only way I know, since there is objection to making transfers.

Mr. THOMPSON (Centre). Mr. President, I would further like to ask the Senator from Allegheny whether or not this resolution, which only calls for another investigation of some sort, when he has made no inquiry of these boards, does not in effect delay the solution of the relief problem rather than expedite it.

Mr. HARRIS. Mr. President, the delay on this resolution was caused by an objection from the Democratic side of this House. There was no question raised, except that they objected on Monday night. Again yesterday objection was made, and delayed the relief action. Today again we find objection to the only way that is pointed out for relief.

Mr. THOMPSON (Centre). Mr. President, the Senator from Allegheny, Mr. Harris, has informed the Senate that since the introduction of this transfer resolution, and even beforehand, while the money was under his consideration, he made no effort to ascertain the balances in these funds. We know that if this resolution passes the information cannot be transmitted from the heads of these different funds until sometime next week at the earliest; and I cannot see how we can help the relief situation, or expedite it, or, in effect, provide any money for relief, by the passage of this resolution.

Now, whereas the gentleman from Allegheny County has neglected to inform himself of the condition of these funds, whereas if, by simple inquiry, the same could have been had, I would like to state briefly to the Senate the condition of these three funds, which has been ascertained from the members of these different boards and from the officers in charge of these funds.

The State Employes' Retirement Board has cash on hand, July 22, 1936, in the amount of $989,000. There is an estimated amount of cash to accumulate in the next thirty days of $50,000. Therefore, the State Employes' Retirement Fund will have a total, inside of thirty days,

of $1,039,000. The Board has been consulted, and the Board advises that the most they could invest out of this balance of $1,039,000 is $800,000. And it did not take any resolution to find that out.

The Public School Employes' Retirement Board had cash on hand, July 22, 1936 in the amount of $1,200,000. It will have additional estimated cash in the next thirty days of $500,000. Therefore, it will have a total available amount of cash on hand of $1,700,000 in the next thirty days. Out of this the Board will have available, after meeting their obligations which will accrue in the next thirty days, not over a million and a half for investment in tax anticipation notes. And, to inform the gentleman from Allegheny further as to the condition of this fund, I would like to remind him that the Teachers' Retirement Fund now holds $5,000,000 worth of these tax anticipation notes, issued last year.

The State Workmen's Insurance Fund, which we all know is the fund which guarantees the compensation payments to the victims of industrial accidents, had on hand today, July 22, 1936, the sum of $760,901.82. It is estimated that in the next thirty days it will have additional cash accumulated in the amount of $40,000. Therefore, at the end of thirty days it will have a total of $800,901.82. Of this the Compensation Insurance Board advises that it can probably purchase $350,000 worth of tax anticipation notes.

Now, Mr. President, we have been having these smoke screen resolutions throughout this entire session, without getting down to business and making any permanent provision for relief. This resolution, in effect, only delays the solution of the relief problem. It asks for nothing but information, which, Mr. President, I have given the Senate of Pennsylvania, and which is available in written form if anyone desires to have a copy of it.

I cannot see why we should be perpetually delaying the solution of this relief problem by resolutions, by investigations of one kind or another, when a telephone call would have answered this question a week ago. If we would go to half the trouble, to pass tax legislation and appropriation legislation, that we do to take these by-paths on this relief problem, I say, Mr. President, it would have been settled two monthe ago. And I say we can only stultify the solution of this relief problem by the passage of this resolution; and I ask that it be voted down.

Mr. HARRIS. Mr. President, there has no member of this body, either Democrat or Republican, who has voted more consistently for relief than I have. Every bill that has appeared on the calendar I have voted for; I have voted to restore every bill to its original form by amendments from the Democratic side.

Mr. CAVALCANTE. Mr. President, may I interrogate the Senator from Allegheny, Mr. Harris?

The PRESIDENT. Will the Senator from Allegheny Mr. Harris, permit himself to be interrogated?

Mr. HARRIS. Mr. President, I will.

Mr. CAVALCANTE. Mr. President, now that the Senator from Allegheny, Mr. Harris, has the information for which the resolution calls, what suggestion does he have to provide immediate relief for these hungry people?

Mr. HARRIS. Mr. President, the resolution speaks for itself. If passed, it will go to the Finance Committee, which will then have a conference with the different boards to determine that question.

Mr. SHAPIRO. Mr. President, according to the slow time it is a quarter to eight. I have been around here all day and I have been waiting for something to be accomplished. I have no quarrel with the Senator from Allegheny, Mr. Harris, but there is a deeper question than what he thinks is the immediate question. I propose to vote against this resolution and to state my reasons for it: I do not want to give the Finance Committee any further excuse or reason for saying they have not had time to act, or they have been busy doing something else.

If the Teachers' Retirement Fund, or if the Workmen's Compensation Fund, is affected adversely, it will mean that there will be some more people that will have to be taken care of on relief. The Teachers' Retirement Fund is based upon a four per cent. income, and these Anticipation Notes are based upon an expected interest charge of one and one-half per cent.; and there is no reason why, even if the Teachers' Retirement Fund had the money, that that should be disturbed, if the bankers are willing to lend the money at one and one-half per cent. And the most important proposition is this: This is only another method of putting off the final day of judgment. I know that all the Senators here, or most of them, anyhow, are tired of all these temporary propositions to provide relief. Let us bring out the taxes, and bring them out promptly, and the temporary measures will not be necessary. I am going to vote against any temporary measures, whether temporary appropriations or temporary investigations, or temporary acts of any kind.

Mr. HARRIS. Mr. President, I desire to interrogate the Senator from Philadelphia, Mr. Shapiro.

The PRESIDENT. Will the Senator from Philadelphia, Mr. Shapiro, permit himself to be interrogated?

Mr. SHAPIRO. Mr. President, I will.

Mr. HARRIS. Mr. President, I desire to ask the Senator from Philadelphia, Mr. Shapiro, if he questions my motives in presenting this resolution, and if he thinks that I had in mind the purpose of delay.

Mr. SHAPIRO. Mr. President, I suggest that I do not question, and never have questioned, the motives of the Senator from Allegheny, Mr. Harris; but, if I may answer the question, I suggest this: that I think that he may have put in the resolution for a legitimate purpose, in the hope that we might find some money there. Now that we have the information, I suggest to him that I have been familiar with these figures for the last twenty-four hours, and I suggest to him that he withdraw the resolution and avoid giving the Finance Committee any further excuse for delay.

Mr. HARRIS. Mr. President, I accept the explanation of the Senator from Philadelphia that he does not question my motive, that I did not put this resolution for the purpose of delay; but I cannot take his advice on withdrawing it.

Mr. HUFFMAN. Mr. President, It seems to me that this resolution should be voted down. It has no value whatever, because this is directed to the Finance Committee, which will not meet until next Monday; and I say to you that this will do no good towards furnishing relief to the people that are here.

Mr. HARRIS. Mr. President, I would like to interrogate the Senator from Monroe, Mr. Huffman.

The PRESIDENT. Will the Senator from Monroe, Mr. Huffman, permit himself to be interrogated?

Mr. HUFFMAN. Mr. President, I will.

Mr. HARRIS. Mr. President, I would like to know who informed the Senator from Monroe that there would not be a meeting of the Finance Committee until next Monday. Could there not be a meeting called this evening, if necessary?

Mr. HUFFMAN. Mr. President, I am not running the Finance Committee.

And the question recurring,

Will the Senate agree to the resolution?

The yeas and nays were required by Mr. HARRIS and Mr. HUFFMAN and were as follows, viz:

YEAS—23

Aron,	Gelder,	Mallery,	Staudenmeier,
Batchelor,	Graff.	Owlett.	Thompson,
Bean,	Harris.	Reed,	(Westmoreland)
Buckman,	Harvey,	(Dauphin)	Trainer,
Chapman,	Homsher,	Salus,	Woodward,
Coyne,	Howell,	Scott,	Ziesenheim.
Ealy,			

NAYS—18

Baumer.	Law,	Reed,	Ruth,
Cavalcante,	McCreesh,	(Washington)	Shapiro,
Frey,	McGinnis,	Rice,	Sones,
Huffman,	Pytko,	Roberts,	Thompson,
Kahle,	Rankin,	Rodgers.	(Centre)

So the question was determined in the affirmative.

MOTION TO READ BILLS THE FIRST TIME

Mr. BUCKMAN. Mr. President, I was about to move that the galleries be cleared, but I shall not do that at this time. I want to serve notice that if this noise keeps on, I shall move that the President be directed to clear the galleries, in order that the business of the Senate may be conducted with dispatch.

I now move, however, that all bills reported from committee at today's session be read the first time.

The PRESIDENT. The Chair informs the Senator from Bucks that all the bills were re-reports.

Mr. BUCKMAN. Mr. President, I withdraw my motion.

APPOINTMENT OF COMMITTEE OF CONFERENCE

The PRESIDENT. The Secretary will announce the Committee on the part of the Senate on House Bill No. 55.

The SECRETARY. The President Pro Tempore announces the appointment of the following committee on the part of the Senate to meet with a similar committee of the House on the subject of the differences existing between the two Houses in relation to House Bill No. 55; The Senator from Allegheny, Mr. Coyne, the Senator from Warren, Mr. Chapman and the Senator from Philadelphia, Mr. Shapiro.

ADJOURNMENT

Mr. BUCKMAN. Mr. President, I move that the Senate do now adjourn until tomorrow morning at 10 o'clock.

Mr. WOODWARD. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 7:55 P. M. until tomorrow, July 23, 1936, at 10 o'clock A. M.

HOUSE OF REPRESENTATIVES

WEDNESDAY, July 22, 1936

The House met at 12.00 o'clock noon.

The SPEAKER (Roy E. Furman) in the Chair.

PRAYER

The Rev. O. F. R. TREDER, Rector of St. James Episcopal Church, Bedford, Pennsylvania, offered the following prayer:

Almighty God, Who turnest the heart of the fathers to their children, and the heart of the children to their fathers; receive, we pray Thee, our unfeigned thanks for the good land which Thou hast given us. Forgive us our transgressions; cleanse us from all things that defile our national and state life, and grant that this people, which Thou hast abundantly blessed, may keep Thy commandments, walk in Thy ways, and fear Thee. Be gracious to our times, that by Thy bounty both national and state quietness may be duly maintained. Let Thy work appear unto these Thy servants; and let the beauty of the Lord our God be upon us, and establish Thou the work of our hands upon us.

Whatsoever things are true, whatsoever things are honorable, whatsoever things are just, whatsoever things are pure, whatsoever things are lovely, whatsoever things are of good report, let us think on these things, and may the God of peace be with us. Amen.

JOURNAL APPROVED

The SPEAKER. The Clerk will read the Journal of yesterday.

The Clerk proceeded to read the Journal of yesterday, when, on motion of Mr. RINN the further reading was dispensed with and the Journal approved.

RESOLUTION REFERRED

SENATE MESSAGE

RESOLUTION FOR CONCURRENCE

The Clerk of the Senate being introduced, presented the following extract from the Journal of the Senate, which was read as follows, viz:

In the Senate, May 12, 1936.

Whereas a centralized administration of relief is unsuited in some respects to a protracted program of dealing with the consequences of unemployment

Whereas the present constituted agencies for the care of the indigent throughout the Commonwealth are inadequate at the present time to assume the burden of the distribution of funds provided for unemployment relief, and

Whereas private industry is failing to keep re-employment abreast of industrial and commercial recovery, and

Whereas it appears to be the duty of the Commonwealth for some period in the future to provide against the social consequences of unemployment,

Resolved (if the House of Representatives concur) That the President pro tempore of the Senate appoint three Senators and the Speaker of the House of Representatives appoint three members of the House of Representatives to serve as a committee whose duty it shall be to prepare a plan of permanent administration of unemployment relief, which plan shall co-ordinate the activities of the Commonwealth and its municipal subdivisions, and to draft legislation which incorporates such plan, or plans, and to report the same to the regular session of the Legislature in 1937.

Resolved, That the said committee shall have power to issue subpoenas under the hand and seal of its chairman, requesting and commanding any person or persons to appear before them and to answer such questions touching matters properly being inquired into by the committee and to produce such books, papers, records and documents as the committee may deem necessary.

Such subpoenas may be served upon any person and shall have the force and effect of subpoenas issued out of the Courts of this Commonwealth. Each member of said committee shall have the power to administer oaths and affirmations to witnesses appearing before the committee. Any person who shall wilfully neglect or refuse to testify before said committee or to produce any books, papers, records or documents shall be subject to the penalties provided by the laws of the Commonwealth in such cases.

Resolved That the Senate and House of Representatives will appropriate the sum of Five Thousand Dollars ($5,000.00) to pay the expenses of the Committee in prosecuting its study of such legislation, the summoning of witnesses, postage, secretarial and clerical hire, the attendance of members at meetings and other expenses.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

Referred to the Committee on Rules.

LEAVES OF ABSENCE

Mr. Homer S. Brown asked and obtained leave of absence for Mr. SHEPARD.

Mr. STONE asked and obtained leave of absence for himself for the remainder of the week after today's session.

Mr. RINN asked and obtained leave of absence for himself for the remainder of the week after today's session.

Mr. Piole asked and obtained leave of absence for Mr. STANK for today on account of illness in the family.

Mr. SCHWAB asked and obtained leave of absence for himself for the remainder of the week after today's session.

Mr. MURRIN asked and obtained leave of absence for himself for the remainder of the week after today's session.

Mr. SUMNEY asked and obtained leave of absence for himself for the remainder of the week after today's session.

Mr. TROUT asked and obtained leave of absence for himself for the remainder of the week after today's session.

Mr. ROYER asked and obtained leave of absence for himself for the remainder of the week after today's session.

Mr. PANTON asked and obtained leave of absence for himself for the remainder of the week after today's session.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 19.

An Act to amend section three of the act approved the sixteenth day of May one thousand nine hundred thirty-five (Pamphlet Laws two hundred eight) entitled "An act to provide revenue for State purposes by imposing an excise tax for a limited period of time on the net incomes of certain corporations joint-stock associations and limited partnerships providing for the assessment and collection of the tax and appeals to courts conferring powers and imposing duties on certain persons corporations joint-stock associations limited partnerships State and county officers boards and departments making an appropriation and providing penalties" by increasing the rate of tax for a limited period of time

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend title, page 1, line 1, by striking out the word "section" and inserting in lieu thereof the words "sections two and"; also in line 13, by inserting after the word "by" and before the word "increasing" the words "further defining net income and".

Amend Section 1, page 1, line 4, by striking out the word "section" and inserting in lieu thereof the words "sections two and"; also page 2, line 11, by striking out the word "is" and inserting in lieu thereof the word "are".

Amend bill, page 2, by inserting after line 11, the following:

"Section 2 Definitions The following words terms and phrases when used in this act shall have the meaning ascribed to them in this section except where the context clearly indicates a different meaning

"Corporation" A corporation having capital stock joint-stock association or limited partnership either organized under the laws of this Commonwealth the United States or any other state territory or foreign country or dependency and doing business in this Commonwealth or having capital or property employed or used in this Commonwealth by or in the name of itself or any person partnership association limited partnership joint-stock association or corporation The word "corporation" shall not include building and loan associations banks bank and trust companies national banks savings institutions beneficial life and limited life insurance companies mutual fire mutual casualty and mutual life insurance companies and foreign stock companies registered in this Commonwealth and therein engaged in doing business as life fire and casualty insurance companies and surety companies and trust companies

"Department" The Department of Revenue of this Commonwealth

"Net Income" 1 In case the entire business of the corporation is transacted for the calendar year or fiscal year as returned and ascertained by the Federal Government subject however to any corrections thereof for fraud evasion or error as finally ascertained by the Federal Government Provided That additional deductions shall be allowed from net income on account of any taxes paid to the Government of the United States and on account of any dividends received from any other corporation And provided further That in the case of stock life fire casualty and indemnity insurance companies doing business on the mutual or participating plan the term "net income" shall not include the dividends paid to policy holders out of net income

2 In case the entire business of any corporation is not transacted within this Commonwealth the tax imposed by this act shall be based upon such portion of the net income of such corporation for the fiscal or calendar year as defined in clause one hereof as may be determined by allocations and apportionments made as follows

(a) Gains realized from the sale of capital assets if such assets consists of real estate or tangible personal property situated in the Commonwealth shall be allocated to this Commonwealth

(b) Gains realized from the sale of capital assets if such assets consist of real estate or tangible personal property situated outside of the Commonwealth shall not be allocated in any part of this Commonwealth

(c) The remainder of such net income shall be divided into three equal parts

(1) Of one-third such portion shall be attributed to business carried on within the Commonwealth as shall be found by multiplying said one-third by a fraction whose numerator is the value of the corporation's tangible property situated within this Commonwealth and whose denominator is the value of all the corporation's tangible property wherever situated

(2) Of one-third such portion shall be attributed to

business carried on within the Commonwealth as shall be found by multiplying said one-third by a fraction whose numerator is the expenditure of the corporation for wages salaries commissions and other compensation to its employes and assignable to this Commonwealth as hereinafter provided and whose denominator is the total expenditures of the corporation for wages salaries commissions and other compensation to all its employes

(3) Of the remaining third such portion shall be attributed to business carried on within the Commonwealth as shall be found by multiplying said third by a fraction whose numerator is the amount of the taxpayer's gross receipts from busniess assignable to this Commonwealth as hereinafter provided and whose denominator is the amount of the taxpayer's gross receipts from all its business

In cases where only two of the foregoing three rules are applicable the remainder of the net income of the corporation shall be divided into two equal parts only each of which shall be apportioned in accordance with one of the remaining two rules If only one of the three rules is applicable the part of the net income received from business carried on within the Commonwealth shall be determined solely by that rule

The amount assignable to this Commonwealth of expenditures of the corporation for wages salaries commissions or other compensation to its employes shall be such expenditures for the taxable year as represent the wages salaries commissions or other compensation of employes not chiefly situated at connected with or sent out from premises for the transaction of business owned or rented by the corporation outside the Commonwealth

The amount of the corporation's gross receipts from business assignable to this Commonwealth shall be the amount of its gross receipts for the taxable year from (1) sales except those negotiated or effected in bhealf of the corporation by agents or agencies chiefly situated at connected with or sent out from premises for the transaction of business owned or rented by the taxpayer outside the Commonwealth and sales otherwise determined to be attributable to the business conducted on such premises and (2) rentals or royalties from property situated or from the use of patents within this Commonwealth If a corporation maintains an office warehouse or other place of business in a state other than this Commonwealth for the purpose of reducing its tax under this subsection the department shall in determining the amount of its gross receipts from business assignable to this Commonwealth include therein the gross receipts from sales attributed by the corporation to the business conducted at such place of business in another state

A rule shall not be deemed to be inapplicable merely because all the tangible property or the expenditures of a corporation for wages salaries commissions or other compensation or the gross receipts of the corporatin are found to be situated incurred or received without the Commonwealth

"Person" Every natural person association or corporation Whenever used in any clause prescribing and imposing a fine or imprisonment or both the term "person" as applied to associations shall mean the partners or members thereof and as applied to corporations the officers thereof

The singular shall include the plural and the misculine shall include the feminine and neuter"

Amend Section 1, page 2, line 29, by striking out the word "ten" and inserting in lieu thereof the word "eight"; also page 3, line 8, by striking out the word "ten" and inserting in lieu thereof the word "eight".

On the question,

Will the House concur in the amendments made by the Senate?

MESSAGE AND BILL LAID ON TABLE

Mr. COHEN. Mr. Speaker, I move that the message together with the bill be laid upon the table.

The motion was agreed to.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 28

An Act to further amend section one of the act approved the fifteenth day of July one thousand eight hundred and ninety-seven (Pamphlet Laws two hundred ninety-two) entitled "An act to provide revenue by taxation" by increasing the rate of tax

With the information that the Senate has passed the same with amendment, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendment.

The Clerk read the amendment as follows:

Amend section 1, page 2, line 9, by striking out the word "March" and inserting in lieu thereof the word "February".

On the question,

Will the House concur in the amendment made by the Senate?

MESSAGE AND BILL LAID ON TABLE

Mr. COHEN. Mr. Speaker, I move that the message together with the bill be laid upon the table.

The motion was agreed to.

RESOLUTION No. 34

Mr. ZAPPALA. Mr. Speaker, I desire to call up at this time Resolution No. 34, Printer's No. 197.

The resolution was read by the Clerk as follows:

In the House of Representatives, June 29, 1936.

Whereas, The Constitution makes it mandatory that after each decennial census there be a reapportionment of Legislative Districts among the several counties on a ratio obtained by dividing the population of the State as ascertained by the most recent United States census by two hundred; that every county containing less than five ratios shall have one representative for every full ratio and an additional representative when the surplus exceeds half a ratio, but each county shall have at least one representative; that every county containing five ratios or more shall have one representative for every full ratio; that every city containing a population equal to a ratio shall elect separately its proportion of the representatives allotted to the county in which it is located; that every city entitled to more than four represenatives, and every county having over one hundred thousand inhabitants, shall be divided into districts of compact and contiguous territory, each district to elect its proportion of representatives according to its population, but no district shall elect more than four representatives; and

Whereas, This provision has been ignored by the Legislature, and

Whereas, Several attempts have been made to have this mandate carried out; therefore

Be It Resolved, That the Speaker of the House of Representatives appoint a committee of seven members of the House of Representatives for the purpose of making a survey of the State and recommending to the next Session of the Legislature a comprehensive plan of reapportionment to provide for the Legislative Districts in conformity with Article II Section XVII of the Constitution

On the question,

Will the House adopt the resolution?

It was adopted.

RESOLUTION

RECALLING HOUSE BILL No. 109 FROM THE GOVERNOR

Mr. WEISS offered the following resolution which was twice read, considered and adopted:

In the House of Representatives, July 22, 1936.

Resolved (if the Senate concur), that House Bill No. 109, Printer's No. 182, entitled "An act to authorize and empower municipalities and townships separately or jointly to [erect] provide for protection against floods by erecting and constructing certain works and improvements located within or without their territorial limits and within or without the county in which situate and to expend moneys and incur indebtedness to assess benefits against property benefited to issue improvement bonds imposing no municipal liability and to acquire take injure or destroy property for such purposes [and construct flood control works and improvements within or without their territorial limits and to expend moneys and incur indebtedness for such purposes] [dykes river bank protection or flood control works within or without their territorial limits and to expend moneys and incur indebtedness for such purposes]", be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS ON THIRD READING

Mr. COHEN. Mr. Speaker, I desire to call up at this time House Bill No. 129, Senate Bill No. 17, Printer's No. 4, on page 1 of today's calendar, bills on third reading postponed.

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. COHEN,

The House resumed the consideration on third reading of House Bill No. 129, (Senate Bill No. 17), entitled:

An Act to amend sections seven and eight of the act, approved the twenty-second day of June, one thousand nine hundred and thirty-five (P. L. 414), entitled "An act to provide revenue for State purposes; imposing taxes upon certain classes of personal property; providing for the assessment collection, and lien of the same, and the distribution of the proceeds thereof; imposing duties on executors, administrators, register of wills, recorders of deeds, prothonotaries, and court clerks, and on persons, copartnerships, associations, banks, national banks, trust companies, and other corporations receiving deposits of money, and on certain corporations and limited partnerships; conferring powers and imposing duties on certain State officers and departments; imposing penalties; and making an appropriation;" by changing certain penalties imposed by said act.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—177

Achterman,	Falkenstein,	Mason,	Schrope,
Alexander,	Ferko,	McCreary,	Schwab,
Allen,	Finnerty,	McDermott,	Serrill,
Altenburg,	Fitch,	McDevitt,	Shaw,
Anthony,	Flanagan,	McElroy,	Shortz,
Arnold,	Flinchbaugh,	McHenry,	Shugarts,
Atkins,	Forrest,	McKinney,	Siegel,
Aukerman,	Gates,	Melchiorre,	Simon,
Baine,	Gerard,	Mentzer,	Simpson,
Baker, J. J.,	Habbyshaw,	Merrell,	Sinwell,
Baldi,	Haberlen,	Moomaw,	Smith, J. A.,
Barnhardt,	Hagerty,	Mooney,	Smith, W. G.,
Beadman,	Haluska,	Moore,	Snyder, F. E.,
Bernhard,	Hamilton, F. P.,	Moran,	Sowers,
Boyer,	Hamilton, R. S.,	Moul,	Sproul,
Bradley,	Harkins,	Muir,	Stevens,
Brancato,	Harmuth,	Munley,	Stewart,
Brennan,	Hartman,	Murrin,	Stockham,
Brown, H. S.,	Hefferon,	Nagel,	Stone,
Brown, J. E.,	Hermansen,	Nothnagle,	Stott,
Brownfield,	Hetrick,	O'Keefe,	Sumney,
Brumbaugh,	Hindman,	Ominsky,	Surface,
Burke,	Hirsch,	O'Neill,	Sweeney,
Cannon,	Holland,	Panton,	Tahl,
Caputo,	Holstrom,	Patterson, C.,	Tronzo,
Carr,	Hoopes,	Patterson, J. W.,	Trout,
Carson,	Horst,	Pearson,	Tumelty,
Chervenak,	Jackson,	Perry,	Turner,
Coakley,	Jones,	Pfaff,	VanAlsburg,
Cochran,	Kane,	Phillips,	VanSickle,
Cohen,	Kelder,	Piole,	Wall,
Coleman,	Kelso,	Powers,	Wasserman,
Condon,	Kenney,	Reising,	Weidemann,
Coolahan,	Kilroy,	Reynolds,	Weiss,
Cooper,	Kinney,	Rhys,	Welliver,
Cordier,	Klingler,	Roan,	Welsh,
Decker,	Kobelak,	Robinson,	Westrick,
Denning,	LaRue,	Rooney,	Wickersham,
Dent,	Linderman,	Root,	Winner,
Diehl,	Long,	Royer,	Wood,
Dilley,	Longaker,	Ruffennach,	Woodside,
Downey, G. E.,	Lovett,	Sarraff,	Yeakel,
Duffort,	Lynch,	Scanlon,	Yourishin,
Eberharter,	Male,	Schaeffer,	Zappala,
Eroe,	Mallen,	Schrock,	Furman,

NAYS—2

Andrews,	Rinn,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it without amendment.

Mr. COHEN. Mr. Speaker, I desire to call up at this time House Bill No. 162, Senate Bill No. 6, Printer's No. 30, on page 1 of today's calendar, bills on third reading postponed.

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. COHEN,

The House resumed the consideration on third reading of House Bill No. 162, (Senate Bill No. 6), entitled:

A Joint Resolution proposing an amendment to article nine section eight of the Constitution of the Commonwealth of Pennsylvania.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—163

Achterman,	Eroe,	Male,	Schwab,
Alexander,	Falkenstein,	Mason,	Serrill,
Allen,	Ferko,	McCreary,	Shaw,
Altenburg,	Finnerty,	McDermott,	Shortz,
Anthony,	Fitch,	McDevitt,	Shreiner,
Arnold,	Flinchbaugh,	McElroy,	Shugarts,
Atkins,	Forrest,	McHenry,	Siegel,
Baine,	Gates,	McKinney,	Simon,
Baker, J. J.,	Gerard,	Melchiorre,	Simpson,
Baldi,	Habbyshaw,	Mentzer,	Sinwell,
Barnhardt,	Haberlen,	Merrell,	Smith, W. G.,
Beadman,	Hagerty,	Moomaw,	Snyder, F. E.,

Bernhard,	Haluska,	Mooney,	Sowers,
Boose,	Hamilton, F. P.	Moore,	Sproul,
Boyer,	Hamilton, R. S.,	Moul,	Stevens,
Bradley,	Harmuth,	Muir,	Stewart,
Brancato,	Hartman,	Munley,	Stockham,
Brennan,	Hefferon,	Nagel,	Stone,
Brown, H. S.,	Hermansen,	Nothnagle,	Stott,
Brown, J. E.,	Hetrick,	O'Keefe,	Surface,
Brownfield,	Hindman,	Ominsky,	Sweeney
Burke,	Hirsch,	O'Neill,	Tronzo,
Cannon,	Holstrom,	Panton,	Trout,
Caputo,	Hoopes,	Patterson, C.,	Tumelty,
Carson,	Horst,	Patterson, J. W.,	Turner,
Chervenak,	Jackson,	Pearson,	VanAllsburg,
Coakley,	Jones,	Perry,	Van Sickle,
Cochran,	Kane,	Pfaff,	Wall,
Cohen,	Keiser,	Phillips,	Wasserman,
Coleman,	Kelso,	Powers,	Weidemann,
Condon,	Kenney,	Reising,	Welliver,
Cooper	Kilroy,	Reynolds,	Welsh,
Cordier,	Kinney,	Roan,	Westrick,
Davies,	Klingler,	Root,	Wickersham,
Decker,	Kobelak,	Royer,	Winner,
Denning,	LaRue,	Ruffennach,	Wood,
Dent,	Linderman,	Sarraf,	Woodside,
Diehl,	Long,	Scanlon,	Yeakel,
Dilley,	Longaker,	Schaeffer,	Yourishin,
Downey, G. E.,	Lovett,	Schrock,	Zappala,
Duffort,	Lynch,	Schrope,	Furman,
Eberharter,			

NAYS—14

Andrews,	Harkins,	Piole,	Smith, J. A.,
Brumbaugh,	Holland,	Rinn,	Sumney,
Carr,	Moran,	Robinson,	Weiss,
Coolahan,	Murrin,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it without amendment.

BILL ON FINAL PASSAGE

Mr. McCREARY. Mr. Speaker, I desire to call up at this time House Bill No. 92, Printer's No. 172, on page 1 of today's calendar, bill on final passage postponed.

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. McCREARY.

The House resumed the consideration on final passage of House Bill No. 92, entitled:

An Act to provide revenue for State and county purposes and in cities coextensive with counties for city and county purposes imposing taxes upon certain classes of personal property providing for the assessment and collection of the same providing for the duties and compensation of prothonotaries and recorders in connection therewith conferring powers and imposing duties on certain county and city officers and on the State Department of Revenue and fixing penalties.

On the question recurring,

Shall the bill pass finally?

Mr. McCREARY. Mr. Speaker and members of the House, I am not going to try your patience for very long, but I do want an opportunity to say just a few words about this bill, No. 92. Through a chain of unfortunate circumstances, it has been delayed and delayed and delayed until now it seems to be the last leaf on the tree. Every time this bill came up for the attention of the House, the Democrats and Republicans seemed to get into a fight and waste a whole lot of time, so that there wasn't time for anything else, and I have almost come to the conclusion that the next time I have anything to present on the floor of this House I will try to pass a motion that Rule 84 be suspended, and the Democrats and the Republicans can go down there and fight it out, to get some of the poison out of their hearts. Perhaps they will both go to the hospital, and the rest of us can pass the laws on the books and adjourn and go home.

This bill has had a great deal of opposition. It was introduced in the 1933 session but was never allowed out of committee. I introduced it again in the special session and again it was not allowed out of committee. I introduced it in the 1935 regular session and it was allowed out of committee and on the floor of the House, but just two or three days before adjournment it was smothered over in the Senate.

Members of the House, I am not asking for the passage of a new bill. This bill is not McCreary's bill. It is just simply an amendment to an old bill, older than any man in this House—ninety-two years old. It was passed in 1844, signed on the 29th of April, being Act No. 318, signed by James Ross Snowden, Speaker of the House, and by William Bigler, Speaker of the Senate, and approved by David R. Porter, Governor. I would like to to call your attention, members of the House, just a moment to what these men said. In the 38th Section of this bill—this is a long bill, having forty-nine sections, and there are several matters taken up which are included in this same bill, and one of them is the most important thing that happened in this State up to that time. This bill provided for the appointment of a revenue commission, or commissioners of revenue, one to be appointed by the common pleas judges in each county, and state treasurer, to constitute a board of revenue commissioners. They were to meet in the Capitol. This bill provides for the enforcement and collection of this four-mill property tax. That was the first time that any tax had been assessed on anything but real estate, and it was evidently an effort on the part of those men to equalize taxation. Here is the reason they give for it—I am reading from this bill, ninety-two years old, which states that "the said revenue commissioners, when duly organized, shall proceed to ascertain and determine the fair and just value of the property in the City of Philadelphia, and the several counties of this commonwealth, made taxable by law, adjusting and equalizing the same as far as possible, so as to make all taxes bear as equally as practicable, upon all the property in the commonwealth, in proportion to its actual value, and having determined the same, shall make a fair record of the said valuation."

Now, members of the House, that was an attempt, an honest attempt by fair and honest men to bring about an equalization of taxation, and you, if you stop to ponder, and every man who thinks believes that equal taxation is a desirable thing, and these men started to do that ninety-two years ago, and where are we today. This bill for the past ninety-two years has never been enforced properly, while the tax assessment on real estate has continued to be enforced all these years from then until now, until now real estate has been taxed nearly out of existence. When you come to the present day you will find that the valuation of real estate in this state is about twelve billion dollars, on which it pays ten billion dollars worth of taxes. In other words, it pays within two billion dollars of the full assessed value, while the estimated value of intangible real estate is ten billion dollars, and at the present time it pays taxes on but two billion two

hundred fifty million dollars, leaving an amount of seven billion dollars of intangible wealth on which no taxes have ever been assessed or taxes collected. This is just as unfair and unequal as it can be. All that this bill No. 92 does, gentlemen, is to make those intangibles bear a stamp indicating that this tax has been paid, or their intangibles become worthless and as ashes in their hands. It has been adopted in Indiana and it has been eminently successful. It has smoked out millions of dollars in intangible wealth in Indiana, and it will do the same thing, I firmly believe, in Pennsylvania. It will make the collection of that tax automatic.

Just the other day the papers said the commissioners of Dauphin county, the bankers of Dauphin county and the revenue department of the State were all in a huddle, trying to find out how best it could enforce the collection of this tax—a tax that has been on the statute books for ninety-two years. In 1913, twenty-three years ago, this bill was amended by giving all of the tax money intangibles to the counties. Formerly it was a State tax. For twenty-three years it was a county tax and should have been assessed and collected by the county commissioners. Yet the evidence goes to prove that every one of the county commissioners, with perhaps the exception of one or two counties, have neglected this almost entirely. In my own county of Erie there is an example of it. In the Internal Affairs' office, the figures will show one hundred and forty three million dollars in taxable intangibles, and the county controller's report shows that up to last year less than forty million dollars of the one hundred and forty-three million dollars has even been assessed or collected. Therefore, in my own county four hundred thousand dollars a year, at only four mills, has escaped taxation entirely, while in that vast area through there three thousand pieces of real estate have been advertised for taxes. I ask the members of this House, when did any of you ever hear of an intangible security of any kind being sold for taxes. I have never heard of it and I doubt whether any member of this Assembly has ever heard of it—such a security being sold for taxes. Why this disparity between taxes on wealth? That is what it is; that is what this four billion dollar tax was intended to do, to equalize taxation.

Members of the House, please think about this bill; don't vote "no" on it because maybe you have a grudge against McCreary. It is not McCreary's bill. It is a bill which if you pass, with the stamp attached to it, you will smoke out, I firmly believe, millions of taxable intangibles of wealth in these counties and in the state, which has never been assessed and never paid a cent of tax. In these days of stress, when we are trying to find many new taxes—every bill that comes into this Special Session is a tax bill. Now, here is an old tax bill which has been on the statute books for ninety-two years. Now, all that this bill No. 92 does, I repeat to the members so that they get it firmly fixed in their minds, is to put a stamp attachment on here, where the owner of intangibles must himself secure a stamp and put it on his own intangible security, whatever it may be, and, therefore, he is his own assessor and he is his own collector. You will save from a million and a half to two million dollars of the estimated cost of the revenue department, and the stamp act will smoke out millions of dollars which the revenue department, the county commissioners, the assessors, and the bankers have never yet found, and we have no reason to think that they will. In my own county I have an example of it. Two weeks ago my commissioners came down here to find on the books of the revenue department one man who had paid the revenue department a one-mill tax on two hundred and fifty thousand dollars that he had not mentioned at all—a four-mill tax, in his own county. You will find that multiplied innumerable times. I hear people on every side talking about this bill. Why, when there has been a plain and simple way, by merely attaching an amendment to this bill No. 92, when you can go a long ways towards an equalization of taxation. That is what we are all striving for or at least ought to.

On the question recurring

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—76

Allen,	Fitch,	Lovett,	Sarraf,
Anthony,	Flanagan,	Lynch,	Scanlon,
Arnold,	Flinchbaugh,	McCreary,	Schaeffer,
Aukerman,	Gerard,	McDermott,	Schwab,
Baine,	Haberlen,	McElroy,	Shugarts,
Bernhard,	Hamilton, F. P.,	Melchiorre,	Siegel,
Brown, H. S.,	Harmuth,	Mentzer,	Simon,
Brown, J. E.,	Hermansen,	Moomaw,	Sinwell,
Brumbaugh,	Hirsch,	Mooney,	Stevens,
Cannon,	Holland,	Moran,	Stone,
Carson,	Holstrom,	Moul,	Sumney,
Chervenak,	Hoopes,	Nagel,	Tronzo,
Coakley,	Jackson,	Patterson, C.,	Tumelty,
Coolahan,	Kelso,	Pfaff,	VanAllsburg,
Decker,	Kenney,	Piole,	VanSickle,
Downey, G. E.,	Kinney,	Powers,	Weiss,
Eroe,	Klingler,	Reising,	Welliver,
Falkenstein,	Kobelak,	Rinn,	Welsh,
Ferko,	LaRue,	Robinson,	Westrick,
Finnerty,	Long,		

NAYS—59

Achterman,	Hagerty,	Nothnagle,	Sproul,
Alexander,	Hamilton, R. S.,	Ominsky,	Stockham,
Altenburg,	Harkins,	O'Neill,	Surface,
Atkins,	Hartman,	Panton,	Sweeney,
Baldi,	Hetrick,	Patterson, J. W.,	Trout,
Barnhardt,	Kelder,	Pearson,	Turner,
Beadman,	Kilroy,	Perry,	Wall,
Boose,	Longaker,	Reynolds,	Wasserman,
Brancato,	Male,	Roan,	Weidemann,
Burke,	McDevitt,	Royer,	Wickersham,
Cochran,	McHenry,	Schrock,	Winner,
Cordier,	McKinney,	Shaw,	Woodside,
Denning,	Merrell,	Shortz,	Yeakel,
Duffort,	Muir,	Simpson,	Yourishin,
Habbyshaw,	Murrin,	Sloan,	

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill fails.

RESOLUTION

REPAYMENT OF MOTOR LICENSE FUND

Mr. EROE asked and obtained unanimous consent to introduce a resolution and that it be read for information.

The resolution was read by the Clerk as follows:

In the House of Representatives, July 22, 1936.

Whereas, In excess of $5,000,000 has been transferred from the Motor License Fund during this Special Session of the Legislature for unemployment relief purposes; and

Whereas, These transfers, together with moneys heretofore owing by the General Fund to the Motor License Fund representing prior transfers, have materially slowed the work on the State highway system and practically caused a stoppage of new construction on the rural road system; and

Whereas, Legislation is pending to authorize the issue of tax anticipation notes against the new revenues levied by this Session of the Legislature, and an effort is also being made to have certain custodial funds advance moneys on the faith of such legislation and pending the issue of said notes; therefore be it

Resolved, That it is the sense of the House of Representatives that out of any moneys realized on the authority of tax anticipation notes or from advancement made prior to their issue, substantial repayments should at once be made into the Motor License Fund and that the total amounts represented by transfers made during this Session should be repaid as speedily as possible in order that the highway work of the Commonwealth may be proceeded with and the unemployment problem not be aggravated by the stoppage of highway work.

The SPEAKER. The resolution will be filed with the Clerk under the rules.

LEAVE OF ABSENCE

Mr. McCREARY asked and obtained leave of absence for himself for the remainder of the week after today's session.

RESOLUTION REFERRED

By MESSRS. EROE AND KELSO. RESOLUTION No. 51

In the House of Representatives, July 22, 1936.

Whereas, In excess of $5,000,000 has been transferred from the Motor License Fund during this Special Session of the Legislature for unemployment relief purposes; and

Whereas, These transfers, together with moneys heretofore owing by the General Fund to the Motor License Fund representing prior transfers, have materially slowed the work on the State highway system and practically caused a stoppage of new construction on the rural road system; and

Whereas, Legislation is pending to authorize the issue of tax anticipation notes against the new revenues levied by this Session of the Legislature, and an effort is also being made to have certain custodial funds advance moneys on the faith of such legislation and pending the issue of said notes; therefore be it

Resolved, That it is the sense of the House of Representatives that out of any moneys realized on the authority of tax anticipation notes or from advancement made prior to their issue, substantial repayments should at once be made into the Motor License Fund and that the total amounts represented by transfers made during this Session should be repaid as speedily as possible in order that the highway work of the Commonwealth may be proceeded with and the unemployment problem not be aggravated by the stoppage of highway work.

Referred to the Committee on Rules.

QUESTION OF PERSONAL PRIVILEGE

Mr. HERMANSEN. Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER. The gentleman will state his question of personal privilege.

Mr. HERMANSEN. Mr. Speaker, in the Legislative Journal of May 19, 1936, page 260, on House Bill No. 28, I am not recorded as having voted. I voted "aye" and wish to be so recorded.

The SPEAKER. The remarks of the gentleman under his question of personal privilege will be noted in the Journal.

ANNOUNCEMENT

There will be a Democratic Caucus in the House Caucus Room immediately after recess.

RECESS

The SPEAKER. If there are no objections the Chair is about to declare a recess for fifteen minutes. Are there objections? The Chair hears none and declares a recess for fifteen minutes.

AFTER RECESS

The SPEAKER (Roy E. Furman) in the Chair.

The time of recess having expired the House will be in order.

RECESS

Mr. COHEN. Mr. Speaker, I move that this House now take a recess until 8.00 p. m.

The motion was agreed to.

AFTER RECESS

House reconvened at 8:00 P. M.

The SPEAKER (Roy E. Furman) in the Chair.

SENATE MESSAGE

RESOLUTION CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives, as follows:

In the House of Representatives, July 22, 1936.

Resolved (if the Senate concur), That House Bill No. 109, Printer's No. 182, entitled "An act to authorize and empower municipalities and townships separately or jointly to [erect] provide for protection against floods by erecting and constructing certain works and improvements located within or without their territorial limits and within or without the county in which situate and to expend moneys and incur indebtedness to assess benefits against property benefited to issue improvement bonds imposing no municipal liability and to acquire take injure or destroy property for such purposes [and construct flood control works and improvements within or without their territorial limits and to expend moneys and incur indebtedness for such purposes] [dykes river bank protection or flood control works within or without their territorial limits and to expend moneys and incur indebtedness for such purposes]", be recalled from the Governor for the purpose of amendment.

SENATE MESSAGE

TIME OF NEXT MEETING

The Clerk of the Senate being introduced presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, July 22, 1936.

Resolved (if the House of Representatives concur) That when the Senate adjourns this week it reconvene on Monday evening, July 27th at nine o'clock Eastern Standard Time, and when the House of Representatives adjourns this week it reconvene on Monday evening, July 27th at nine o'clock Eastern Standard Time.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

APPOINTMENT OF CONFERENCE COMMITTEE ON HOUSE BILL No. 55

The Clerk of the Senate being introduced, informed that the Senate has insisted upon its amendments, non-concurred in by the House of Representatives, to House Bill No. 55 entitled:

An Act establishing a system of unemployment compensation to be administered by a newly created independent administrative commission of five members appointed by the Governor President Pro Tempore of the Senate the Speaker of the House of Representatives the Auditor General and the State Treasurer establishing a civil service system for employes of the commission transferring the existing system of free public employment offices from the Department of Labor and Industry to the commission requiring employers to pay certain contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons providing procedure and administrative details for the determination payment and collection of such contributions and the payment of such compensation providing for cooperation with the Federal Government and its agencies creating certain special funds in the custody of the State Treasurer and prescribing penalties

And has appointed Messrs. Coyne, Chapman and Shapiro a committee of conference to confer with a similar committee of the House of Representatives (already appointed) on the subject of the differences existing between the two houses in relation to said bill.

COMMUNICATIONS

The SPEAKER laid before the House the following communications which were read by the Clerk.

MOTOR FUNDS

Communications from:

Monroe-Lackawanna Trail Highway Improvement Association.

Roosevelt Highway Association of Pennsylvania.

Philadelphia-Easton Highway Improvement Association urging re-payment of diverted highway funds.

Referred to the Committee on Appropriations.

BILLS SIGNED BY THE SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

SENATE BILL No. 6.

A Joint Resolution proposing an amendment to article nine section eight of the Constitution of the Commonwealth of Pennsylvania

SENATE BILL No. 17.

An Act to amend sections seven and eight of the act approved the twenty-second day of June one thousand nine hundred and thirty-five (Pamphlet Laws four hundred and fourteen) entitled "An act to provide revenue for State purposes imposing taxes upon certain classes of personal property providing for the assessment collection and lien of the same and the distribution of the proceeds thereof imposing duties on executors administrators registers of wills recorders of deeds prothonotaries and court clerks and on persons copartnerships asscoiations banks national banks trust companies and other corporations receiving deposits of money and on certain corporations limited partnerships conferring powers and imposing duties on certain State officers and departments imposing penalties and making an apporpriation" by changing certain penalties imposed by said act.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

ADJOURNMENT

Mr. COHEN. Mr. Speaker, I move that this House do now adjourn until tomorrow, July 23, 1936, at 12:00 o'clock noon.

The motion was agreed to and (at 8:18 P. M.) the House adjourned until Thursday, July 23, 1936, at 12:00 o'clock noon.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Extraordinary Session of 1936.

Vol. 19. HARRISBURG, PA., THURSDAY, JULY 23, 1936. No. 40.

SENATE

THURSDAY, JULY 23, 1936

The Senate met at 10 o'clock A. M.

The PRESIDENT (Lieutenant-Governor Thomas Kennedy) in the Chair.

PRAYER

The Chaplain, Rev. William E. Howard, D. D., offered the following prayer:

"The earth is the Lord's and the fullness thereof, the world and they that dwell therein." This declaration, O God, gives us the philosophy of life Thou wouldst have us accept and the chart by which our lives must be guided if we travel in the course Thou hast planned. This philosophy is simple but comprehensive. It teaches that the treasures of earth and sea and sky have been hidden by Thy hand in the caverns, the depths and the expanses which lie beneath, around and above us. We are to discover and possess them, but they are still Thine. Our mission is to use and increase them; to make the world more beautiful and happy by means of them. We are simply to occupy them until Thou dost command that they be returned with usury.

This philosophy applies also to our personal endowments of body, mind and soul. There are flashes of Divinity hidden within each of us. Our task is to turn their light upon our own and others' lives and to focus the spotlight away from self and upon Thee, the source of our power.

Such a theory of living, believed and practised, would kill the greed and selfishness so prevalent in the world and would draw humanity back to Thee.

O God, inspire us thus to live. In the name of Him who by His life and death glorified His Father and called every man His brother, we ask it. Amen.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. SONES, the further reading was dispensed with, and the Journal was approved.

QUESTION OF PERSONAL PRIVILEGE

Mr. THOMPSON (Centre). Mr. President, I rise to a question of personal privilege.

The PRESIDENT. The Senator from Centre will state his question of personal privilege.

Mr. THOMPSON (Centre). Mr. President, we would like to dismiss the serious problems which are facing our Legislature with a gesture and a laugh, but the time has come in the administration of the affairs of our government when ignoring our duties or laughing at our responsibilities will not increase the faith of the people of the State in the form of government which we all profess to cherish.

For two months the activities, or rather inactivities of the Republican majority of the State Senate have ridiculed, in the eyes of every citizen of the Commonwealth, our representative form of government. Every class of citizen of this State except a small group have gotten to the point where they disclaim ownership in the membership of this house. They say to themselves: Are these the people who are supposed to represent us? The conduct of the Republican majority in this Senate has unquestionably loosened the faith of the people of this State in representative government which we profess to be our most cherished form of expression of public opinion.

Since the second or third week of May, the Democratic party in this Senate has been endeavoring to persuade the Republican majority to do something; to have a program; to show the people of this State that we, at least, have some degree of moral courage and some intention to perform our legislative functions. Week after week action has been postponed, we could go through the journal week after week and see key bills on the calendar back in committee, out on the calendar again, and back in committee, to no purpose of any kind.

Perhaps if the Republican majority could adjust themselves to their own differences, we might be able to have some action in this Senate, but, are the people of Pennsylvania to look with disgust upon our entire Legislature because of the fact that Mr. Mellon and Mr. Grundy are willing that Mr. Pew should be taxed, and Mr. Pew and Mr. Mellon are willing that Mr. Grundy should be taxed, and Mr. Grundy and Mr. Pew are willing that Mr. Mellon should be taxed, but none of them will concede the fact that they should pay any taxes themselves. Why must our whole representative form of government be imperiled and why must the entire system of this Commonwealth be prostituted because of the internal wranglings of a party caucus.

Before we left this Senate Chamber two weeks ago, the representative of all three of these controlling elements of the Republican party stated very definitely to the Democratic side of the house that the following Monday night the Republican program, as they put it, would be stated upon the floor of this Senate. In pursuance with this agreement the gentleman from Delaware County made his famous statement that the Republican caucus had agreed upon $45,000,000 as their program for direct relief. In addition to this adequate tax legislation would be produced and passed by this Senate to finance the necessary expenditures for old age assistance, pensions for

the blind, mothers assistance, flood relief and other necessary expenditures which are pressing the Commonwealth at this time.

Not only the other members of the Senate accepted the statement of the Republican Caucus that the sum of $45,000,000 would be provided by the Republican members of this house, and that that sum was the limit which they would permit to be appropriated for relief purposes, but the people of Pennsylvania accepted the word of the Republican Party.

This week the people of Pennsylvania have learned that the word of the Republican Party can no more be trusted today than it could have been under the Hoover Administration or the Pinchot Administration. The people of Pennsylvania, this week, have seen a perfect demonstration of the fact that, irrespective of promises, commitments or obligations, the Republican Party would sell out the people of this State without any qualms of conscience and with a smile on their countenance the minute the masters of their party machinery cracked the whip. On the 7th day of July, we listened to the Chairman of the Finance Committee detail to the Senate, as the intended action of the Finance Committee and the Republican Party for which he spoke, a tax program involving the sum of $50,500,000, including a corporate net income tax on the basis of 10% and yesterday we have seen reactionaries on the other side of the house completely run out upon their pledged word.

It is idle for anyone to throw up the smoke screen to the fact that the nebulous profits of the State Liquor Stores will provide the much-needed revenue. The Republican majority in this Senate know better than anyone else that the profits of the Liquor Stores are uncertain, and that even in the face of this uncertainty that whatever is raised from the profits from the State Liquor Stores has been, for a year, pledged to secure monies that the Republican majority of this State forced the Administration to borrow to finance the expenditures of the State Government during the past year. We have heard our Republican friends boast about the fact that they are Sunday School teachers and men of the highest moral character. Must it not be a satisfaction to them to know that they recommend to the people of Pennsylvania that they drink themselves into the payment of unemployment relief, old age assistance, mothers assistance and blind pensions and flood relief. The spokesman of the Republican Party yesterday, on the floor of this Senate said to the people of Pennsylvania—if you would have moderate progressive legislation written on the statute books of this State, and monies appropriated to carry into effect this legislation, you must drink more liquor, you must debauch yourself, if necessary. Isn't this a nice message for the moralists on the right to carry back to their Sunday School classes.

I think this is a typical Republican program—this is not a new program for the Republican Party—this has always been the Republican principle of financing security and relief measures. Let us go back to the Special Sessions of 1933 and 1934, when our liquor stores system was set-up. For what purposes were the anticipated profits of the liquor stores appropriated? Old age assistance, blind pensions, mothers assistance, $10.000,000 for State works, in fact everything that these same Republicans did not care to levy taxes for were approved out of the profits of the State Liquor Stores or a total of $65,000,000 was appropriated from the anticipated liquor stores profits in spite of the fact that the Republican's own Budget Secretary, Doctor Logan, only set-up a profit of $10,000,000. In customary Republican fashion, what happened to the profits of the State Liquor Stores? Instead of the liquor stores showing a profit during the Republican Administration, the stores system was so plundered for the benefit of every political henchman, that in the first year of operation the stores ran $15,000,000 "in the red." In the same manner today the majority side of this Senate avoid their obligation to the people of Pennsylvania by trying to chase the same will-o-the-wisp.

The bug has even bitten the only Republican who has shown any touch of liberality throughout this whole session of the Senate. Now we are to plunder the State Employes' Retirement Fund, the Workmen's Compensation Insurance Fund, the Teachers Retirement Fund.

Mr. President, just to digress one minute—in the light of this resolution to take the money of the Teachers' Retirement Fund—I want to call attention to the fact that one of the ways that Governor Landon balanced his budget in the State of Kansas, which he bragged about, was by reducing the salaries of the school teachers 30%.

How are we going to do this? The State cannot do this of its own initiative and does anyone imagine for a minute that the school teachers of the State of Pennsylvania are going to permit the Republican majority of this House to plunder what constitutes for most of them their life savings. Does anyone imagine for one minute that the people in charge of the State Workmen's Compensation Fund are going to run the chance of having those injured from industrial accidents prevented from receiving their compensation with regularities. Does anyone imagine that the employes of our State Government are going to permit their savings and accumulations to be plundered because the Republican majority in this Senate will not keep its word to the people of Pennsylvania?

Mr. President, three weeks ago, I warned this Senate that before this session was over we would see the Republican majority plundering our Game and Fish funds—the only reason that they have not done so today is because they lacked the moral courage to propound such a proposition. We have seen our whole highway system crippled on account of the attitude of the Republican majority in this State Senate. We have seen every borough, township, school district and county in this State embarrassed because the majority in this Senate listened to the voice of their master rather than the voice of the people of Pennsylvania.

The agreement which has been made has become a scrap of paper, an empty promise, never intended to be fulfilled, no taxes are to be levied. We are to break-up with our promises and agreements disregarded. We are to leave our townships, boroughs, school districts, crippled for another year. We are to leave our highways undermaintained and I say to you, Mr. President, that the Republican majority of this Senate must accept the full responsibility of this perfidy from the very night of the opening of this session.

The Governor and the Democratic members of this Legislature have assumed, toward all the problems before us, an attitude of reason, tolerance, and helpful negotiation, but the door has been closed, Mr. President, by the voice of their invisible government and those who listen to such voices must assume the public responsibility for their actions. I say to you, Mr. President, that when the Repub-

lican Party goes before the voters of this State this fall with their $1.08 a week ticket that they must say to the people of the Commonwealth, we will promise you anything, but you can't believe anything we say.

REMONSTRANCE

Mr. SHAPIRO. Mr. President, I wish to present a remonstrance from representatives of the unemployed of Pennsylvania.

The PRESIDENT. The remonstrance will be read and spread upon the Journal.

The remonstrance was read as follows:

To the Senate of the Commonwealth of Pennsylvania:

During your session yesterday, one of the Grundy Republican Senators declared that the unemployed in the galleries were interrupting the business of the Senate and that if these interruptions did not cease he would demand that the galleries be cleared.

We desire to make our position clear to the Senate and to the people of Pennsylvania. We have come here not to interrupt the business of the Senate, but on the contrary, to insist that the most important business before it shall be promptly and properly transacted. We have come here because the Senate has failed miserably for twelve long weeks to perform the business for which this special session was called—to provide immediate, adequate relief, without interruption to nearly 600,000 men, women and children of this State.

Today, because of YOUR failure to do your simple duty, these people who constitute 10% of the people of this state, face starvation. This is an emergency of even greater urgency than the emergency of the flood which recently threatened areas of Pennsylvania. A flood of stark starvation is today sweeping over 10% of the citizens of this State.

The voices you hear, and to which you object, are not merely the voices of the several hundred men and women in these galleries. It is the collective voice of the justly embittered people of this State. That voice, you cannot stifle or shut out by clearing these galleries.

Our duty, to which we will firmly adhere, is to insist that you act and act immediately to provide, not stop-gaps, but more permanent legislation for adquate relief on the basis of a 64c per day minimum, for the unemployed of this state who are dependent on relief.

We most respectfully declare, and we ask the people of Pennsylvania to judge us, that we will not budge or be diverted from the purpose which brought us here. If you will perform your duty as required by your oath of office, we will immediately and peacefully depart, just as we came. But, we say, that as long as you fail to do your duty, we and the people of Pennsylvania will consider that you have forfeited the rights and respect which you claim as the highest law-making body of this State.

You concluded your session yesterday, by adopting a resolution which was intended to confuse us. Later, during last night, efforts were made to intimidate us, by several times plunging this chamber into total darkness for hours, thus maliciously exposing to serious injury, the men, women and children who occupy this gallery. One of the women among us was in fact so seriously injured that she required hospital treatment.

Both of these efforts were inspired by the same group in this Senate. Both of these efforts have failed as must all efforts to confuse or intimidate us. They have only served to stiffen our determination and to increase the resentment of the people of this State, to fight out this battle to a finish. We are here for the duration of the war!

For the Representatives of the Unemployed of Pennsylvania

John Muldowney Charles Sandwick

Horace Geary

HOUSE MESSAGE

TIME OF NEXT MEETING

The Clerk of the House of Representatives being introduced informed the Senate that the House has concurrd in Resolution from the Senate as follows:

In the Senate, July 22, 1936.

Resolved (if the House of Representatives concur), That when the Senate adjourns this week it reconvene on Monday evening, July 27th at nine o'clock Eastern Standard Time, and when the House of Representatives adjourns this week it reconvene on Monday evening, July 27th at nine o'clock Eastern Standard Time.

NOMINATIONS BY THE GOVERNOR

The Secretary to the Governor being introduced, presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows, and referred to the Committee on Executive Nominations:

NOTARIES PUBLIC

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 23, 1936.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

ALLEGHENY COUNTY

Miss L. Maud Fire, 1900 Farmers Bank Bldg., Pittsburgh.

NORTHAMPTON COUNTY

Harold E. Huebner, Easton.

PHILADELPHIA COUNTY

Miss Sylvia Carp, 2547 S. Broad St., Philadelphia.
Miss Emma E. Farrell, Broad and Chestnut Sts., Phila.
Daniel A. Murphy, 625 Wood St., Philadelphia.
Stanley Rojewski, 1643 W. Hunting Park Ave., Phila.

GEORGE H. EARLE.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 23, 1936.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following person for reappointment as a Notary Public, for a term of four years to compute from the date set opposite his name:

PHILADELPHIA COUNTY

Ross E. Harding, Philadelphia, July 27, 1936.

GEORGE H. EARLE.

JUSTICE OF THE PEACE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 23, 1936.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate A. W. Eves, of Millville, Columbia County, for appointment as Justice of the Peace in the Borough of Millville, Columbia County (to fill a vacancy), until the first Monday in January, 1938.

GEORGE H. EARLE.

COMMUNICATIONS FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows:

APPROVAL OF SENATE BILL NO. 87

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 22, 1936.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 87, Printer's No. 33, entitled "An Act abating under certain circumstances tax penalties and interest on certain city taxes in cities of the first class school districts of the first class and prohibiting the sale of real property for the non-payment of any such taxes for a certain period and preserving certain tax liens and providing for the extension thereof and for payment of costs in connection therewith."

GEORGE H. EARLE.

APPROVAL OF RESOLUTION RELATIVE TO REDUCTION OF STREET RAILWAY RATES FOR SCHOOL PUPILS IN PHILADELPHIA

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 22, 1936.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed a resolution of the Senate and House of Representatives requesting the Public Service Commission of Pennsylvania to make an investigation for the purpose of ascertaining whether on the basis of valuation and income, or on any other basis, the street railway companies operating in the City of Philadelphia may be required to issue tickets for school pupils only at a rate not to exceed twenty-five cents (25c) a week.

GEORGE H. EARLE.

COMMUNICATION FROM E. J. LYNETT, EDITOR OF SCRANTON TIMES, RELATIVE TO CONGRATULATORY RESOLUTION

The PRESIDENT. The Chair cleared the table and laid before the Senate the following communication:

THE SCRANTON TIMES

Scranton, Pa., July 22, 1936.

Hon. Thomas P. Kennedy,
Lieutenant Governor,
Harrisburg, Penna.

My dear Mr. Kennedy:—

I thank you and through you the Senate of Pennsylvania for their gracious action in passing congratulatory resolutions on the occasion of my eightieth birthday.

I appreciate the honor all the more highly because I believe that the passage of such resolutions is unusual and I am highly gratified at the unanimity of the passage of those resolutions.

Gratefully yours,

E. J. LYNETT.

REPORT FROM COMMITTEE

Mr. GELDER, from the Committee on Appropriations, reported as amended, Senate Bill No. 107 (House Bill No. 156), entitled:

An Act making an appropriation to the State Emergency relief Board for direct relief and expenses defining the purposes for which such moneys may be expended creating public assistance boards in each county, and prescribing their powers and duties; imposing certain expenses on counties prescribing the powers and duties of the State Emergency Relief Board and certain State departments county officers, poor directors and courts of common pleas; prohibiting political activity by employes of the State Emergency Relief Board; and prescribing penalties.

REPORT OF COMMITTEE OF CONFERENCE

Mr. REED (Dauphin). Mr. President, I present the report of the Committee of Conference on Senate Bill No. 8, entitled:

A Joint Resolution proposing an amendment to section one, article eighteen of the Constitution of the Commonwealth of Pennsylvania.

QUESTION OF PERSONAL PRIVILEGE

Mr. SHAPIRO. Mr. President, I rise to a question of personal privilege.

The PRESIDENT. The Senator from Philadelphia, Mr. Shapiro, will state his question of personal privilege.

Mr. SHAPIRO. Mr. President, on the question of personal privilege, on which I rise, I wish to interrogate the Senator from Fayette, Mr. Cavalcante.

The PRESIDENT. Will the Senator from Fayette, Mr. Cavalcante, permit himself to be interrogated?

Mr. CAVALCANTE. Mr. President, I will.

Mr. SHAPIRO. Mr. President, the Senator from Fayette, Mr. Cavalcante, yesterday made what I consider serious charges against the members of this Senate. I would like the gentleman to state whether or not his charges referred to any Democratic Senators, or whether they referred to any other than regular Republican Senators.

Mr. CAVALCANTE. Mr. President, the matter referred to by me, in my remarks on the question of personal privilege, had reference to the majority group of this Senate.

QUESTION OF PERSONAL PRIVILEGE

Mr. PRINCE. Mr. President, I rise to a question of personal privilege.

The PRESIDENT. The Senator from Cumberland, Mr. Prince, will state his question of personal privilege.

Mr. PRINCE. Mr. President, on the question of person privilege on which I rise, I desire to interrogate the Senator from Fayette, Mr. Cavalcante.

The PRESIDENT. Will the Senator from Fayette, Mr. Cavalcante, permit himself to be interrogated?

Mr. CAVALCANTE. Mr. President, I will.

Mr. PRINCE. Mr. President, if the Senator from Fayette, Mr. Cavalcante, found himself, by accident or invitation, in a caucus of Republican Senators, would he think that there was only one righteous man present?

Mr. CAVALCANTE. Mr. President, not ever being in a Republican caucus, I do not know.

Mr. PRINCE. Mr. President, is the Senator of the opinion that all the honesty, all the virtue, all the patriotism, all the milk of human kindness under this ceiling focuses in the political division in which the Senator has his seat?

Mr. CAVALCANTE. No, Mr. President, I yield to the extent that I still think there are some righteous Republicans.

Mr. PRINCE. Mr. President, from the day that the

Senator from Fayette set his foot in this Chamber as a member he has accused his Republican colleagues of fraud, conspiracy, subordination of perjury, malfeasance of office and, I guess, of every crime in the calendar from petty larceny to treason, either as principals or as accessories before the fact. I shall not call the Senator an agitator, a blatherskite or a demagogue, for that would be unparliamentary language; but I will remind the Senator from Fayette, Mr. Cavalcante, that he is himself the beneficiary of the very party which he has traduced and villified, for it was the liberal immigration policy so long maintained by the Republican Party in the plentitude of its power that made it possible for Mr. Cavalcante to become an American citizen, and to sit at this moment in the Senate of Pennsylvania.

This nation, in the past, opened wide its gates to the oppressed and the ambitious of other lands; and so eager and so numerous were they who came, that the gates broad-gauged as they are, were almost jostled off their hinges in the effort to get in. They came from the Fens of Ireland, from the vineyards of France, from the forests of Central Europe and from the frozen regions of the far north. Some of the best of them came from Italy, the land of Columbus and Garibaldi. The Senator from Fayette was born under the crater of the world's most historic volcano, but I fear that the ashes of Vesuvius have obscured his perspective and has superheated his imagination.

The Senator has never outgrown his infancy, he still plays with toys; and his favorite instrument of diversion is the megaphone, through which he incessantly roars. With this discordant vehicle of sound and fury he imitates volcanic eruptions mingled with the raucous yells of the Wild Man of Borneo. I recommend to the Senator from Fayette that he emulate the choice of speech habituated by the more temperate of his Democratic colleagues.

QUESTION OF PERSONAL PRIVILEGE

Mr. CAVALCANTE. Mr. President, I rise to a question of personal privilege.

The PRESIDENT. The Senator from Fayette, Mr. Cavalcante, will state his question of personal privilege.

Mr. CAVALCANTE. Mr. President, on my question of personal privilege I rise in defense upon the remarks made by the Senator from Cumberland. I stated once before, on the floor of this Senate, that had the Senator from Cumberland done a certain thing he would have sooner appreciated that the statements made by him on this floor were wrong; and I may inform him at this time that I am not an immigrant; that I was born under the sun here in America, and under the American flag. And the gentleman from Cumberland may well be advised again at this time that I carry the scars of war on my body, in defense of this Government. And the gentleman from Cumberland may well be informed at this time that I started my "infancy" in the Republican Party; but the corruption, dishonesty and un-Americanism that prevailed in that Party made it impossible for me to carry out that same Americanism and patriotism that induced me in my "infancy" to volunteer my services to the flag of this country. And the gentleman from Cumberland may rest assured today that my patriotism has not changed a bit from that same patriotism of 1917, and that my words on the floor of this Senate in condemnation of the conduct of the gentleman from Cumberland, the gentleman from Delaware and the other Republican Senators are because I feel that their conduct is inconsistent with an honest and decent patriotic Americanism.

BILL ON FINAL PASSAGE

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 43 (House Bill No. 26), as follows:

An Act to further amend section one of the act approved the thirteenth day of June one thousand nine hundred seven (Pamphlet Laws six hundred forty) entitled "An act to provide revenue by levying a tax upon the shares of stock of companies incorporated under the provisions of section twenty-nine of an act entitled 'An act to provide for the incorporation and regulation of certain corporations' approved April twenty-ninth one thousand eight hundred and seventy-four and the supplements thereto for the insurance of owners of real estate mortgages and others interested in real estate from loss by reason of defective titles liens and encumbrances and of companies entitled to the benefits of and of companies having any of the powers of companies entitled to the benefits of an act entitled 'An act conferring upon certain fidelity insurance safety deposit trust and savings companies the powers and privileges of companies incorporated under the provisions of section twenty-nine of an act entitled "An act to provide for the incorporation and regulation of certain corporations" approval April twenty-ninth Anno Domini one thousand eight hundred and seventy-four and of the supplements thereto' approved June twenty-seventh one thousand eight hundred and ninety-five commonly known as title insurance or trust companies" by increasing the rate of tax for a limited period of time and by further modifying the method of computing the tax

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of the act approved the thirteenth day of June one thousand nine hundred seven (Pamphlet Laws six hundred forty) entitled "An act to provide revenue by levying a tax upon the shares of stock of companies incorporated under the provisions of section twenty-nine of an act entitled "An act to provide for the incorporation and regulation of certain corporations' approved April twenty-ninth one thousand eight hundred and seventy-four and the supplements thereto for the insurance of owners of real estate mortgages and others interested in real estate from loss by reason of defective titles liens and encumbrances and of companies entitled to the benefits of and of companies having any of the powers of companies entitled to the benefits of an act entitled 'An act conferring upon certain fidelity insurance safety deposit trust and savings companies the powers and privileges of companies incorporated under the provisions of section twenty-nine of an act entitled "An act to provide for the incorporation and regulation of certain corporations" approved April twenty-ninth Anno Domini one thousand eight hundred and seventy-four and of the supplements thereto' approved June twenty-seventh one thousand eight hundred and ninety-five commonly known as title insurance or trust companies" as last amended by the act approved the thirty-first day of May one thousand nine hundred thirty-three (Pamphlet Laws eleven hundred thirty-two) be and the same is hereby further amended to read as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That from and after the passage of this act every company incorporated under the provisions of section twenty-nine of an act entitled "An act to provide for the incorporation and regulation of certain corporations" approved April twenty-ninth one thousand eight hundred seventy-four and its supplements or any other act of Assembly heretofore or hereafter approved for the insurance of owners of real estate

mortgages and others interested in real estate from loss by reason of defective titles liens and incumbrances and every company entitled to benefits of and every company having any of the powers of companies entitled to the benefits of an act entitled "An act conferring upon certain fidelity insurance safety deposit trust and savings companies the powers and privileges of companies incorporated under the provisions of section twenty-nine of an act entitled "An act to provide for the incorporation and regulation of certain corporations approved April twenty-ninth Anno Domini one thousand eight hundred and seventy-four and of the supplements thereto" approved June twenty-seventh one thousand eight hundred and ninety-five commonly known as title insurance or trust companies and every company organized as a bank and trust company or as a trust company under any act of Assembly heretofore or hereafter approved shall on or before the fifteenth day of February in each and every year make to the Department of Revenue a report in writing setting forth the full number of shares of the capital stock subscribed for or issued by such company and the actual value thereof as of December thirty-first preceding which shall be ascertained as hereinafter provided and thereupon it shall be the duty of the Department of Revenue for the calendar year ending December thirty-first one thousand nine hundred thirty-six to assess such shares for taxation at the rate of [five] eight mills upon each dollar of the actual value thereof and thereafter at the rate of five mills upon each dollar of the actual value thereof the actual value of each share of stock to be ascertained and fixed by adding together the amount of capital stock paid in the surplus and undivided profits

[As is not invested in shares of stock of corporations liable to pay to the Commonwealth a tax on shares or

As is not invested in such portion of the capital stock of corporations liable to pay to the Commonwealth a capital stock tax as the capital stock of such corporation employed within this Commonwealth and liable to a capital stock tax bears to the total capital stock of such corporation or

As is not invested in such portion of the capital stock of corporations specifically relieved under the laws of this Commonwealth from the payment of a capital stock tax as the capital stock of such corporation employed within this Commonwealth and relieved from the payment of a capital stock tax bears to the total capital stock of such corporation]

[And] and dividing this amount by the number of shares

It shall be the duty of every such company within a period of sixty days after the date of such settlement by the Department of Revenue to collect the amount of said tax from its shareholders and pay the same to the State Treasurer through the Department of Revenue Provided That upon the payment of the tax fixed by this act into the State Treasury through the Department of Revenue the shares and so much of the capital stock surplus profits and deposits of such company as shall not be invested in real estate shall be exempt from all other taxation under the laws of this Commonwealth The procedure in case the Department of Revenue be not satisfied with the report made by any title insurance or trust company and the penalties for failing to make such report and pay the tax shall be as provided by law

Section 2 If any provision of this act relieving any corporation in whole or in part from the payment of the tax imposed by this act is declared unconstitutional by final judgment order or decree of a court of competent jurisdiction or if any such provision is declared by a final judgment order or decree of a court of competent jurisdiction to discriminate against United States securities in such a manner as to require an exemption or deduction of the same proportionate or otherwise in the imposition assessment or settlement of the tax or to impose tax upon moneyed capital in the hands of individual citizens of this Commonwealth coming into competition with the business of national banks at a lesser rate than is imposed on shares of national banks the Legislature hereby declares its intent that any such provision shall thereupon become inoperative and inapplicable from the effective date of this act and the corporations subject to the tax imposed by this act shall for that period and thereafter be taxed to the same extent and in the same manner as if any such provision had not been enacted.

Section 3 This act shall become effective immediately upon its final enactment and shall apply for the calendar year ending December thirty-first one thousand nine hundred thirty-six and thereafter

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—37

Aron,	Howell,	Owlett,	Scott,
Baumer,	Huffman,	Pierson,	Shapiro,
Bean,	Kahle,	Pytko,	Sones,
Cavalcante,	Lanius,	Reed,	Staudenmeier,
Coyne,	Law,	(Washington)	Thompson,
Frey,	Mallery,	Rice,	(Centre)
Gelder,	McClure,	Roberts,	Thompson,
Harris,	McCreesh,	Rodgers,	(Westmoreland)
Harvey,	McGinnis,	Ruth,	Trainer,
Homsher,	Miller,	Salus,	Woodward,

NAYS—8

Batchelor,	Chapman,	Graff,	Reed,
Buckman,	Ealy,	Prince,	(Dauphin)
			Ziesenheim,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

BILL OVER IN ORDER

Mr. STAUDENMEIER. Mr. President, I ask unanimous consent that Senate Bill No. 102 (House Bill No. 136), on third reading, entitled:

A Joint Resolution proposing an amendment to article nine of the Constitution of the Commonwealth of Pennsylvania by adding thereto a section

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 108, (House Bill No. 18), as follows:

An Act making an appropriation to the State Emergency Relief Board for direct relief work relief and expenses defining the purposes for which such monies may be expended and prescribing the powers and duties of the State Emergency Relief Board and certain State Departments

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of ten million dollars ($10,000,000) is hereby specifically appropriated from the General Fund to the State Emergency Relief Board to provide direct relief work relief and for administrative expenses as hereinafter provided

Section 2 The State Emergency Relief Board shall make allocations from time to time out of the monies appro-

priated to it among the several counties of this Commonwealth for work relief and direct relief on the basis of need and payments shall be made under such system of requisitioning and accounting as the Governor Auditor General and State Treasurer shall determine

Section 3 The money so allocated to a county over and above the sum set aside by the State Emergency Relief Board for work relief shall be available for expenditure in that county for direct relief for the unemployed who are without means of support through such agencies as shall be designated by the State Emergency Relief Board and under such rules and regulations as the board shall adopt

Section 4 Out of the appropriation made by this act the State Emergency Relief Board shall from time to time allocate to the State Veterans' Commission an aggregate of Eighteen thousand seven hundred fifty dollars ($18,750) for the payment of traveling expenses and for other authorized disbursements of the State Veterans' Commission and to furnish funds to provide the necessities of life for and to assist otherwise such Pennsylvania veterans of any war or the widow and infant children or dependents of such veterans as are sick disabled or indigent and who are without means

Section 5 The State Emergency Relief Board may from time to time expend or authorize the expenditure of such sums as may be necessary out of the appropriation made by this act for the payment of salaries wages or other compensation of the director and other employes or assistants for the payment of postage traveling expenses mileage charges to the Department of Property and Supplies for the use of automobiles telephone rentals telephone toll charges telegrams expenses of operating and maintaining automobiles and other motor equipment newspaper advertising and notices freight express cartage for the purchase of automobiles furniture furnishings and equipment for the purchase of supplies printing binding patent indices for the payment of premiums on surety bonds for such officers and employes as may be required by statute or otherwise to furnish them for the faithful performance of their official duties or to account for funds in their possession for the payment of a premium or premiums on a policy or policies of liability insurance covering all motor vehicles owned and operated by the board which policy or policies shall protect both the Commonwealth and State officers or employes operating such motor vehicles against claims for damages for injury to person or property for the payment of a premium or premiums on a policy or policies of insurance insuring the Commonwealth against workmen's compensation liability to employes for injuries and to dependents of deceased employes of the board for payment to the State Work Relief Compensation Fund of such monies as may be necessary under the provisions of the act approved the third day of June one thousand nine hundred thirty-three (Pamphlet Laws one thousand five hundred fifteen) for the payment of rents for such buildings offices rooms storage space and lands as may be required for the accommodation or performance of the work of the board and for such other uses as the State Emergency Relief Board may in its discretion deem necessary to carry out the purposes for which the appropriation is made under this act

Section 6 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to, and the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

Mr. HUFFMAN. Mr. President, this bill is an appropriation bill designed to carry $10,000,000. It is one of the partial appropriations such as made heretofore. We want to call the attention of the Senate that no provision is made, if this bill is passed, that we may get ten million dollars to use for the purpose for which it is intended. Not desiring to kill the bill, however, we will vote for it at this time under protest on our side.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—45

Aron,	Harvey,	Owlett,	Salus,
Batchelor,	Homsher,	Pierson,	Scott,
Baumer,	Howell,	Prince,	Shapiro,
Bean,	Huffman,	Pytko,	Sones,
Buckman,	Kahle,	Reed,	Staudenmeier,
Cavalcante,	Lanius,	(Dauphin)	Thompson,
Chapman,	Law,	Reed,	(Centre)
Coyne,	Mallery,	(Washington)	Thompson,
Ealy,	McClure,	Rice,	(Westmoreland)
Frey,	McCreesh,	Roberts,	Trainer,
Gelder,	McGinnis,	Rodgers,	Woodward,
Graff,	Miller,	Ruth,	Ziesenheim,
Harris,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideraiton of Senate Bill No. 113 (House Bill No. 159), as follows:

An Act authorizing the Commonwealth to negotiate temporary emergency loans to defray the current and/or other expenses of the State government during the fiscal year ending the thirty-first day of May one thousand nine hundred thirty-seven evidenced by tax anticipation notes in two series secured by and payable from current revenues levied assessed collectible and/or accruing during such fiscal year defining the powers and duties of the Governor the Auditor General and the State Treasurer in relation thereto providing for the payment of interest on and the repayment of such loans providing for payments into the sinking fund and making an appropriation

Whereas, The present Special Session of the General Assembly has provided certain new revenues of the Commonwealth

Whereas, Such revenues in the amount of forty-five million dollars ($45,000,000) are specifically appropriated and set aside during the fiscal year ending the thirty-first day of May one thousand nine hundred thirty-seven for unemployment relief

Whereas, The revenues though levied and assessed will not be presently available for the current and other expenses of the State government but such revenues which will be available for current and other expenses of the State government and which will accrue and will be paid into the General Fund of the State Treasury before the end of the fiscal year ending the thirty-first day of May one thousand nine hundred thirty-seven will be sufficient to meet such current and other expenses during such year and

Whereas, In order that the obligations of the Commonwealth for current and other expenses may be met promptly and in order that the State government might not fail through lack of funds it is necessary temporarily to obtain funds to defray the current and other expenses of the State government during the fiscal year aforesaid until the revenues that will subsequently accrue to the State Treasury during the aforesaid fiscal year are available for this purpose.

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the Governor the Auditor General and the State Treasurer on behalf of the Commonwealth of Pennsylvania are hereby authorized and

directed during the fiscal year ending the thirty-first day of May one thousand nine hundred thirty-seven from time to time to borrow on the credit of the current revenues of the Commonwealth of Pennsylvania such sum or sums of money not exceeding in the aggregate the sum of forty-nine million five hundred thousand dollars $49,500,000) as may be necessary to defray the current and other expenses of the State government during such fiscal year

Section 2 (a) Such loans shall be evidenced by notes of the Commonwealth of Pennsylvania issued in two series to be known as Series A and Series B The total of the notes in Series A shall be twenty-five million dollars ($25,000,000) and the total of the notes in Series B shall not exceed twenty-four million five hundred thousand dollars ($24,500,000) All of said notes in both series shall mature not later than the thirty-first day of May one thousand nine hundred thirty-seven Such notes are hereby declared to be tax anticipation notes Such notes or renewals thereof shall be issued from time to time for such total amounts in such sums subject to the above limitations as to series and the total amount in each series and subject to such terms and conditions rates of interest not in excess of four and one-half per centum (4½%) per annum and time of payment of interest as the Governor Auditor General and State Treasurer shall determine and direct The notes of Series A may be issued immediately upon the final enactment of this act sufficient new revenues having been raised to repay the total sum included in such series The notes in Series B shall not be issued until the Department of Revenue has certified that sufficient revenue will accrue either from new sources provided at this session of the General Assembly or from excess returns and earnings from existing revenue sources to repay the notes of both series

(b) All notes issued under the authority of this act shall bear the signatures of the Governor the Auditor General and the State Treasurer and a facsimile of the great seal of the Commonwealth

(c) The current revenues of the biennial fiscal period ending the thirty-first day of May one thousand nine hundred thirty-seven are pledged for the payment of principal and interest of such notes which shall be payable in lawful money of the United States All notes issued under the provisions of this act shall be exempt from taxation for State and local purposes

Section 3 The proceeds derived from the negotiation of loans under the provisions of this act shall be paid into the General Fund of the State Treasury and shall be used for the payment of appropriations made from such fund to defray the current and other expenses of the State government for the year nding May thirty-first one thousand nine hundred thirty-seven

Section 4 Any loans negotiated under the provisions of this act shall be secured by the current revenues levied and assessed for revenue purposes of every kind or character accruing to the General Fund of the State Treasury during the two fiscal years beginning June first one thousand nine hundred thirty-five but such loans shall first be paid out of new revenue raised by laws enacted at the Special Session of the Legislature in the year one thousand nine hundred and thirty-six and from excess revenues and earnings from existing sources which revenues and excess revenues and earnings as received and collected shall be paid into the sinking fund until the amount so paid into said fund shall equal the total amount of the notes of both series issued under the authority of this act and the amount required for the payment of interest on such notes to the date of redemption In case insufficient moneys are derived from such new and excess revenues and earnings then and in that event the additional amount needed for the sinking fund over and above the amount of the new and excess revenues shall be paid out of other current revenues accruing during the remainder of the fiscal biennium All such revenues as may be necessary for the payment of the principal and interest of such loans are hereby specifically appropriated The Department of Revenue shall allocate such revenues to said payments The sum of twenty thousand dollars ($20,000) or so much thereof as may be necessary is hereby specifically appropriated for the purpose of providing tax anticipation notes and incidental expenses in connection with the issuing of the same

Section 5 The provisions of this act are severable and if any of its provisions are held unconstitutional the decision so holding shall not be construed to impair any other provision of this act It is hereby declared as the legislative intent that this act would have been adopted had such unconstitutional provision not been included therein

Section 6 This act shall become effective immediately upon its final enactment.

And said bill having been read at length the third time, and agreed to, and the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

Mr. SHAPIRO. Mr. President, this is what is known as the Tax Anticipation bill, and in its present form as amended by the Republican Senators, is divided into two portions, the effect of which is to enable notes to be sold upon security of tax measures already passed to the extent of $25,000,000. Personally, I do not think that this is carrying out the agreement that we understood was entered into last Monday, but I have no intention of engaging in any quarrels for the personal satisfaction of winning a battle in a situation involving to the people such serious consequences as these. I am of the opinion that we can borrow $35,000,000. Now, the thing to do is to borrow it and distribute the money so that relief may begin as early as possible. I have very serious doubts that it can be done as quickly as is necessary, even by the passage of this bill. I do not think, however, that any of us should interfere, with anything that would help to bring about immediate relief for a considerable period of time.

According to the bills already passed in this Senate, there is available upon the estimates furnished by the Revenue Department, $35,000,000. if and when the taxes are paid. According to the amendment to this bill, the revenue, or security rather of the notes is as follows:

I am reading from Section 4, page 5, Printer's number 202:

"Any loans negotiated under the provisions of this Act shall be secured by the current revenues levied and assessed for revenue purposes of every kind or character accruing to the General Fund of the State Treasury during the two fiscal years beginning June first, one thousand nine hundred thirty-five, but such loans shall first be paid out of new revenue raised by laws enacted at the Special Session of the Legislature in the year one thousand, nine hundred and thirty-six, and from excess revenues and earnings from existing sources", etc.

Obviously this bill paves the way for the Republican majority to carry out the suggestion made by the Senator from Tioga, to borrow money on the contemplated profits of the Liquor Control Board. Doing that raises two questions, legal questions, and I am not going to discuss the validity of either question. I think I agree with some of the rest of the people around here, who think that if we had less lawyers in the Senate, we might be able to get along better — — —

Mr. BUCKMAN. I do too.

Mr. SHAPIRO. Mr. President, I happen to be a lawyer, and I am glad to get the concurrence of another lawyer, the gentleman from Bucks, for the first time in this session.

The two questions that have been raised and discussed

by better legal minds than myself are, first, whether or not, having pledged all the revenue for the biennium 1935-37, we can again pledge that. In other words, we issued tax anticipation notes for the biennium 1935-37 as security. We now, under this bill, propose that the same taxes shall become security for this present loan.

The next question is not a legal question: it is whether or not there will be profits that we talked about. I do not know whether the State Stores will do business. I do not know whether whether when we get through the biennium there will be the same amount or revenue as anticipated or whether or not there will be a deficiency, and certainly if there is a deficiency, the holders of the first set of tax anticipation notes will have the right to come in and restrain us from taking any revenues occurring during the biennium of 1935-37 away from them, revenue to which they have the right, or at least they will contend they have the right to look for security. It is bad enough, in my opinion, to make relief dependent upon speculative profits of the liquor stores, and further dependent upon a legal question, but I am making these statements for the purpose of making the following suggestion in the form of a motion:

We have $35,000,000 worth of tax bills that have been passed. I suggest we pass tax anticipation note bills covering $35,000,000, permitting us to borrow $35,000,000 upon the security of this on these notes, and we eliminate a number of legal questions, and then the fiscal officers of this State will have less difficulty in raising the money and will undoubtedly raise it much sooner.

Everyone in the Senate knows that the Department of Justice will be obliged to pass on this question, and if the Department of Justice could firmly believe and honestly believe, that this will raise a legal question to such an extent that the Governor cannot sign the bill, we will only be delaying the preceding.

MOTION TO POSTPONE BILL

Therefore, I ask that action on the bill be postponed for the present, in order to prepare amendments and so that this bill will be in effect, the authorization to borrow $35,000,000 on tax anticipation notes against revenue bills already passed.

Mr. CAVALCANTE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were required by Mr. OWLETT and Mr. GRAFF and were as follows, viz:

YEAS—19

Baumer,	Law,	Reed,	Ruth,
Cavalcante,	McCreesh,	(Washington)	Shapiro,
Frey,	McGinnis,	Rice,	Sones,
Huffman,	Miller,	Roberts,	Thompson,
Kahle,	Pytko,	Rodgers,	(Centre)
Lanius,			

NAYS—26

Aron,	Gelder,	McClure,	Scott,
Batchelor,	Graff,	Owlett,	Staudenmeier,
Bean,	Harris,	Pierson,	Thompson,
Buckman,	Harvey,	Prince,	(Westmoreland)
Chapman,	Homsher,	Reed,	Trainer,
Coyne,	Howell,	(Dauphin)	Woodward,
Ealy,	Mallery,	Salus,	Ziesenheim,

So the question was determined in the negative.

And the question recurring,

Shall the bill pass finally?

Mr. SHAPIRO. Mr. President, the result of this vote shows that there are nineteen people in the Senate who represent nineteen different sections of the State of Pennsylvania who are interested in attempting to give some relief to a critical situation, and have an opinion upon a matter which is of some importance, I think. This vote shows that there are twenty-six Republican Senators who can at any time gather enough votes together to do that which they think they want to do, without regard to the interests represented by the other nineteen Senators, and I have tried and shall continue to try to try to be restrained in any language in discussing these problems, but I think the gentleman from Cumberland will admit that things of this kind make it difficult to maintain a calm and deliberate attitude, and I want to say now, that so far as I am personally concerned, I will not vote for the bill in its present condition, and I suggest that the eighteen other men will vote against this bill, for the time being, for the purpose of postponing it, so that we can at least present our views to the other twenty-six as to how this bill might be amended to have it legal and to avoid any legal difficulty in raising the $35,000,000 which we have only gotten from the Republicans after battling day in and day out, if they vote against this bill, and place the complete responsibility for it in the laps of the twenty-six men who can gather for their own protection the twenty-six votes, but cannot get enough votes for the tax bills which they agreed to pass.

Mr. CAVALCANTE. Mr. President, the twenty-six members who have voted against this motion are consistent with their past conduct to delay giving relief to needy people when they need it. The twenty-six gentlemen who have voted against this motion know well that this bill is of questionable constitutional validity as it now stands amended by them. They know that before this bill can provide any tax anticipation notes, it has to run the gauntlet of a constitutional test, and the bill is going through the constitutional test, the people who are walking the streets and byways of our Commonwealth will continue to starve.

Mr. HUFFMAN. Mr. President, I do not feel that this bill should pass in its present form. We on our side, of course, want to cooperate to put through a bill which will permit us to borrow money on tax anticipation notes. This bill, to say the least about it, or the best, perhaps, is that it is very clumsily drawn. It seems to me that it would be apparent to any lawyer that you cannot go into a bank and borrow money a second time on the same security without the consent of the banker. This bill pretends to pledge the securities that will arise through the tax bills that passed this year, but does not do so. It is the language of the same bill we passed a year ago. It pledges the same security that was used a year ago to borrow $50,000,000, all of which money is still unpaid. It does say that such loans shall be first paid out of the new revenue raised by laws enacted at the Special Session of the Legislature. I am saying that it does not specifically pledge the money that they are now trying to raise, and without that I doubt if any banker of Pennsylvania would take this as security.

Secondly, there was trouble enough a year ago to sell the fifty million dollars of notes on the security of all the revenues of the Commonwealth, not only the revenues raised for Emergency Relief, but all of the revenues. It took months to negotiate those loans, therefore, it seems to me that there will be no difficulty in anybody's

mind to come to a conclusion that this bill and the security to be offered must be impeachable. No banker will loan $45,000,000 on questionable security, and this bill is condemned in toto by the Attorney General of the Commonwealth—I am authorized to say that—and it will not meet the conditions, it will not carry out the desires even of the Republican Senators, and it ought not be put through. After all, this is again a piece-meal method of trying to raise $45,000,000, and I think the majority here should have waited at least to consult the minority before these drastic amendments were placed into this bill, and should have gotten the opinion of the Attorney General before the bill was presented to the floor. We certainly cannot, with this, expect to raise any money, and it is needless to say that we will go to the funds controlled by the Commonwealth, the Teachers' Retirement Fund, for instance, and ask them to take spurious security. We cannot do that, and if the bankers do not take it, you are not assisting us in getting this money, and I hope our people will vote this bill down.

Mr. OWLETT. Mr. President, just for the information of the Senate, I desire to state that the amendments to this bill were prepared by the Legislative Reference Bureau, under the direction of John H. Fertig, and in consultation with the State Treasurer and the Auditor General's office, who negotiated the Tax Anticipation notes last year. The amendments to Section Four are amendments specifically drafted in consultation with Mr. Fertig by those departments, both of which were made in an effort to eliminate some of the obstacles when they attempted to float the tax anticipation notes. We are advised by these two departments that this bill in its presen form will enable these notes to be negotiated and will meet the approval of the bankers with whom they anticipate to do the negotiating.

There has never been any suggestion that spurious notes of any kind be sold to any custodial fund in this State. At the present time a large block of the previous tax anticipation notes are held by the State Teachers' Retirement Fund, and this is a fund which every legislator considers inviolate, and there is no thought of tapping those funds. Of course, as everyone knows, there is, however, a thought that if these are the kind of securities which we assume them to be, they would be a good investment for these funds, and they apparently felt so because last year they bought some six or eight millions of them. I thought, however, that the Senate should know how these amendments were prepared and who prepared them.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—26

Aron,	Gelder,	McClure,	Scott,
Batchelor,	Graff,	Owlett,	Staudenmeier,
Bean,	Harris,	Pierson,	Thompson,
Buckman,	Harvey,	Prince,	(Westmoreland)
Chapman,	Homsher,	Reed,	Trainer,
Coyne,	Howell,	(Dauphin)	Woodward,
Ealy,	Mallery,	Salus,	Ziesenheim,

NAYS—19

Baumer,	Law,	Reed,	Ruth,
Cavalcante,	McCreesh,	(Washington)	Shapiro,
Frey,	McGinnis,	Rice,	Sones,
Huffman,	Miller,	Roberts,	Thompson,
Kahle,	Pytko,	Rodgers,	(Centre)
Lanius,			

A majority of all the Senators having voted "aye" the question, was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed he same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 117 (House Bill No. 165), entitled:

An Act to amend the act, approved the ninth day of April, one thousand nine hundred twenty-nine (Pamphlet Laws, three hundred forty-three), entitled "An act relating to the finances of the State government; providing for the settlement, assessment, collection, and lien of taxes, bonus, and all other accounts due the Commonwealth, the collection of fees and other money or property due or belonging to the Commonwealth or any agency thereof, including escheated property and the proceeds of its sale, the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth, and the settlement of claims against the Commonwealth, the resettlement of accounts and appeals to the courts, refunds of moneys erroneously paid to the Commonwealth, auditing the accounts of the Commonwealth, and all agencies thereof, of all public officers collecting moneys payable to the Commonwealth, or any agency thereof, and all receipts of appropriations from the Commonwealth and imposing penalties; affecting every department, board, commission, and officer of the State government, every political subdivision of the State, and certain officers of such subdivisions, every person, association and corporation required to pay, assess, or collect taxes, or to make returns or reports under the laws imposing taxes for State purposes, or to pay license fees or other moneys to the Commonwealth, or any agency thereof, every State depository and every debtor or creditor of the Commonwealth." as amended, by making further provision relative to the settlement, resettlement and collection of certain taxes, and further defininig the powers and duties of the Department of Revenue with relation thereto.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—45

Aron,	Harvey,	Owlett,	Salus,
Batchelor,	Homsher,	Pierson,	Scott,
Baumer,	Howell,	Prince,	Shapiro,
Bean,	Huffman,	Pytko,	Sones,
Buckman,	Kahle,	Reed,	Staudenmeier,
Cavalcante,	Lanius,	(Dauphin)	Thompson,
Chapman,	Law,	Reed,	(Centre)
Coyne,	Mallery,	(Washington)	Thompson,
Ealy,	McClure,	Rice,	(Westmoreland)
Frey,	McCreesh,	Roberts,	Trainer,
Gelder,	McGinnis,	Rodgers,	Woodward,
Graff,	Miller,	Ruth,	Ziesenheim,
Harris,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

RECESS

Mr. BUCKMAN. Mr. President, I move that the Senate do now take a recess for thirty minutes.

Mr. WOODWARD. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS

The PRESIDENT. The time of recess having elapsed, the Senate will be in order.

HOUSE MESSAGES

HOUSE CONCURS IN SENATE AMENDMENTS TO HOUSE BILL NO. 26

The Clerk of the House of Representatives being introduced, presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 26, entitled:

An Act to further amend section one of the act, approved the thirteenth day of June, one thousand nine hundred seven (Pamphlet Laws, six hundred forty), entitled "An act to provide revenue by levying a tax upon the shares of stock of companies incorporated under the provisions of section twenty-nine of an act, entitled 'An act to provide for the incorporation and regulation of certain corporations,' approved April twenty-ninth, one thousand eight hundred and seventy-four, and the supplements thereto; for the insurance of owners of real estate, mortgages, and others interested in real estate, from loss by reason of defective titles, liens, and incumbrances; and of companies entitled to the benefits of, and of companies having any of the powers of, companies entitled to the benefits of an act, entitled 'An act conferring upon certain fidelity, insurance, safety deposit, trust, and savings companies the powers and privileges of companies incorporated under the provisions of section twenty-nine of an act, entitled "An act to provide for the incorporation and regulation of certain corporations," approved April the twenty-ninth, Anno Domini one thousand eight hundred and seventy-four, and of the supplements thereto,' approved June twenty-seventh, one thousand eight hundred and ninety-five, commonly known as title insurance or trust companies," by increasing the rate of tax for a limited period of time, and further modifying the method of computing the tax.

HOUSE CONCURS IN SENATE AMENDMENTS TO HOUSE BILL NO. 28

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 28, entitled:

An Act to further amend section one of the act, approved the fifteenth day of July, one thousand eight hundred and ninety-seven (Pamphlet Laws two hundred ninety-two), entitled "An act to provide revenue by taxation," by increasing the rate of tax.

HOUSE NON-CONCURS IN AMENDMENTS TO HOUSE BILL NO. 159

He also informed the Senate that the House of Representatives has non-concurred in amendments made by the Senate to House Bill No. 159, entitled:

An Act authorizing the Commonwealth to negotiate temporary emergency loans to defray the current and/or other expenses of the State government during the fiscal year ending the thirty-first day of May, one thousand nine hundred thirty-seven, evidenced by tax anticipation notes secured by, and payable from, current revenues levied, assessed, collectible and/or accruing during such fiscal year; defining the powers and duties of the Governor, the Auditor General and the State Treasurer in relation thereto; providing for the payment of interest on, and the repayment of, such loans; and making an appropriation.

SENATE INSISTS UPON ITS AMENDMENTS TO HOUSE BILL NO. 159

Mr. OWLETT. Mr. President, I move that the Senate insist upon the amendments made by the Senate to the foregoing bill.

Mr. GRAFF. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were required by Mr. OWLETT and Mr. GRAFF and were as follows, viz:

YEAS—25

Aron,	Gelder,	McClure,	Scott,
Batchelor,	Graff,	Owlett,	Staudenmeier,
Bean,	Harris,	Pierson,	Thompson,
Buckman,	Harvey,	Prince,	(Westmoreland)
Chapman,	Homsher,	Reed,	Trainer,
Coyne,	Howell,	(Dauphin)	Woodward,
Ealy,	Mallery,	Salus,	

NAYS—14

Cavalcante,	Law,	Pytko,	Shapiro,
Huffman,	McCreesh,	Rice,	Thompson,
Kahle,	McGinnis,	Rodgers,	(Centre)
Lanius,	Miller,	Ruth,	

So the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

BILLS SIGNED

The PRESIDENT (Lieutenant-Governor Thomas Kennedy) announced that the Chief Clerk having reported that the following bills had passed both Houses of the General Assembly and the same being correct, the titles were publicly read as follows:

House Bill No. 26, entitled:

An Act to further amend section one of the act approved the thirteenth day of June one thousand nine hundred seven (Pamphlet Laws six hundred forty) entitled "An act to provide revenue by levying a tax upon the shares of stock of companies incorporated under the provisions of section twenty-nine of an act entitled 'An act to provide for the incorporation and regulation of certain corporatins' apprved April twenty-ninth one thousand eight hundred and seventy-four and the supplements thereto for the insurance of owners of real estate mortgages and others interested in real estate from loss by reason of defective titles liens and encumbrances and of companies entitled to the benefits of and of companies having any of the powers of companies entitled to the benefits of an act entitled 'An act conferring upon certain fidelity insurance safety deposit trust and savings companies the powers and privileges of companies incorporated under the provisions of section twenty-nine of an act entitled "An act to provide for the incorporation and regulation of certain corporations" approved April twenty-ninth Anno Domini one thousand eight hundred and seventy-four and of thesupplements thereto' approved June twenty-seventh one thousand eight hundred and ninety-five commonly known as title insurance or trust companies" by increasing the rate of tax for a limited period of time and by further modifying the method of computing the tax.

House Bill No. 28, entitled:

An Act to further amend section one of the act approved the fifteenth day of July one thousand eight hundred and ninety-seven (Pamphlet Laws two hundred ninety-two) entitled "An act to provide revenue by taxation" by increasing the rate of tax.

House Bill No. 165, entitled:

An Act to amend the act, approved the ninth day of April, one thousand nine hundred twenty-nine (Pamphlet Laws, three hundred forty-three), entitled "Fiscal Code" as amended, by making further provision relative to the settlement, resettlement and collection of certain taxes, and further defining the powers and duties of the Department of Revenue with relation thereto.

Whereupon,

The PRESIDENT (Lieutenant-Governor Thomas Kennedy) in the presence of the Senate signed the same.

NOMINATIONS BY THE GOVERNOR

The Secretary to the Governor being introduced, presented communication in writing from His Excellency, the Governor of the Commonwealth, which was read as follows, and referred to the Committee on Executive Nominations:

JUSTICE OF THE PEACE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 23, 1936.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Samuel R. Zannetti, of Arnold, Westmoreland County, for appointment as Justice of the Peace in the Borough of Arnold, Westmoreland County, vice D. R. Cartisano, resigned, until the first Monday in January, 1938.

GEORGE H. EARLE.

RECESS

Mr. GELDER. Mr. President, I move that the Senate do now take a recess for ten minutes.

Mr. EALY. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS

The PRESIDENT. The time of recess having elapsed, the Senate will be in order.

HOUSE MESSAGE

HOUSE INSISTS UPON ITS NON-CONCURRENCE IN THE AMENDMENTS TO HOUSE BILL NO. 159 AND APPOINTS COMMITTEE OF CONFERENCE

The Clerk of the House of Representatives being introduced informed the Senate that the House insists upon its non-concurrence in the amendments made by the Senate to House Bill No. 159, entitled:

An Act authorizing the Commonwealth to negotiate temporary emergency loans to defray the current and/or other expenses of the State government during the fiscal year ending the thirty-first day of May, one thousand nine hundred thirty-seven, evidenced by tax anticipation notes secured by, and payable from, current revenues levied, assessed, collectible and/or accruing during such fiscal year; defining the powers and duties of the Governor, the Auditor General and the State Treasurer in relation thereto; providing for the payment of interest on, and the repayment of, such loans; and making an appropriation.

and has appointed Mr. Andrews, Mr. Burke and Mr. Turner as a Committee of Conference to confer with a similar committee of the Senate (if the Senate shall appoint such committee) to consider the differences existing between the two Houses in relation to said bill.

APPOINTMENT OF COMMITTEE OF CONFERENCE

Mr. OWLETT. Mr. President, I move that a Committee of Conference be appointed to confer with a similar committee of the House of Representatives (already appointed) to consider the differences existing between the two Houses in relation to said bill.

Mr. HOWELL. Mr. President, I second the motion.

The motion was agreed to.

Ordered, That Mr. McClure, Mr. Owlett and Mr. Huffman be said committee on the part of the Senate, and that the Clerk inform the House of Representatives accordingly.

MOTION TO READ BILL THE FIRST TIME

Mr. BUCKMAN. Mr. President, I move that the bill reported from committee at today's session be read the first time.

Mr. WOODWARD. Mr. President, I second the motion.

The motion was agreed to.

BILL ON FIRST READING

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 107 (House Bill No. 156), entitled:

An Act making an appropriation to the State Emergency Relief Board for direct relief and expenses defining the purposes for which such moneys may be expended creating public assistance boards in each county, and prescribing their powers and duties; imposing certain expenses on counties prescribing the powers and duties of the State Emergency Relief Board and certain State departments county officers, poor directors and courts of common pleas; prohibiting political activity by employes of the State Emergency Relief Board; and prescribing penalties.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

QUESTION OF PERSONAL PRIVILEGE

Mr. HARRIS. Mr. President, I rise to a question of personal privilege.

The PRESIDENT. The Senator from Allegheny, Mr. Harris, will state his question of personal privilege.

Mr. HARRIS. Mr. President, early in the day my genial friend from Centre, Mr. Thompson, informed the Senate that little or no money was available from the several funds that I had mentioned in the resolution that I presented on Monday night. He also expressed the fact that this was a raid on these funds. I repeat again that I would be the last one to raid these funds. And let it be understood again, as it was before, that this is not a transfer—there is no mention of transfer made in the resolution—but it is an offer to these several Funds to make a good investment.

Now, I am pleased to report that I have been informed by the Committee on Finance that they have held this meeting pursuant to the resolution, and desire that I report to the Senate that Mr. Fertig and Mr. Byerly, representing the State Employes' Retirement Fund, and Dr. Bache and Mr. Waters, representing the State Teachers' Retirement Fund, and Mr. Bashore, a member of the Governor's Cabinet, representing the Workmen's Compensation Fund—all of these representatives expressed interest in obtaining for investment these tax anticipation notes.

The rate of interest will be agreed upon, because the

Board is composed of the Auditor General, State Treasurer and the Governor.

The State Teachers' Fund can produce immediately, for relief—when I say "immediately" I mean tomorrow or the day following—$6,000,000; and by the sale of some bonds and other investments that they have now, which they can sell at a fine profit, they will have available in a few days, or a comparatively short time, $25,000,000 which they are anxious to invest in these anticipation notes.

Mr. Byerly states that from his fund he will have $1,800,000 to immediately invest; and Mr. Bashore, a member of the Governor's Cabinet, informed us that he was anxious and willing to invest $365,000 in these anticipation notes.

Now then, I say, Mr. President, that the money is available. The resolution has passed; the purpose of it has been carried out; these men have met with the Committee on Finance and made a report that they have this money available. They will have other money available in a few days, and they are all in accord that it is a legal, proper investment.

Mr. THOMPSON (Centre). Mr. President, I desire to interrogte the Senator from Allegheny, Mr. Harris.

The PRESIDENT. Will the Senator from Allegheny, Mr. Harris, permit himself to be interrogated?

Mr. HARRIS. Mr. President, gladly.

Mr. THOMPSON (Centre). Mr. President, how much money did the Senator state was available from the State Workmen's Compensation Fund?

Mr. HARRIS. Mr. President, $365,000.

Mr. THOMPSON (Centre). Mr. President, I believe that compares very favorably with the amount stated by me last evening, does it not?

Mr. HARRIS. Mr. President, I believe that is correct.

Mr. THOMPSON (Centre). Mr. President, how much money is available from the State Teachers' Retirement Fund?

Mr. HARRIS. Mr. President, $6,000,000 immediately, and the possibility of $25,000,000 from the State Teachers' Retirement Fund.

Mr. THOMPSON (Centre). Mr. President, how much from the State Eemployes' Retirement Fund?

Mr. HARRIS. Mr. President, State Employes' Retirement Fund, $1,800,000.

Mr. THOMPSON (Centre). Mr. President, I believe that figure compares very favorably with the figure stated by me last evening?

Mr. HARRIS. Mr. President, that is correct.

Mr. THOMPSON (Centre). Mr. President, those amounts are cash, are they not?

Mr. HARRIS. Mr. President, I was not present at the meeting of the Committee on Finance—I do not know whether cash or not.

Mr. THOMPSON (Centre). Mr. President, do I understand that the information of the Senator from Allegheny is entirely second-hand that he received from the Finance Committee?

Mr. HARRIS. Mr. President, that is correct.

Mr. THOMPSON (Centre). Mr. President, will the Senator from Allegheny again please state the amount of money that is available from the State Teachers' Retirement Fund?

Mr. HARRIS. Mr. President, $6,000,000 immediately, and in the very near future, after the sale of some investments, on which they will make a handsome profit, $25,000,000.

Mr. THOMPSON (Centre). Mr. President, is that $6,000,000 available in cash?

Mr. HARRIS. Mr. President, the $6,000,000 is available in cash, and the word is, it is available immediately.

Mr. THOMPSON (Centre). Mr. President, is it not a fact that this money that is to be raised from the State Teachers' Retirement Fund, the $6,000,000, and the $25,000,000 is at the present time invested in securities?

Mr. HARRIS. Mr. President, the $6,000,000, as I understand, is free cash, the other is in securities that can be sold at a handsome profit.

Mr. THOMPSON (Centre). Mr. President, is the Senator from Allegheny confident that this $6,000,000 is in cash?

Mr. HARRIS. Mr. President, it is my information that it is.

Mr. THOMPSON (Centre). Mr. President, and that information comes from the Finance Committee?

Mr. HARRIS. Mr. President, that is correct.

Mr. THOMPSON (Centre). Mr. President, does the Senator from Allegheny understand that the tax anticipation notes will probably bear one or one and one-eighth per cent interest?

Mr. HARRIS. Mr. President, I was not present at the meeting. I say immediately, that is the word from the Finance Committee, it came from Dr. Bache, who made the statement.

Mr. THOMPSON (Centre). Mr. President, I ask the Senator from Allegheny whether or not, from his very broad knowledge of public affairs of the State of Pennsylvania, tax anticipation notes of this Commonwealth have, and probably will, bear one to one and one-eighth per cent interest?

Mr. HARRIS. Mr. President, I have no knowledge of what arrangement is made for interest, except that the general tone was that it could be adjusted and was satisfactory.

Mr. THOMPSON (Centre). Mr. President, I ask the Senator from Allegheny whether he knows what interest their present tax anticipation notes bear?

Mr. HARRIS. Mr. President, I do not.

Mr. THOMPSON (Centre). Mr. President, does the Senator from Allegheny know at what interest the portending anticipation notes will be issued?

Mr. HARRIS. Mr. President, I do not.

Mr. THOMPSON (Centre). Mr. President, does the Senator from Allegheny consider it a wise plan for the Teachers' Retirement Fund of the Commonwealth to sell securities of the Teachers' Retirement Fund bearing 4% or 4½% interest and reinvest at 1% or 1½% interest?

Mr. HARRIS. Mr. President, that is a decision I do not have to make, that decision will be made by the Boards, who have experience in investments.

Mr. THOMPSON (Centre). Mr. President, I am asking the Senator from Allegheny whether or not, in his experience of large business interests, whether or not that would be a good investment on the part of the Teachers' Retirement Fund?

Mr. HARRIS. Mr. President, the matter of interest is one that will have to be determined by the Teachers' Retirement Fund, those that are responsible for it. The Senator from Centre has me on cross-examination as to

whether or not I am a good business man. This is not the place for that question.

Mr. THOMPSON (Centre). Mr. President, does the Senator from Allegheny desire to avoid the answer to that question?

Mr. HARRIS. Mr. President, I do not try to avoid it, no.

Mr. THOMPSON (Centre). Mr. President, I again repeat the question to the Senator from Allegheny as to whether it would be good business to sell securities bearing 4% to 4½% interest and reinvest those funds in other securities bearing 1% or ⅛% interest, which will mature inside of a year.

Mr. HARRIS. Mr. President, I frankly say no.

QUESTION OF PERSONAL PRIVILEGE

Mr. OWLETT. Mr. President, I rise to a question of personal privilege.

The PRESIDENT. The Senator from Tioga will state his question of personal privilege.

Mr. OWLETT. Mr. President, it is unfortunate that the Senator from Centre did not talk with Dr. Bache, the representative of these funds. I am sure that he would not be at all exercised over their failure to use good judgment in the investment of their funds. Dr. Bache pointed out that during this entire depression, the State Teachers' Reirement Fund has never lost a cent of principal or interest; he also pointed out that the securities which they propose to sell, the basis on which they are now being sold, and on the basis of which they are being held, is about 2% interest rate, and he also pointed out that we could be sure that they would make no investment that would not be a good thing for the fund. It was pointed out that the State of Pennsylvania guarantees these funds 4% return on their money, that if they sold the bonds that they consider now to be at the peak in profit, they would make a large sum of money, bonds which are now yielding, at the present price, more than 2%. He said that Mr. Waters, who is on the Board, stated that he was sure that the State Treasurer, Auditor General and the Governor, would be very glad to make the interest rate on these certificates 2% or 2½%.

I want to assure the Senator from Centre that he does not need to have any concern about the proper management of these funds. The man handling them has nothing but the best interest of those funds in mind.

Mr. THOMPSON (Centre.. Mr. President, I would like to interrogate the Senator from Tioga, Mr. Owlett.

The PRESIDENT. Will the Senator from Tioga, Mr. Owlett, permit himself to be interrogated?

Mr. OWLETT. Mr. President, I will.

Mr. THOMPSON (Centre). Mr. President, does the Senator from Tioga consider it a good fiscal policy for the Commonwealth of Pennsylvania to issue these tax anticipation notes at 2% or 2½% to these Employees' Retirement Funds when they can sell the same tax anticipation notes for 1% or 1⅛% to outside sources?

Mr. OWLETT. Mr. President, I do, because the funds are funds that the Commonwealth set up for the protection of the teachers and employees who have contributed to them in the past, and the State, anyway, has guaranteed that they get 4% on that money. If they were to be sold to outsiders, of course, I would agree that they be sold at the cheapest rate possible, but when you are merely taking it out of one pocket and putting it into the other, I do not see the point.

Mr. THOMPSON (Centre). Mr. President, does the Senator from Tioga realize that the difference must be made up out of the pockets of the taxpayers of the State of Pennsylvania?

Mr. OWLETT. Mr. President, but that difference would have to be made up out of the pockets of the taxpayers anyway.

Mr. THOMPSON (Centre). Mr. President, does the Senator from Tioga appreciate the fact that when these funds sell securities bearing a higher rate of interest and reinvest in securities at a lower rate of interest, that they must dig into the pockets of the taxpayers and make up the difference.

Mr. OWLETT. Mr. President, I do not so understand. Apparently the Senator from Centre does not understand that when a bond bearing 4% interest is sold at 115, it is not yielding 4%. If he would consult a banker, I am sure he would find out about that distinction. While these bonds bear interest at 4%, the amount at which they are being sold they yield about 2%.

Mr. THOMPSON (Centre). Mr. President, does the Senator from Tioga have any information as to what these funds paid for these securities when they purchased them?

Mr. OWLETT. Mr. President, I did not get the question?

Mr. THOMPSON (Centre). Mr. President, does the Senator from Tioga have any information as to the amount the Funds paid for those securities when they purchased them?

Mr. OWLETT. Mr. President, I only know that if they are sold now, they will be sold at a very great profit.

Mr. THOMPSON (Centre). Mr. President, does the Senator from Tioga realize that if in less than a year these tax anticipation notes will mature and be be paid off, and the Funds must again reinvest this money at the same high price at which they sold these bonds?

Mr. OWLETT. Mr. President, I know that they will have to be reinvested when the tax anticipation notes are sold, but I do not know at what rate they will have to be reinvested. The Secretary, however, pointed out that it is the opinion of the Board which they propose to sell, should be sold now anyway, and they have only not sold them because they have not had an opportunity to invest the money, and this would furnish them that opportunity, and they are anxious to get this investment. I suggest that the Senator from Centre talk with these Trustees before he further interrogates any member of the Board about this matter.

QUESTION OF PERSONAL PRIVILEGE

Mr. CAVALCANTE. Mr. President, I rise to a question of personal privilege.

The PRESIDENT. The Senator from Fayette, Mr. Cavalcantefi, will state his question of personal privilege.

Mr. CAVALCANTE. Mr. President, from the conversation that we have heard, it seems to me that it is not so much a desire on the part of the custodians of these Funds to buy tax anticipation notes of the Commonwealth as it is a great desire on the part of the bankers to have these securities owned by these Funds now, rather than to take a chance with these uncertain tax anticipation notes that this Republican majority of this Senate is ar-

ranging to turn out. It seems to me that that is the answer to all this. The Republican members of this Senate know that these tax anticipation notes, that they are so eager to sell, are not sound enough for these bankers to buy, but these bankers will buy up these good securities that have been such a good paying asset to these Funds.

Mr. HUFFMAN. Mr. President, I want to make a brief statement amout this: I think that the Senator from Allegheny, Mr. Harris, is trying to make a political matter out of this question, and I want to correct the statement made about Mr. Bashore, a member of the Governor's Cabinet. He did not say that he was anxious to get these certificates at all. He made no such statement, he made no statement whatever with respect to that, except that they had about $350,000 or $360,000 for investment. The real pith of this story is that we have no tax anticipation notes to sell, and until this bill passed by the Republican Senate today is corrected, so that it may be certified to by the Attorney General of this Commonwealth, we will not have any tax anticipation notes to sell, either to these Funds or to the bankers; I wish to say that could not be done, as we all know, the bill is in conference and there is no probability of that bill being reported out today. I do not think the legislature is going to be here tomorrow, or any other day, until Monday, and for that reason there is no money available, there is no security here to turn over to anybody to raise money.

Mr. McCLURE. Mr. President, in reply to the Senator from Monroe, Mr. Byerly stated that they would subscribe $365,000 value of these bonds at any time. That is my understanding of what he said, and I wrote it down as he said it.

HOUSE MESSAGE

JOINT LEGISLATIVE COMMITTEE TO PREPARE A PLAN OR PERMANENT ADMINISTRATION OF UNEMPLOYMENT RELIEF

The Clerk of the House of Representatives being introduced, informed the Senate that the House has concurred in Resolution from the Senate, as follows:

In the Senate, May 12, 1936.

Whereas a centralized administration of relief is unsuited in some respects to a protracted program of dealing with the consequences of unemployment

Whereas the present constituted agencies for the care of the indigent throughout the Commonwealth are inadequate at the present time to assume the burden of the distribution of funds provided for unemployment relief, and

Whereas, private industry is failing to keep re-employment abreast of industrial and commercial recovery, and

Whereas it appears to be the duty of the Commonwealth for some period in the future to provide against the social consequences of unemployment,

Resolved (if the House of Representatives concur) That the President pro tempore of the Senate appoint three Senators and the Speaker of the House of Representatives appoint three members of the House of Representatives to serve as a committee whose duty it shall be to prepare a plan of permanent administration of unemployment relief, which plan shall coordinate the activities of the Commonwealth and its municipal subdivisions, and to draft legislation which incorporate such plan, or plans and to report the same to the regular session of the Legislature in 1937.

Resolved. That the said committee shall have power to issue subpoenas under the hand and seal of its chairman, requesting and commending any person or persons to appear before them and to answer such questions touching matters properly being inquired into by the committee and to produce such books, papers, records and documents as the committee may deem necessary. Such subpoenas may be served upon any person and shall have the force and effect of subpoenas issued out of the Courts of this Commonwealth. Each member of said committee shall have the power to administer oaths and affirmations to witnesses appearing before the committee. Any person who shall willfully neglect or refuse to testify before said committee or to produce any books, papers, records or documents shall be subject to the penalties provided by the laws of the Commonwealth in such cases.

Resolved That the Senate and House of Representatives will appropriate the sum of Five Thousand Dollars ($5000.00) to pay the expenses of the Committee in prosecuting its study of such legislation, the summoning of witnesses, postage, secretarial and clerical hire, the attendance of members at meetings and other expenses.

ADJOURNMENT

Mr. BUCKMAN. Mr. President, I move that the Senate do now adjourn until Monday evening at 9 o'clock.

Mr. COYNE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were required by Mr. SHAPIRO and Mr. CAVALCANTE and were as follows, viz:

YEAS—16

Batchelor,	Coyne,	Homsher,	Salus,
Bean,	Ealy,	Howell,	Sones,
Buckman,	Gelder,	McClure,	Trainer,
Chapman,	Graff,	Reed, (Dauphin)	Woodward,

NAYS—24

Aron,	Lanius,	Prince,	Shapiro,
Cavalcante,	Mallery,	Pytko,	Staudenmeier,
Frey,	McCreesh,	Roberts,	Thompson,
Harris,	McGinnis,	Rodgers,	(Centre)
Harvey,	Miller,	Ruth,	Thompson,
Huffman,	Owlett,	Scott,	(Westmoreland)
Kahle,	Pierson,		

So the question was determined in the negative.

RECESS

Mr. GELDER. Mr. President, I move that the Senate do now take a recess for ten minutes.

Mr. EALY. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. SHAPIRO. Mr. President, before that motion is put, I desire to make this statement: We have voted down a resolution to adjourn. We did the same thing last week, and I want to serve notice on those members of the Senate who are here, that I shall expect every member to be here, the same as I am, and if not, I will insist that the Sergeant at Arms be sent to bring back the members who leave, unless they are excused.

And the question recurring,

Will the Senate agree to the motion?

It was agreed to.

AFTER RECESS

The PRESIDENT. The time of recess having elapsed, the Senate will be in order.

REPORT FROM COMMITTEE

Mr. GELDER. Mr. President, I ask unanimous consent to make a report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. GELDER, from the Committee on Appropriations, re-reported as committed, Senate Bill No. 93 (House Bill No. 134), entitled:

An Act requiring unemployment relief orders to be presented for payment within a certain period otherwise to be cancelled and the moneys appropriated for their payment to be escheated to the Commonwealth and credited to the current appropriation for unemployment relief purposes.

ADJOURNMENT

Mr. BEAN. Mr. President, in view of the fact that in my opinion nothing of a practical nature can be accomplished by staying here any longer this week, I move that the Senate do now adjourn.

Mr. OWLETT. Mr. President, I second the motion.

The yeas and nays were required by Mr. McCLURE and Mr. OWLETT, and were as follows, viz:

YEAS—18

Batchelor,	Gelder,	McClure,	Scott,
Bean,	Graff,	Owlett,	Sones,
Chapman,	Homsher,	Pierson,	Thompson,
Coyne,	Howell,	Prince,	(Westmoreland)
Ealy,	Mallery,	Salus,	

NAYS—11

Cavalcante,	Harvey,	Pytko,	Shapiro,
Frey,	McCreesh,	Roberts,	Staudenmeier,
Harris,	Miller,	Ruth,	

So the question was determined in the affirmative.

The Senate adjourned at 6:28 P. M. until 9 o'clock Monday evening, July 27, 1936.

HOUSE OF REPRESENTATIVES

THURSDAY, July 23, 1936

The House met at 12.00 o'clock noon.

The SPEAKER (Roy E. Furman) in the Chair.

PRAYER

The Rev. MARSHALL L. SHEPARD, a member of the House, offered the following prayer:

O God, our Heavenly Father, we thank Thee for Thy care and keeping during the watches of the past night; that we are permitted to come here to this place with a reasonable portion of health and strength.

We pray Thy blessings upon the Governor of this Commonwealth, the Speaker and all of the members of this House. Bless each member as Thou seeth we have need. May we be guided by Thy wisdom, and may we do the things that may be well pleasing in Thy sight. In His name and for His sake. Amen.

JOURNAL APPROVED

The SPEAKER. The Clerk will read the proceedings of yesterday.

The Clerk proceeded to read the Journal of yesterday, when, on motion of Mr. TUMELTY, the further reading was dispensed with and the Journal approved.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE BILL No. 39

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 22, 1936.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 39, Printer's No. 187, entitled, "An Act to provide for the participation of the Commonwealth of Pennsylvania in a National Celebration of the One Hundred Fiftieth Anniversary of the Framing of the Signing the Ratification by Pennsylvania and the Final Adoption and Promulgation of the Constitution of the United States to be held at Philadelphia and elsewhere on the fifteenth sixteenth and seventeenth days of September one thousand nine hundred thirty-seven and subsequent anniversary dates in connection therewith and making an appropriation."

GEORGE H. EARLE.

LEAVES OF ABSENCE

Mr. Lovett asked and obtained leave of absence for Mr. MENTZER.

Mr. Welliver asked and obtained leave of absence for Mr. FRANCIS T. BAKER.

Mr. Alexander asked and obtained leave of absence for Mr. HETRICK.

Mr. KELDER asked and obtained leave of absence for himself for the remainder of the week after today's session.

Mr. MUIR asked and obtained leave of absence for himself for the remainder of the week after today's session.

Mr. F. E. SNYDER asked and obtained leave of absence for himself for the remainder of the week after today's session.

Mr. Merrell asked and obtained leave of absence for Mr. GILLETTE for the remainder of the week on account of death in the family.

Mr. SERRILL asked and obtained leave of absence for himself for the remainder of the week after today's session.

Mr. ALLEN asked and obtained leave of absence for himself for the remainder of the week after today's session.

RECESS

The SPEAKER. If there are no objections the Chair is about to declare a recess until 3:00 P. M. Are there objections? The Chair hears none and declare a recess until 3:00 P. M.

AFTER RECESS

The House reconvened at 3:00 P. M.

The SPEAKER (Roy E. Furman) in the Chair.

REPORTS FROM COMMITTEES

Mr. ANDREWS, from the Committee on Rules, reported as committed, House Resolution No. 40.

Mr. EBERHARTER, from the Committee on Rules, reported as committed, House Recolution No. 50.

Mr. SINWELL, from the Committee on Rules, reported as committed, Senate Resolution, Serial No. 103.

SENATE MESSAGE

RESOLUTION FOR CONCURRENCE

The Clerk of the Senate being introduced presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, May 12, 1936.

Whereas a centralized administration of relief is unsuited in some respects to a protracted program of dealing with the consequences of unemployment

Whereas the present constituted agencies for the care of the indigent throughout the Commonwealth are inadequate at the present time to assume the burden of the distribution of funds provided for unemployment relief, and

Whereas private industry is failing to keep re-employment abreast of industrial and commercial recovery, and

Whereas it appears to be the duty of the Commonwealth for some period in the future to provide against the social consequences of unemployment,

Resolved (if the House of Representatives concur) That the President pro tempore of the Senate appoint three Senators and the Speaker of the House of Representatives appoint three members of the House of Representatives to serve as a committee whose duty it shall be to prepare a plan of permanent administration of unemployment relief, which plan shall co-ordinate the activities of the Commonwealth and its municipal subdivisions, and to draft legislation which incorporates such plan, or plans, and to report the same to the regular session of the Legislature in 1937.

Resolved, That the said committee shall have power to issue subpoenas under the hand and seal of its chairman, requesting and commanding any person or persons to appear before them and to answer such questions touching matters properly being inquired into by the committee and to produce such books, papers, records and documents as the committee may deem necessary. Such subpoenas may be served upon any person and shall have the force and effect of subpoenas issued out of the Courts of this Commonwealth. Each member of said committee shall have the power to administer oaths and affirmations to witnesses appearing before the committee. Any person who shall wilfully neglect or refuse to testify before said committee or to produce any books. papers. records or documents shall be subject to the penalties provided by the laws of the Commonwealth in such cases.

Resolved That the Senate and House of Representatives will appropriate the sum of Five Thousand Dollars ($5,000.00) to pay the expenses of the Committee in prosecuting its study of such legislation, the summoning of witnesses, postage, secretarial and clerical hire, the attendance of members at meetings and other expenses.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

QUESTION OF PARLIAMENTARY INQUIRY

Mr. HOOPES. Mr. Speaker, I rise to a question of parlimentary inquiry.

The SPEAKER. The gentleman will state his question of parlimentary inquiry.

Mr. HOOPES. Mr. Speaker, I would like to inquire by whose authority the gallery doors are locked and the public denied admission.

The SPEAKER. The Chair did not have information that the galler ydoors were locked. The Sergeant at arms will see that they are unlocked immediately.

RESOLUTION

SYMPATHY EXTENDED TO FIREMEN

Mr. MOOMAW asked and obtained unanimous consent to offer the following resolution which was twice read, considered and adopted:

In the House of Representatives, July 23, 1936.

Whereas, Pennsylvania is noted throughout the Nation for its high grade volunteer fire departments composed of men willing at all times day or night, to risk their lives to protect the property of the people of their communities. Included in this list of fine fire departments are those protecting the lives and property of the people of Chambersburg and vicinity; and

Whereas, In the early hours of the morning of July 22nd fifteen fearless Chambersburg volunteer firemen were called from their beds and away from their families to extinguish a fire in the community, and while enroute in a downpour of rain the truck skidded and struck a tree bringing untimely death to David Gabler and Harold Snider; and

Whereas, Bard Miller, his son Bard Miller, Jr., and Kenneth Washabaugh were seriously injured, and Paul Miller, Lewis Worthington, William Higgins, John Bowen, M. K. Burgner, Jr., Paul Dorner, and Paul Bender were less seriously injured, the only two escaping injuries being Robert Diffenderfer and Ralph Evans; therefore be it

Resolved, That the House of Representatives extends its profound sympathy to the members of the families of the deceased firemen; and be it also

Resolved, That the House of Representatives extends its most sincere wishes to the injured for their speedy and complete recovery; and be it further

Resolved, That the Chief Clerk of the House send a copy of this resolution to the families of the deceased, also copies to each of the other men involved in this most unfortunate accident.

SENATE MESSAGE

HOUSE BILL CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 165.

An Act to amend the act, approved the ninth day of April, one thousand nine hundred twenty-nine (Pamphlet Laws, three hundred forty-three), entitled "An act relating to the finances of the State government; providing for the settlement, assessment, collection, and lien of taxes, bonus and all other accounts due the Commonwealth, the collection and recovery of fees and other money or property due or belonging to the Commonwealth, or any agency thereof, including escheated property and the proceeds of its sale, the custody and disbursement or other disbursement of funds and securities belonging to or in the possession of the Commonwealth, and the settlement of claims against the Commonwealth, the resettlement of accounts and appeals to the courts, refunds of moneys erroneously paid to the Commonwealth, auditing the accounts of the Commonwealth, and all agencies thereof, of all public officers collecting moneys payable to the Commonwealth, or any agency thereof, and all receipts of appropriations from the Commonwealth and imposing penalties; affecting every department, board, commission, and officer of the State Government, every political subdivision of the State, and certain officers of such subdivisions, every person, association, and corporation required to pay, assess, or collect taxes, or to make returns or reports under the laws imposing taxes for State purposes, or to pay license fees or other moneys to the Commonwealth, or any agency thereof, every State depository and every debtor or creditor of the Commonwealth," as amended, by making further provision relative to the settlement, resettlement and collection of certain taxes, and further defining the powers

and duties of the Department of Revenue with relation thereto

With the information that the Senate has passed the same without amendment.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 26.

An Act to further amend section one of the act, approved the thirteenth day of June, one thousand nine hundred seven (Pamphlet Laws, six hundred forty), entitled "An act to provide revenue by levying a tax upon the shares of stock of companies incorporated under the provisions of section twenty-nine of an act, entitled 'An act to provide for the incorporation and regulation of certain corporations,' approved April twenty-ninth, one thousand eight hundred and seventy-four, and the supplements thereto; for the insurance of owners of real estate, mortgages, and others interested in real estate, from loss by reason of defective titles, liens, and encumbrances; and of companies entitled to the benefits of, and of companies having any of the powers of, companies entitled to the benefits of an act, entitled 'An act conferring upon certain fidelity, insurance, safety deposit, trust, and savings companies, the powers and privileges of companies incorporated under the provision of section twenty-nine of an act, entitled "An act to provide for the incorporation and regulation of certain corporations," approved April twenty-ninth, Anno Domini one thousand eight hundred and seventy-four, and of the supplements thereto,' approved June twenty-seventh, one thousand eight hundred and ninety-five, commonly known as title insurance or trust companies," by increasing the rate of tax for a limited period of time, and by further modifying the method of computing the tax.

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend title, page 2, in next to last line by inserting after the word "time" the words "by providing that certain corporations shall not be subject to the tax."

Amend Section 1, page 4, line 13, by inserting after the word "approved" the words "except any such corporations all of the shares of capital stock of which (other than shares necessary to qualify directors) are owned by a corporation which is liable to pay to the Commonwealth a tax on shares"; also in line 14, by striking out after the word "of" the word "March" and inserting in lieu thereof the word 'February."

Amend bill, by inserting after the word 'law" in line 4, of page 6, the following new paragraph:

"Section 2 If any provision of this act relieving any corporation in whole or in part from the payment of the tax imposed by this act is declared unconstitutional by final judgment order or decree of a court of competent jurisdiction or if any such provision is declared by a final judgment order or decree of a court of competent jurisdiction to discriminate against United States securities in such a manner as to require an exemption or deduction of the same proportionate or otherwise in the imposition assessment or settlement of the tax or to impose tax upon moneyed capital in the hands of individual citizens of this Commonwealth coming into competition with the business of national banks at a lesser rate than is imposed on shares of national banks the Legislature hereby declares its intent that any such provision shall thereupon become inoperative and inapplicable from the effective date of this act and the corporations subject to the tax imposed by this act shall for that period and thereafter be taxed to the same extent and in the same manner as if any such provision had not been enacted."

Amend Section 2, page 6, line 5, by striking out after the word "Section" the figure "2" and inserting in lieu thereof the figure "3."

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—168

Achterman,	Downey, J. J.,	Lovett,	Serrill,
Alexander,	Duffort,	Male,	Shaw,
Allen,	Eberharter,	Mallen,	Shepard,
Andrews,	Eroe,	Mason,	Shortz,
Anthony,	Falkenstein,	McDermott,	Shugarts,
Arnold,	Ferko,	McDevitt,	Siegel,
Atkins,	Finnerty,	McElroy,	Simon,
Aukerman,	Fitch,	McHenry,	Simpson,
Baine,	Flanagan,	McKinney,	Sinwell,
Baker, J. J.,	Flinchbaugh,	Melchiorre,	Smith, J. A.,
Baldi,	Forrest,	Merrell,	Snyder, F. E.,
Barnhardt,	Gates,	Moomaw,	Sproul,
Bernhard,	Gerard,	Mooney,	Stank,
Boose,	Greenstein,	Moore,	Stevens,
Boyer,	Habbyshaw,	Moran,	Stewart,
Bradley,	Haberlen,	Muir,	Stockham,
Brancato,	Hagerty,	Munley,	Stott,
Brennan,	Haluska,	Nagel,	Surface,
Brown, H. S.,	Hamilton, F. P.,	Nothnagle,	Sweeney,
Brown, J. E.,	Harkins,	O'Keefe,	Tahl,
Brownfield,	Harmuth,	Ominsky,	Terry,
Brumbaugh,	Hefferon,	O'Neill,	Tronzo,
Burke,	Hermansen,	Parks,	Tumelty,
Cannon,	Hindman,	Patterson, C.,	Turner,
Caputo,	Hirsch,	Patterson, J. W.,	Van Allsburg,
Carson,	Hoffner,	Pearson,	VanSickle,
Castor,	Holland,	Pfaff,	Wall,
Chervenak,	Holstrom,	Phillips,	Weidemann,
Coakley,	Hoopes,	Piole,	Weiss,
Cochran,	Horst,	Powers,	Welliver,
Cohen,	Jones,	Reising,	Welsh,
Coleman,	Kane,	Rhys,	Westrick,
Condon,	Kelder,	Roan,	White,
Coolahan,	Kelso,	Robinson,	Wickersham,
Cordier,	Kilroy,	Rooney,	Winner,
Davies,	Kinney,	Root,	Wood,
Decker,	Klingler,	Ruffennach,	Woodside,
Denning,	Kobelak,	Sarraf,	Yeakel,
Dent,	LaRue,	Scanlon,	Yourishin,
Diehl,	Linderman,	Schaeffer,	Zappala,
Dillev,	Long,	Schrock,	Furman,
Downey, G. E.,	Longaker,	Schrope,	

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative, and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

MESSAGE AND BILL TAKEN FROM TABLE

Mr. HARKINS. Mr. Speaker, I move that House Bill No. 28, together with the message from the Senate, which was laid upon the table be taken from the table.

The motion was agreed to.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 28.

An Act to further amend section one of the act approved the fifteenth day of July one thousand eight hundred and ninety-seven (Pamphlet Laws two hundred ninety-two) entitled "An act to provide revenue by taxation" by increasing the rate of tax.

With the information that the Senate has passed the same with amendment, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendment.

The Clerk read the amendment as follows:

Amend Section 1, page 2, line 9, by striking out the word "March" and inserting in lieu thereof the word "February."

On the question,

Will the House concur in the amendment made by the Senate?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—167

Achterman,	Downey, J. J.,	Lovett,	Serrill,
Alexander,	Duffort,	Male,	Shaw,
Allen,	Eberharter,	Mallen,	Shepard,
Andrews,	Eroe,	Mason,	Shortz,
Anthony,	Falkenstein,	McDermott,	Shugarts,
Arnold,	Ferko,	McDevitt,	Siegel,
Atkins,	Finnerty,	McElroy,	Simon,
Aukerman,	Fitch,	McHenry,	Simpson,
Baine,	Flanagan,	McKinney,	Sinwell,
Baker, J. J.,	Flinchbaugh,	Melchiorre,	Smith, J. A.,
Baldi,	Forrest,	Merrell,	Snyder, F. E.,
Barnhardt,	Gates,	Moomaw,	Sproul,
Bernhard,	Gerard,	Mooney,	Stank,
Boose,	Greenstein,	Moore,	Stevens,
Boyer,	Habbyshaw,	Moran,	Stewart,
Bradley,	Haberlen,	Muir,	Stockham,
Brancato,	Hagerty,	Munley,	Stott,
Brennan,	Haluska,	Nagel,	Surface,
Brown, H. S.,	Hamilton, F. P.,	Nothnagle,	Sweeney,
Brown, J. E.,	Harkins,	O'Keefe,	Tahl,
Brownfield,	Harmuth,	Ominsky,	Terry,
Brumbaugh,	Hefferon,	O'Neill,	Tronzo,
Burke,	Hermansen,	Parks,	Tumelty,
Cannon,	Hindman,	Patterson, C.,	Turner,
Caputo,	Hirsch,	Patterson, J. W.,	VanAllsburg,
Carson,	Hoffner,	Pearson,	VanSickle,
Castor,	Holland,	Pfaff,	Wall,
Chervenak,	Holstrom,	Phillips,	Weidemann,
Coakley,	Hoopes,	Piole,	Weiss,
Cochran,	Horst,	Powers,	Welliver,
Cohen,	Jones,	Reising,	Welsh,
Coleman,	Kane,	Rhys,	Westrick,
Condon,	Kelder,	Roan,	White,
Coolahan,	Kelso,	Robinson,	Wickersham,
Cordier,	Kilroy,	Rooney,	Winner,
Davies,	Kinney,	Root,	Wood,
Decker,	Klingler,	Ruffennach,	Woodside,
Denning,	Kobelak,	Sarraf,	Yeakel,
Dent,	LaRue,	Scanlon,	Yourishin,
Diehl,	Linderman,	Schaeffer,	Zappala,
Dilley,	Long,	Schrock,	Furman,
Downey, G. E.,	Longaker,	Schrope,	

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative, and the amendment was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 18.

An Act making an appropriation to the State Emergency Relief Board for direct relief, work relief, and expenses; defining the purposes for which such moneys may be expended; and prescribing the powers and duties of the State Emergency Relief Board and certain State Departments.

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend Section 1, page 1, line 5, by striking out at the beginning of said line the words and figures "forty million five hundred seventy-seven thousand seven hundred eighty-nine dollars $(40,577,789)" and inserting in lieu thereof the words and figures: "ten million dollars ($10,000,000)."

Amend Section 4, page 2, line 21, by striking out after the word "of" the words and figures "one hundred ninety-five thousand dollars ($195,000)" and inserting in lieu thereof the words and figures "Eighteen thousand seven hundred fifty dollars ($18,750)."

On the question,

Will the House concur in the amendments made by the Senate?

MESSAGE AND BILL LAID ON TABLE

Mr. EBERHARTER. Mr. Speaker, I move that the message together with the bill be laid upon the table.

The motion was agreed to.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 159.

An Act authorizing the Commonwealth to negotiate temporary emergency loans to defray the current and/or other expenses of the State government during the fiscal year ending the thirty-first day of May one thousand nine hundred thirty-seven evidenced by tax anticipation notes secured by and payable from current revenues levied assessed collectible and/or accruing during such fiscal year defining the powers and duties of the Governor the Auditor General and the State Treasurer in relation thereto providing for the payment of interest on and the repayment of such loans and making an appropriation.

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend title, page 1, line 5, by inserting after the word "notes" the words 'in two series"; also in next to last line by inserting after the word "loans" the words "providing for payments into the sinking fund."

Amend first paragraph of preamble by inserting after the word "provided" in the second line the word "certain"; also in next line, by striking out after the syllable "wealth" the words and figures "amounting to sixty-five million dollars ($65,000,000) in addition to other revenue for general purposes and."

Amend second paragraph of preamble in first line by striking out the words and figures "fifty-five million dollars ($55,000,000)" and inserting in lieu thereof the words and figures "forty-five million dollars ($45,000,000)";

also on page 2, in third line, by striking out after the word "relief" the words and figures "and the remainder of such new revenues amounting to ten million dollars ($10,000,000) have been appropriated during such year to defray the current expenses of the State government and."

Amend the third preamble clause, in third line, by striking out after the word "but" the words "the total" and inserting in lieu thereof the word "such"; also by striking out in the next line the words and figures "including the aforesaid new revenues amounting to $65,000,000)."

Amend Section 1, page 3, line 8, by striking out after the word "of" the words and figures "sixty-five million dollars ($65,000,000)" and inserting in lieu thereof the words and figures "forty-nine million five hundred thousand dollars ($49,500,000)."

Amend Section 2, page 3, line 12, by inserting after the word "Pennsylvania" the word "matured" and inserting in lieu thereof the following: "issued in two series to be known as Series A and Series B The total of the notes in Series A shall be twenty-five million dollars ($25,000,000) and the total of the notes in Series B shall not exceed twenty-four million five hundred thousand dollars ($24,500,000) All of said notes in both series shall mature"; also in line 17, by inserting after the word "sums" the words "subject to the above limitations as to series and the total amount in each series"; also in line 21, by inserting after the word "direct" the following: "The notes of Series A may be issued immediately upon the final enactment of this act sufficient new revenues having been raised to repay the total sum included in such series The notes in Series B shall not be issued until the Department of Revenue has certified that sufficient revenue will either accrue from new sources provided at this session of the General Assembly or from excess returns and earnings from existing revenue sources to repay the notes of both series."

Amend Section 4, page 4, line 16, by striking out after the word "thirty-five" the words "and shall" and inserting in lieu thereof the words "but such loans shall first"; also in line 17, by striking out the following: "such revenues and so much of such revenues' and inserting in lieu thereof the following: "new revenue raised by laws enacted at the Special Session of the Legislature in the year one thousand nine hundred and thirty-six and from excess revenues and earnings from existing sources which revenues and excess revenues and earnings as received and collected shall be paid into the sinking fund until the amount so paid into said fund shall equal the total amount of the notes of both series issued under the authority of this act and the amount required for the payment of interest on such notes to the date of redemption In case insufficient moneys are derived from such new and excess revenues and earnings then and in that event the additional amount needed for the sinking fund over and above the amount of the new and excess revenues shall be paid out of other current revenues accruing during the remainder of the fiscal biennium All such revenues."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. ANDREWS. Mr. Speaker, I move that the House do non-concur in the amendments made by the Senate.

On the question,

Will the House agree to the motion?

Mr. TURNER. Mr. Speaker and members of the House, I understand that there are amendments, not only the amendments of the Senate but that there are some amendments that are necessary in the bill as it passed the House and that it will be necessary to throw this bill into a conference committee. Therefore, not because we approve of the motion, I ask that the Republican members of the House go along with the motion to non-concur.

Mr. COHEN. Mr. Speaker and members of the House, I appreciate the fact that at the present time the gentleman from Delaware representing the minority is seeing the light.

The bill as it has passed the Senate is a vicious piece of legislation, that could not accomplish its purpose. This particular bill provides for the issuance of tax anticipation notes, in the sum of some forty-nine million five hundred thousand dollars and appropriates a certain proportion of it to unemployment relief and the other proportion of it for general purposes. This bill breaks down the issuance of these notes into two categories: Series A and Series B, but irrespective of the break down, Section 4 of this particular bill as amended provides that all the excess revenues from the taxes which were created in the 1935 session and the taxes that formed the general tax structure of the Commonwealth that those excess revenues should be utilized and mortgaged for the repayment of these particular issues. The Democratic members of the Senate and the Democratic members of the House are quite willing, ready and willing to go along with an issue of tax anticipation notes which restricts the issuance of those notes to the sinking funds which are created by the taxes that are passed at this particular session of the Legislature, but we can not concur in the issuance of tax anticipation notes—

QUESTION OF PARLIAMENTARY INQUIRY

Mr. TURNER. Mr. Speaker, I rise to a question of parliamentary inquiry.

The SPEAKER. The gentleman will state his question of parliamentary inquiry.

Mr. TURNER. Mr. Speaker, I dislike to rise to a question of parliamentary inquiry upon the gentleman from York, Mr. Cohen, but it seems to me that we are again straying far afield in the procedure and, therefore, if he is going to debate the whole fiscal policy of this tax anticipation bill, I want to know whether the same latitude will be given to this side of the House.

QUESTION OF INFORMATION

Mr. COHEN. Mr. Speaker, may I rise to a question of information?

The SPEAKER. The gentleman will state his question of information.

Mr. COHEN. Mr. Speaker, for the information of the gentleman from Delaware, I wish to assure him and the Speaker that no remarks that I will make in the discussion of these amendments will be afield from the particular amendments which are now before the House and with which it is concerned. I feel sure that up to the present time I have not transgressed in that respect.

The SPEAKER. In answer to the question of parliamentary inquiry raised by the gentleman from Delaware, the Chair feels that it has given a great deal of latitude to the speakers on both sides of various questions. If the gentleman who has the floor goes beyond the question before the House, the Chair is entirely willing to give the other side the same rights and privileges. However, the Chair requests that the gentleman who has the floor confine his remarks to the amendments now before the House.

Mr. COHEN. Mr. Speaker and members of the House, I sincerely wish to renew the discussion on the factual grounds as presented by these particular amendments

and the sound legal reasons which are applicable to the motion of non-concurrence that is before the House.

As I started to indicate, this particular bill mortgages the excess revenues of the Commonwealth, which excess revenues are created or arise out of the tax legislation which has existed in the Commonwealth and also by the existing tax measures that were passed at the last session of the Legislature. We issued, one year ago or more, the tax anticipation notes that are now outstanding in the Commonwealth and at the time of issuance the act, under which those notes were issued, provided that the entire revenues of the Commonwealth, the current revenues of the Commonwealth existing at that time were mortgaged for the redemption of fifty million dollars of tax anticipation notes, which are now in existence. This particular act, in Section 4, attempts to use those excess revenues as the sinking funds and the sources out of which the present issue of forty-nine million five hundred thousand dollars of tax anticipation notes are to be paid.

Now, those particular revenues include the excess revenues as I have indicated, and if this bill could be amended, could be so amended or made to conform with the taxes which have been passed in this particular session, amendments to that effect would be very gladly concurred in by this House, if by so concurring in those amendments it would be possible with the thirty-five million dollars of taxes, which the House and the Senate have now passed, we could issue tax anticipation notes against the thirty-five million dollars. If the problem as to excess revenues is to be considered, then that problem should be placed before the House in a different, distinct, separate bill, so that the issuance of the thirty-five million dollars will not in any manner be in doubt. To concur in this bill in its present form would allow the entire issue of forty-nine million five hundred thousand dollars to be subject to grave legal doubt and concern, and there might be a great possibility that if these notes were issued under this particular legislation the bankers would not approve them, because this bill, as I have indicated before, takes into consideration the excess revenues of the Commonwealth of Pennsylvania.

For those reasons and for the reason that it is very necessary at this particular session, prior to adjournment that we have a bill that will meet the necessary requirements of the issuance of tax anticipation notes and in an endeavor to have this bill so cured in a conference committee, whereby the defects that are patently present, can be cured by rectifying amendments, I ask that this House do non-concur in the amendments of the Senate.

Mr. TURNER. Mr. Speaker and members of the House, I see no reason to prolong the agony by answering the gentleman from York, Mr. Cohen, with a legal argument which I do not believe would be of any interest to most of the members of the House, because there are always opinions on both sides of an argument. But it seems to me that the gentleman from York has taken a lot of space to say that he was going to non-concur in these amendments. The plain facts are that the bill has been over there and if there is a difference of opinion, the sensible thing seems to be after a conference with some of the Senate and some of the legal authorities who are trying to work the matter out—the sensible thing, it seems to me, is to throw it into conference, and that is the sole purpose that I made the suggestion on my own behalf and for my colleagues in trying to clarify the situation as I saw it.

On the question recurring,

Will the House agree to the motion?

It was agreed to.

Ordered, That the Clerk inform the Senate accordingly.

BILLS SIGNED BY THE SPEAKER

Bill numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

HOUSE BILL No. 26.

An Act to further amend section one of the act approved the thirteenth day of June one thousand nine hundred seven (Pamphlet Laws six hundred forty) entitled "An act to provide revenue by levying a tax upon the shares of stock of companies incorporated under the provisions of section twenty-nine of an act entitled 'An act to provide for the incorporation and regulation of certain corporations' approved April twenty-ninth one thousand eight hundred and seventy-four and the supplements thereto for the insurance of owners of real estate mortgages and others interested in real estate from loss by reason of defective titles liens and encumbrances and of companies entitled to the benefits of and of companies having any of the powers of companies entitled to the benefits of an act entitled 'An act conferring upon certain fidelity insurance safety deposit trust and savings companies the powers and privileges of companies incorporated under the provisions of section twenty-nine of an act entitled "An act to provide for the incorporation and regulation of certain corporations" approved April twenty-ninth Anno Domini one thousand eight hundred and seventy-four and of the supplements thereto' approved June twenty-seventh one thousand eight hundred and ninety-five commonly known as title insurance or trust companies" by increasing the rate of tax for a limited period of time by providing that certain corporations shall not be subject to the tax and by further modifying the method of computing the tax

HOUSE BILL No. 28.

An Act to further amend section one of the act approved the fifteenth day of July one thousand eight hundred and ninety-seven (Pamphlet Laws two hundred ninety-two) entitled "An act to provide revenue by taxation" by increasing the rate of tax

HOUSE BILL No. 165.

An Act to amend the act approved the ninth day of April one thousand nine hundred twenty-nine (Pamphlet Laws three hundred forty-three) entitled "An act relating to the finances of the State government providing for the settlement assessment collection and lien of taxes bonus and all other accounts due the Commonwealth the collection and recovery of fees and other money or property due or belonging to the Commonwealth or any agency thereof including escheated property and the proceeds of its sale the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth and the settlement of claims against the Commonwealth the resettlement of accounts and appeals to the courts refunds of moneys erroneously paid to the Commonwealth auditing the accounts of the Commonwealth and all agencies thereof of all public officers collecting moneys payable to the Commonwealth or any agency thereof and all receipts of appropriations from the Commonwealth and imposing penalties affecting every department board commission and officer of the State government every political subdivision of the State and certain officers of such subdivisions every person association and corporation required to pay assess or collect taxes or to make returns or reports under the laws imposing taxes for

State purposes or to pay license fees or other moneys to the Commonwealth or any agency thereof every State depository and every debtor or creditor of the Commonwealth" as amended by making further provision relative to the settlement resettlement and collection of certain taxes and further defining the powers and duties of the Department of Revenue with relation thereto

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF RESOLUTION RECALLING HOUSE BILL No. 109

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 23, 1936.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed a resolution of the House of Representatives and Senate, recalling from the Governor House Bill No. 109, Printer's No. 182, for the purpose of amendment.

Accordingly, the original bill is herewith returned.

GEORGE H. EARLE.

RECONSIDERATION OF VOTE

Mr. SHORTZ. Mr. Speaker, I move that the vote by which this bill passed finally be reconsidered.

The motion was agreed to.

Mr. SHORTZ. Mr. Speaker, I move that the vote by which this bill passed on third reading be reconsidered.

The motion was agreed to.

On the question,

Will the House agree to the bill on third reading?

Mr. SHORTZ. Mr. Speaker, I ask unanimous consent to offer amendment at this time.

The SPEAKER. The amendment will be read by the Clerk for information.

The Clerk read the amendment as follows:

Amend page 1, line 1 of the title by striking out after the word "empower" and before the word "and" the word: "[municipalities]" and inserting in lieu thereof the following: "cities boroughs towns"

The SPEAKER. Will the House give unanimous consent to the insertion of the amendment at this time? Is there objection? The Chair hears none and the amendment will be inserted in accordance with the instructions of the House?

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

LEAVES OF ABSENCE

Mr. Longaker asked and obtained leave of absence for Mr. FORREST for the remainder of the week.

Mr. WALL asked and obtained leave of absence for himself for the remainder of the week after today's session.

Mr. VanALLSBURG asked and obtained leave of absence for himself for the remainder of the week after today's session.

Mr. KANE asked and obtained leave of absence for himself for the remainder of the week after today's session.

Mr. GATES asked and obtained leave of absence for himself for the remainder of the week after today's session.

Mr. ROBINSON asked and obtained leave of absence for himself for the remainder of the week after today's session.

Mr. WOOD asked and obtained leave of absence for himself for the remainder of the week after today's session.

RECESS

The SPEAKER. If there are no objections the Chair is about to declare a recess for fifteen minutes. Are there objections? The Chair hears none and declares a recess for fifteen minutes.

AFTER RECESS

The SPEAKER (Roy E. Furman) in the Chair.

The time of recess having expired the House will be in order.

SENATE MESSAGE

SENATE INSISTS UPON AMENDMENTS NON-CONCURRED IN BY HOUSE

The Clerk of the Senate being introduced, informed that the Senate has insisted upon its amendments, nonconcurred in by the House of Representatives, to House Bill No. 159, entitled:

An Act authorizing the Commonwealth to negotiate temporary emergency loans to defray the current and/or other expenses of the State government during the fiscal year ending the thirty-first day of May, one thousand nine hundred thirty-seven evidenced by tax anticipation notes in two series secured by and payable from current revenues levied assessed collectible and/or accruing during such fiscal year defining the powers and duties of the Governor the Auditor General and the State Treasurer in relation thereto providing for the payment of interest on and the repayment of such loans providing for payments into the sinking fund and making an appropriation

Mr. ANDREWS. Mr. Speaker, I move that the House insist upon its non-concurrence in the amendments of the Senate and that a Committee of Conference be appointed.

The motion was agreed to.

APPOINTMENT OF CONFERENCE COMMITTEE ON HOUSE BILL No. 159

The SPEAKER. The Chair appoints as a Committee of Conference on House Bill No. 159, to confer with a similar committee on the part of the Senate: Messrs. Andrews, Burke and Turner.

Ordered, That the Clerk inform the Senate accordingly.

RESOLUTION INTRODUCED AND REFERRED

By Mr. TUMELTY (Concurrent) RESOLUTION No. 52

In the House of Representatives, July 23, 1936.

Whereas, The Statute Books of the Commonwealth of Pennsylvania are filled with many unrepealed obsolete statutes; therefore be it

Resolved (if the Senate concur), That the Legislative

Reference Bureau prepare a report listing in chronological form such statutes as in the judgment of the Bureau are obsolete, supplied, impliedly repealed or declared unconstitutional by the Superior or Supreme Court, but which have not been directly repealed and to attach to the citation of each such statute, the reason why the Bureau deems the statute of no value; therefore be it further

Resolved, That said report is to be presented at the next regular session of the General Assembly.

Referred to the Committee on Rules.

RECESS

The SPEAKER. If there are no objections the Chair is about to declare a recess for ten minutes. Are there objections? The Chair hears none and declares a recess for ten minutes.

AFTER RECESS

The SPEAKER (Roy E. Furman) in the Chair.

The time of recess having expired the House will be in order.

SENATE MESSAGE

APPOINTMENT OF CONFERENCE COMMITTEE ON HOUSE BILL No. 159

The Clerk of the Senate being introduced, informed that the Senate has insisted upon its amendments, nonconcurred in by the House of Representatives, to House Bill No. 159, entitled:

An Act authorizing the Commonwealth to negotiate temporary emergency loans to defray the current and/or other expenses of the State government during the fiscal year ending the thirty-first day of May one thousand nine hundred thirty-seven evidenced by tax anticipation notes in two series secured by and payable from current revenues levied assessed collectible and/or accruing during such fiscal year defining the powers and duties of the Governor the Auditor General and the State Treasurer in relation thereto providing for the payment of interest on and the repayment of such loans providing for payments into the sinking fund and making an appropriation

And has appointed Messrs. McClure, Owlett and Huffman a committee of conference to confer with a similar committee of the House of Representatives (already appointed(on the subject of the differences existing between the two houses in relation to said bill.

COMMUNICATIONS FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE BILL No. 68

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 23, 1936.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 68, Printer's No. 191, entitled, "An Act Authorizing the Department of Forests and Waters to make a survey and investigation with respect to flood control and the coordination of any Federal and State flood control program and making an appropriation."

GEORGE H. EARLE.

VETO OF HOUSE BILL No. 82

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 23, 1936.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I return herewith, without my approval, House Bill No. 82, Printer's No. 121, entitled "An Act to amend section one of the act approved the thirtieth day of March one thousand nine hundred and fifteen (Pamphlet Laws thirty-four) entitled 'An act to promote the health and efficiency of firemen in cities of the second class by providing for a two-platoon system for firemen in the department of public safety of such cities' as amended by changing the hours of the day and night shifts."

This bill would amend the Act of March 30, 1915, P. L. 34. That act provides for a two-platoon system of firemen in certain cities. The present bill would increase the hours of work of both platoons at the end of each two-week period, when the day and night platoons change tricks. The amendment would equalize the hours of duty and service required by the said act.

Although I am completely in sympathy with the objectives of this bill, the bill does not come within any provision of my call for the Special Session of the General Assembly and is therefore unconstitutional.

For this reason the bill is not approved.

GEORGE H. EARLE.

On the question,

Shall the bill become a law, the objections of the Governor to the contrary notwithstanding.

COMMUNICATION AND BILL LAID ON TABLE

Mr. COHEN. Mr. Speaker, I move that the communication together with the bill be laid upon the table.

The motion was agreed to.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor, being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

VETO OF HOUSE BILL No. 81

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 23, 1936.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I return herewith, without my approval, House Bill No. 81, Printer's No. 188, entitled "An Act to amend section one of the act approved the twenty-fifth day of April one thousand nine hundred and thirty-five (Pamphlet Laws eighty-two) entitled 'An act requiring certain cities to allow members of the fire departments twenty-four consecutive hours of rest each week and fourteen day's vacation each year except in emergency cases' by providing that the provisions of said act shall be mandatory and prohibiting any diminution of salary or compensation and exempting cities of the third class from the provisions of said act."

This bill would amend Section 1 of the Act of April 25, 1935, P. L. 82. That act requires certain cities to allow members of their fire departments twenty-four consecutive hours of rest each week, and fourteen days' vacation each year, except in emergency cases. The present bill would make the provisions of the Act of 1935 mandatory, would prohibit any diminution of salaries or compensation, and would exempt cities of the third class from the provisions of the said act.

Although I am completely in sympathy with the objectives of this bill, the bill does not come within any provision of my call for the Special Session of the General Assembly and is therefore unconstitutional.

For this reason the bill is not approved.

GEORGE H. EARLE.

On the question,

Shall the bill become a law, the objections of the Governor to the contrary notwithstanding.

COMMUNICATION AND BILL LAID ON TABLE

Mr. COHEN. Mr. Speaker, I move that the communication together with the bill be laid upon the table.

The motion was agreed to.

ADJOURNMENT

Mr. COHEN. Mr. Speaker, I move that this House do now adjourn until Monday, July 27, 1936, at 9:00 P. M.

The motion was agreed to, and (at 6:33 P. M.) the House adjourned until Monday, July 27, 1936, at 9:00 P. M.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Extraordinary Session of 1936.

Vol. 19. HARRISBURG, PA., MONDAY, JULY 27, 1936. No. 41.

SENATE

MONDAY, JULY 27, 1936

The Senate met at 9 o'clock P. M.

The PRESIDENT (Lieutenant Governor Thomas Kennedy) in the Chair.

PRAYER

The Chaplain, Rev. William E. Howard, D. D., offered the following prayer:

Without faith it is impossible to please Thee, our Father in Heaven; and it is vital to our temporal and eternal interests that we do please Thee. We may do good deeds, bestow great gifts, accomplish mighty achievements and call forth the plaudits of the multitudes and yet fail to receive Thy commendations. We must have that simple faith in Thee which earthly children repose in their parents before Thou canst say unto us "Well done, thou good and faithful servant"; and it is vain for us to profess such faith when we lack it, for Thou dost read the intent of the human heart as we read the pages of an open book.

Humanly speaking, faith is vital in all departments of society. Without it our homes, our business, our government and all institutions which minister to our happiness and well-being would collapse.

May every movement which tends to kill the faith of men in Thee and in one another meet defeat. Speed the day, O God, when all the ends of the earth shall call Thee Father and all men everywhere shall call each other brother.

This we ask, trusting Thy power and willingness to answer, in the name of Thy Son. Amen.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. SONES, the further reading was dispensed with, and the Journal was approved.

The PRESIDENT. May the Chair say, in starting this session of the Senate, that he hopes the Senators will consider—agree with the Chair—that the supply of personal privilege speeches has been exhausted. I think that will facilitate the work of the Senate.

May I say to those present here this evening that the Chair has no desire to interfere with any evidence of approval or disapproval of the action of the Senate; but in the conduct of the business of the Senate, such as roll calls and other business, the Chair expresses the hope, in the interest of bringing about a speedy and satisfactory conclusion of this Session, that we may have order during the discussion and during the roll calls—and will you help the Chair to accomplish that fact?

LEAVE OF ABSENCE

Mr. HARVEY asked and obtained leave of absence for the Senator from Luzerne, Mr. Sordoni.

COMMUNICATIONS

The PRESIDENT. The following communications were forwarded to Director de Schweinitz today:

Postcard from Mrs. Minnie Atheye,
2418 N. 26th St.,
Philadelphia, Penna.

Letter from Miss Sara Singleton,
1716 N. Woodstock St.,
Philadelphia, Penna.

Letter from Mrs. Mabel Rivers,
1714 N. Woodstock St.,
Philadelphia, Penna.

REPORTS FROM COMMITTEE:

Mr. GELDER, from the Committee on Appropriations, reported as amended, Senate Bill No. 19 (House Bill No. 15), entitled:

An Act ratifying confirming and validating the transfer of money from the State Stores Fund and the Motor License Fund to the General Fund and providing for the subsequent return from the General Fund of the transferred money

Also from the Committee on Appropriations, re-reported as amended, Senate Bill No. 49 (House Bill No. 69), entitled:

An Act authorizing and directing the Department of Forests and Waters to investigate survey and report on the location and availability for purchase of certain lands suitable for reforestation with flood control as the objective

RESOLUTION RECALLING SENATE BILL NO. 17 FROM THE GOVERNOR

Mr. BEAN offered the following resolution which was twice read, considered and agreed to:

In the Senate, July 23, 1936.

Resolved (if the House of Representatives concur), that Senate Bill No. 17, Printer's No. 4, entitled "An act to amend sections seven and eight of the act approved the twenty-second day of June one thousand nine hundred and thirty-five (Pamphlet Laws four hundred fourteen) entitled 'An act to provide revenue for State purposes imposing taxes upon certain classes of personal property providing for the assessment collection and lien of the same and the distribution of the proceeds thereof imposing duties on executors administrators registers of wills

recorders of deeds prohonotaries and court clerks and on persons copartnerships associations banks national banks trust companies and other corporations receiving deposits of money and on certain corporations and limited partnerships conferring powers and imposing duties on certain State officers and departments imposing penalties and making an appropriation' by changing certain penalties imposed by said act," be recalled from the Governor for further consideration.

Ordered: That the Clerk present the same to the House of Representatives for concurrence.

REPORT OF THE COMMITTEE OF CONFERENCE ON SENATE BILL No. 8

To the Members of the Senate and House of Representatives:

We the undersigned Committee of Conference on the part of the Senate and House of Representatives for the purpose of considering Senate Bill No. 8 entitled:

"A JOINT RESOLUTION

Proposing an amendment to section one article eighteen of the Constitution of the Commonwealth of Pennsylvania" respectfully submit the following bill as our report:

GEORGE L. REED,
BENJAMIN H. THOMPSON,
GLEN R. LAW,
Committee on the Part of the Senate
HOMER S. BROWN,
R. O. MINSKY.
ROBERT E. WOODSIDE, JR.,
Committee on the Part of the House of Representatives

A Joint Resolution proposing an amendment to section one article eighteen of the Constitution of the Commonwealth of Pennsylvania

Section 1 Be it resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met That the following amendment to the Constitution of the Commonwealth of Pennsylvania be and the same is hereby proposed in accordance with the eighteenth article thereof

That section one article eighteen of the Constitution of Pennsylvania is hereby amended to read as follows

Section 1 Any amendment or amendments to this Constitution may be proposed in the Senate or House of Representatives and if the same shall be agreed to by a majority of the members elected to each House such proposed amendment or amendments shall be entered on their journals with the yeas and nays taken thereon and the Secretary of the Commonwealth shall cause the same to be published three months before the next general or municipal election in at least two newspapers in every county in which such newspapers shall be published and if in the General Assembly next afterwards chosen such proposed amendment or amendments shall be agreed to by a majority of the members elected to each House the Secretary of the Commonwealth shall cause the same again to be published in the manner aforesaid and such proposed amendment or amendments shall be submitted to the qualified electors of the State in such manner and at such time at least three months after being so agreed to by the two Houses as the General Assembly shall prescribe and if such amendment or amendments shall be approved by a majority of those voting thereon such amendment or amendments shall become a part of the Constitution When two or more amendments shall be submitted they shall be voted upon separately.

On the question,

Will the Senate agree to the report?

Mr. REED (Dauphin). Mr. President, I will just take a moment to explain the actual changes in the eighteenth article of the Constitution which are made in this conference report. The words "or municipal" are added to the words "next general," so it reads "next general or municipal election." This was the amendment inserted by the House of Representatives and which we think clarifies the existing interpretation of this article.

The material change other than that which I have referred to consists of striking out the words "but no amendment or amendments shall be submitted oftener than once in five years." In other words, the five-year provision will be stricken out so that in the future, should this amendment be adopted, whenever any Legislature adopts an amendment and the subsequent Legislature adopts the same amendment, it shall go to the people at the next general or municipal election.

Mr. CAVALCANTE. Mr. President, we will note by the History of the Senate, as well as that of the House, that during this Special Session there have been a large, large number of bills introduced seeking constitutional amendments to the present Constitution. The number of bills introduced for the purpose clearly indicates that the present Constitution needs considerable overhauling; and it is because I believe in a revision of the Constitution, the present Constitution, that I intend to vote "No" on this Conference Committee report.

And the question recurring,

Will the Senate agree to the report?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—39

Aron,	Harris,	Prince,	Scott.
Batchelor,	Harvey.	Rankin,	Shapiro,
Baumer,	Homsher,	Reed,	Sones.
Bean,	Howell,	(Dauphin)	Staudenmeier,
Buckman,	Kahle,	Rice,	Thompson,
Chapman,	Lanius,	Roberts,	(Centre)
Coyne,	Law,	Rodgers,	Thompson,
Ealy,	Mallery,	Rupp,	(Westmoreland)
Frey,	McGinnis,	Ruth,	Trainer,
Gelder,	Miller,	Salus,	Woodward,
Graff,	Pierson,		

NAYS—4

Cavalcante,	McCreesh,	Pytko,	Reed, (Washington)

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 93 (House Bill No. 134), entitled:

An Act requiring unemployment relief orders to be presented for payment within a certain period otherwise to be cancelled and the moneys appropriated for their payment to be escheated to the Commonwealth and credited to the current appropriation for unemployment relief purposes.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—42

Aron,	Harris,	Pytko,	Salus,
Batchelor,	Harvey,	Rankin,	Scott,
Baumer,	Homsher,	Reed,	Shapiro,
Bean,	Howell,	(Dauphin)	Sones,
Buckman,	Lanius,	Reed,	Staudenmeier,
Cavalcante,	Law,	(Washington)	Thompson,
Chapman,	Mallery,	Rice,	(Centre)
Coyne,	McCreesh,	Roberts,	Thompson,
Ealy,	McGinnis,	Rodgers,	(Westmoreland)
Frey,	Miller,	Rupp,	Trainer,
Geider,	Pierson,	Ruth,	Woodward,
Graff,	Prince,		

NAYS—1

Kahle,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL ON THIRD READING

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 102 (House Bill No. 136), as follows:

A Joint Resolution proposing an amendment to article nine of the Constitution of the Commonwealth of Pennsylvania by adding thereto a section

Section 1 Be it resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met That the following amendment to the Constitution of Pennsylvania be and the same is hereby proposed in accordance with the eighteenth article thereof

That article nine be amended by adding thereto the following section

Section 17 In addition to the purposes stated in article nine section four of this Constitution the State may be authorized to issue bonds to the amount of forty-two millions of dollars ($42,000,000) for the acquisition of lands and buildings and the construction and improvement of State owned buildings and the equipment thereof for the care and maintenance of penal offenders delinquents mental defectives epileptics persons mentally diseased and tuberculosis patients and for the construction and equipment of buildings at the Pennsylvania State College

And said bill having been read at length the third time, and the amendments made thereto having been printed as required by the Constitution,

On the question,

Will the Senate agree to the bill?

Mr. STAUDENMEIER. Mr. President, I ask unanimous consent to amend page 2, line 3, by inserting after the word "diseased" the following: "the sick and the injured"

The PRESIDENT. Is there objection?

The PRESIDENT. Does the Senator from Schuylkill wish to explain his amendment?

Mr. STAUDENMEIER. Mr. President, I have been requested by several members of the Senate to explain the purpose of this amendment. This resolution, when it came over from the House, through inadvertence, neglected to state that a portion of these $42,000,000—if this Session should pass it, and the next session, and it then goes before the people and they approve it,—that a portion of the $42,000,000 can be used for institutions that take care of the sick and injured. The very proof of that—that it was the intention of the sponsors of this bill, Messrs. Cohen and Turner,—I refer the members of the Senate to a statement dated June 29, 1936: "H. R. 136 COHEN AND TURNER. Proposing Amendment to State Constitution to authorize a $42,000,000 bond issue for construction at State Owned Institutions under jurisdiction of Departments of Health and Welfare. Will provide approximately:"—Now, the members of the Senate will note, in scanning over the list of institutions, that we give to the

Ashland State Hospital	$170,000.00
Blossburg State Hospital	96,000.00
Coaldale State Hospital	262,370.00
Connellsville State Hospital	46,367.00
Hazleton State Hospital	777,195.57
Locust Mountain State Hospital	267,472.95
Nanticoke State Hospital	152,457.00
Philipsburg State Hospital	173,500.00
Scranton State Hospital	941,500.00
Shamokin State Hospital	118,300.00

Now, if the members of the Senate will refer to House Resolution No. 136, they will note this language:

"Section 17. In addition to the purposes stated in article nine, section four, of this Constitution, the State may be authorized to issue bonds to the amount of ofrty-two millions of dollars ($42,000,000) for the acquisition of lands and buildings, and the construction and improvement of State owned buildings and the equipment thereof, for the care and maintenance of penal offenders, delinquents, mental defectives, epileptics, persons mentally diseased and tuberculosis patients, and for the construction and equipment of buildings at the Pennsylvania State College."

I respectfully submit that none of the institutions that are enumerated in this circular of June 29, 1936, that I have mentioned here this evening, fall under any qualifications mentioned in this resolution as it came over from the House. It was the clear intent of the sponsors that these institutions become part and parcel of this general scheme, which can profit by passage at this Session and the next regular Session, and provided it be approved by the people, of this $42,000,000 program.

And it would be, I would say,—well, the height of silliness for us to say here that we are going to spend $42,000,000 for penal offenders, epileptics and mental defectives, and, in the next breath, neglect those that are sick and injured. It surely was not the intent of the sponsors of this resolution that that should be the purpose wrought by this resolution.

In taking the matter up with those in authority in the House, they were of the opinion, including one of the sponsors, that this resolution—that the language contained therein would take care of the sick and injured; and after drawing their attention—word for word—to this resolution, they agreed it does not take care of institutions that take care of he sick and injured. Hence, I do not think there is a man in this Senate who should vote against this amendment.

Mr. SHAPIRO. Mr. President, I desire to interrogate the Senator from Schuylkill, Mr. Staudenmeier.

The PRESIDENT. Will the Senator from Schuylkill, Mr. Staudenmeier, permit himself to be interrogated?

Mr. STAUDENMEIER. Mr. President, I will.

Mr. SHAPIRO. Mr. President, is it the intent of this amendment that this money shall be applied only for wholly-owned State institutions?

Mr. STAUDENMEIER. Mr. President, wholly-owned State institutions.

Mr. SHAPIRO. Mr. President, I should be obliged to object to the granting of unanimous consent, because by the wording of this Act this will mean there will be ad-

ditional funds granted to State-aided institutions. There is nothing in the wording, as the resolution is now prepared, to prevent the Senator's amendment applying also to the institutions receiving State aid. Those who will read the Act will notice it provides for $42,000,000 for the acquisition of lands and buildings, and the construction and improvement of State-owned buildings, and the equipment thereof, and then deals with the care and maintenance of penal offenders, and so forth. If the two words "sick and injured" are inserted, it would mean this money would be used for the purpose of helping State-aided institutions. There is no intent in the minds of the framers of this resolution as to state-aided institutions—to cover that. State-aided institutions receive benefits from this Legislature every two years, and are already provided for on the per diem basis.

Mr. STAUDENMEIER. Mr. President, in answer to the Senator from Philadelphia, I would respectfully draw to his attention that the institutions I have enumerated are wholly-owned institutions; they are not Sate-aided hospitals, they are State-owned hospitals, and come within the very language of this resolution.

Mr. SHAPIRO. Mr. President, may I further interrogate the Senator from Schuylkill, Mr. Staudenmeier.

The PRESIDENT. Will the Senator from Schuylkill permit himself to be interrogated further?

Mr. STAUDENMEIER. Mr. President, I will.

Mr. SHAPIRO. Mr. President, will the Senator be willing to correct his amendment so that the words "sick and injured in State-owned hospitals" will be added?

Mr. STAUDENMEIER. Mr. President, I certainly have no objection to adding that language to the amendment, but I respectfully submit that in the fore part it refers to State-owned institutions. Let me read it here· "Section 17. In addition to the purposes stated in article 9, section 4, of this Constitution, the State may be authorized to issue bonds to the amount of forty-two millions of dollars for the acquisition of lands and buildings and the improvement of State-owned buildings . . ."

Rather than have any doubt about this matter, I will be glad to go with the Senator tomorrow and take it up with the Legislative Reference Bureau.

BILL OVER IN ORDER

Mr. STAUDENMEIER. Mr. President, in deference to the Senator from Philadelphia, Mr. Shapiro, and any other member of the Senate who may have any doubt as to the effect of this amendment, I ask unanimous consent that Senate Bill No. 102 (House Bill No. 136), go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 107 (House Bill No. 156), as follows:

An Act making an appropriation to the State Emergency Relief Board for direct relief and expenses defining the purposes for which such moneys may be expended creating public assistance boards in each county and prescribing their powers and duties imposing certain expenses on counties prescribing the powers and duties of the State Emergency Relief Board and certain State departments county officers poor directors and courts of common pleas prohibiting political activity by employes of the State Emergency Relief Board and prescribing penalties

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of is hereby specifically appropriated from the General Fund to the State Emergency Relief Board to provide direct relief only and for administrative expenses as hereinafter provided during the period ending January thirty-first one thousand nine hundred and thirty-seven Provided That not more than eight per centum of the money allocated for expenditure prior to December first one thousand nine hundred and thirty-six and not more than one per centum of the total balance of the amount hereby appropriated shall be used for administration expenses of the State Emergency Relief Board and not more than seven per centum of the total amount allocated to any county for expenditure subsequent to November thirtieth one thousand nine hundred and thirty-six shall be used for administrative expenses of the public assistance board hereinafter created of such county

Section 2 The State Emergency Relief Board shall make allocations from time to time out of the moneys appropriated to it among the several counties of this Commonwealth for direct relief only on a ratio that the estimated total number of unemployed persons in a county bears to the estimated total number of unemployed persons in the entire Commonwealth as shown from time to time by the latest available tables compiled and issued by the Department of Labor and Industry The amounts so allocated to each county shall be paid over to the county treasurer under such system of requisitioning and accounting as the Governor Auditor General and State Treasurer shall determine

Section 3 The money so allocated to a county shall be available for expenditure in that county for direct relief only for the unemployed who are without means of support Such money shall until December first one thousand nine hundred and thirty-six be expended through such agencies as shall be designated by the State Emergency Relief Board and under such rules and regulations as the board shall adopt After such date such moneys shall be expended in each county by a public assistance board consisting in counties where a poor district is coextensive with the county of the directors or guardians of the poor of such poor district and two additional members qualified electors of the county to be appointed by the Executive Director of the State Emergency Relief Board and in counties where a poor district is not coextensive with the county of five members qualified electors of the county three of whom shall be appointed by the court of common pleas of the county and two by the Executive Director of the State Emergency Relief Board The appointed members of public assistance boards shall receive such salaries as shall be fixed by the salary board of the county or by the county commissioners in counties where there is no salary board in either event with the approval of the court of common pleas Such salaries of appointed members and the expenses of all the members of the public assistance board shall be paid by the county out of county moneys

The public assistance board in each county shall have full power to administer unemployment relief therein and to expend the money allocated to the county but shall be required to make monthly reports of expenditures to the State Emergency Relief Board in such form and detail as may be required by said board

Each county public assistance board shall have authority to employ and fix the compensation of a county executive director and such clerks stenographers investigators and employes as are deemed necessary to supervise and administer the distribution of direct relief in accordance with this act

The State Emergency Relief Board shall transfer to the public assistance boards of the several counties all motor vehicles furniture supplies and records now in the custody

or possession of any county or district office or agency of the State Eemergency Relief Board

The moneys allocated to a county and paid into the county treasury shall be paid out under such system of requisition and accounting as the public assistance board of the county and the county treasurer shall by agreement establish The county treasurer may with the consent of the public assistance board appoint one or more clerks to assist him in the performance of his duties in receiving and paying out moneys The compensation of such clerks or clerks shall be paid as part of the administrative expenses of the public assistance board

The funds allocated to the counties under the provisions of this act and expended by, the public assistance board shall be audited by the Auditor General in the manner provided by law

Section 4 Out of the appropriation made by this act the State Emergency Relief Board shall from time to time allocate to the State Veterans' Commission an aggregate of one hundred seventy-six thousand two hundred and fifty dollars ($176,250) for the payment of traveling expenses and for other authorized disbursements of the State Veterans' Commission and to furnish funds to provide the necessities of life for and to assist otherwise such Pennsylvania veterans of any war or the widows and infant children or dependents of such veterans as are sick disabled or indigent and who are without means

Section 5 The State Emergency Relief Board may from time to time expend or authorize the expenditure of such sums as may be necessary out of the appropriation made by this act not exceeding the limitation hereinbefore prescribed for the payment of salaries wages or other compensation of the director and other employes or assistants for the payment of postage traveling expenses mileage charges to the Department of Property and Supplies for the use of automobiles telephone rentals telephone toll charges telegrams expenses of operating and maintaining automobiles and other motor equipment newspaper advertising and notices freight express cartage for the purchase of automobiles furniture furnishings and equipment for the purchase of supplies printing binding patent indices for the payment of premiums on surety bonds for such officers and employes as may be required by statute or otherwise to furnish them for the faithful performance of their official duties or to account for funds in their possession for the payment of a premium or premiums on a policy or policies of liability insurance covering all motor vehicles owned and operated by the board or transferred to county public assistance boards for their use which policy or policies shall protect both the Commonwealth and State officers or employes and members and employes of the county public assistance boards operating such motor vehicles against claims for damages for injury to person or property for the payment of a premium or premiums on a policy or policies of insurance insuring the Commonwealth against workmen's compensation liability to employes for injuries and to dependents of deceased employes of the board including employes of county public assistance boards for payment to the State Work Relief Compensation Fund of such moneys as may be necessary under the provisions of the act approved the third day of June one thousand nine hundred thirty-three (Pamphlet Laws one thousand five hundred fifteen) for the payment of rents for such buildings offices rooms storage space and lands as may be required for the accommodation or performance of the work of the board and for such other uses as the State Emergency Relief Board may in its discretion deem necessary to carry out the purposes for which the appropriation is made under this act

Section 6 No investigator clerk or other employe of the State Emergency Relief Board shall be member of or delegate or alternate delegate to any political convention nor be present at any such convention nor serve as a member of or attend meetings of any committee of any political party or take any active part in political management or in political campaigns or use his position to influence political movements or influence the political action of any other person nor in any way or manner interfere with the conduct of any election or the preparation therefor at the polling place or with the election officers while the vote is being counted or the vote or ballot box is being returned save only for the purpose of marking and depositing his ballot nor be within fifty feet of any polling place during voting hours and the counting of the ballots except for the purpose of residence or travel Any person who shall violate any of the foregoing provisions shall be guilty of a misdemeanor and shall upon conviction thereof be punished by a fine not exceeding five hundred dollars ($500) and forefeit his position

Section 7 This act shall become effective immediately upon final enactment

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED

Mr. GELDER. Mr. President, I move that Senate Bill No. 107 (House Bill No. 156), the bill just read, be recommitted to the Committee on Appropriations.

Mr. WOODWARD. Mr. President, I second the motion.

The motion was agreed to.

NOMINATIONS BY THE GOVERNOR

The Secretary to the Governor being introduced, presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows, and referred to the Committee on Executive Nominations:

NOTARIES PUBLIC

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 27, 1936.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

ALLEGHENY COUNTY

James W. Truxal, Millvale.

DELAWARE COUNTY

E. S. Quay, East Lansdowne.

LACKAWANNA COUNTY

Anthony D. Carrano, Scranton.
Fred Hammernick, Scranton.

NORTHAMPTON COUNTY

Frank L. Maurer, Easton.

PHILADELPHIA COUNTY

Murray L. Alterman, 1129 Bankers Securities Bldg., Philadelphia.
Lester S. Gibbs, 800 W. Lehigh Ave., Philadelphia.
Matt A. Lynch, 4666 Penn St., Philadelphia.
Miss Margaret Rosborough, 1007 Commercial Trust Bldg,. Philadelphia.

WESTMORELAND COUNTY

Miss Hilda C. Dahlem, Greensburg.
Miss Emily P. McGinnis, Latrobe.

GEORGE H. EARLE.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 27, 1936.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as Notares Public, for terms of four years to compute from the dates set opposite their names:

ALLEGHENY COUNTY

William C. Stratman, Pitttsburgh, August 2, 1936.

PHILADELPHIA COUNTY

Jacob Sommerstein, Philadelphia, August 18, 1936.

GEORGE H. EARLE.

JUSTICE OF THE PEACE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 27, 1936.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Ferdinand J. Biter, of Loretto, Cambria County, for appointment as Justice of the Peace in the Borough of Loretto, Cambria County (to fill a vacancy), until the first Monday in January, 1938.

GEORGE H. EARLE.

MOTION TO READ BILL THE FIRST TIME

Mr. BUCKMAN. Mr. President, I move that the bill reported from committee at today's session be read the first time.

Mr. SONES. Mr. President, I second the motion.

The motion was agreed to.

BILL ON FIRST READING

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 19 (House Bill No. 15), entitled:

An Act ratifying confirming and validating the transfer of money from the State Stores Fund and the Motor License Fund to the General Fund and providing for the subsequent return from the General Fund of the transferred money.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

RECESS

Mr. BUCKMAN. Mr. President, while conference committees are now out working, I move that the Senate do now take a recess for thirty minutes.

Mr. HOWELL. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS

The PRESIDENT. The time of recess having elapsed, the Senate will be in order.

HOUSE MESSAGES

HOUSE CONCURS IN RESOLUTION RECALLING FROM THE GOVERNOR SENATE BILL NO. 17

The Clerk of the House of Representatives being introduced presented communication from the House of Representatives informing the Senate that the House has concurred in resolution from the Senate as follows:

In the Senate, July 23, 1936.

Resolved (If the House of Representatives concur) That Senate Bill No. 17, Printer's No. 4, entitled:

An Act to amend sections seven and eight of the act, approved the twenty-second day of June, one thousand nine hundred and thirty-five (P. L. 414), entitled "An act to provide revenue for State purposes; imposing taxes upon certain classes of personal property; providing for the assessment, collection, and lien of the same, and the distribution of the proceeds, thereof; imposing duties on executors, administrators, registers of wills, recorders of deeds, prothonotaries, and court clerks, and on persons, copartnerships, associations, banks, national banks, trust companies, and other corporations receiving deposits of money, and on certain corporations and limited partnerships; conferring powers and imposing duties on certain State officers and departments; imposing penalties; and making an appropriation," by changing certain penalties imposed by said act.

be recalled from the Governor for further consideration.

HOUSE ADOPTS REPORT OF COMMITTEE OF CONFERENCE ON SENATE BILL NO. 8

He also presented communication from the House of Representatives informing the Senate that the House has adopted the report of the Committee of Conference on the subject of the differences existing between the two Houses in relation to Senate Bill No. 8 entitled:

A Joint Resolution proposing an amendment to section one article eighteen of the Constitution of the Commonwealth of Pennsylvania

CONSIDERATION OF SENATE BILL No. 102

Mr. STAUDENMEIER. Mr. President, I move that the Senate do now proceed to the consideration of Senate Bill No. 102 (House Bill No. 136), on third reading, entitled:

A Joint Resolution proposing an amendment to article nine of the Constitution of the Commonwealth of Pennsylvania by adding thereto a section

Mr. MALLERY. Mr. President, I second the motion.

The motion was agreed to.

BILL ON THIRD READING

Agreeably to order.

The Senate proceeded to the third reading and consideration of Senate Bill No. 102 (House Bill No. 136), as follows:

A Joint Resolution proposing an amendment to article nine of the Constitution of the Commonwealth of Pennsylvania by adding thereto a section

Section 1 Be it resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met That the following amondment to the Constitution of Pennsylvania be and the same is hereby proposed in accordance with the tighteenth article thereof

That article nine be amended by adding thereto the following section

Section 17 In addtiion to the purposes stated in article nine section four of this Constitution the State may be auhorized to issue bonds to the amount of forty-two millions of dollars ($42,000,000) for the acquisition of lands and buildings and the construction and improvement of State owned buildings and the equipment thereof for the care and maintenance of penal offenders delinquents mental defectives epileptics persons mentally diseased and tuberculosis patients and for the construction and equipment of buildings at the Pennsylvania State College

And said bill having been read at length the third time, and the amendments made thereto having been printed as required by the Constitution,

On the question,

Will the Senate agree to the bill?

Mr. BATCHELOR. Mr. President, I object to immediate consideration—I have no objection to immediate consideration, but I question the advisability of adopting these amendments.

POINT OF ORDER

Mr. BUCKMAN. Mr. President, I rise to a point of order.

The PRESIDENT. The Senator from Bucks, Mr. Buckman, will state his point of order.

Mr. BUCKMAN. Mr. President, my point of order is, this bill is on third reading, and unless the amendments are inserted by unanimous consent, the amendments cannot be inserted at all.

Mr. STAUDENMEIER. Mr. President, I respectfully call to the attention of the Chair that no objection was offered to the amendment.

The PRESIDENT. The Senator from Beaver did not object.

Mr. BATCHELOR. Mr. President, I did not object to the consideration of the amendment. I would object to the immediate adoption of these amendment, then, Mr. President.

The PRESIDENT. The Chair is of the opinion that the Senator from Beaver is rather late with his objection. The Chair rules that no objection has been made to immediate consideration. That is the decision of the Chair.

Mr. BATCHELOR. All right, Mr. President. Of course, I want to speak against the adoption of the bill then.

Mr. STAUDENMEIER. Mr. President, I take it now—I am merely asking for information—raising a point of information: There is nothing before the Senate except that the Chair will direct that the bill lie over for printing.

The PRESIDENT. If the Senate agrees to the amendment.

POINT OF ORDER

Mr. BUCKMAN. Mr. President, I renew my point of order.

The PRESIDENT. The Senator from Bucks, Mr. Buckman, will state his point of order.

Mr. BUCKMAN. Mr. President, unless the amendments are actually inserted, on third reading, they cannot be inserted unless the vote be reconsidered on second reading.

Mr. STAUDENMEIER. Mr. President, I again draw to the attention of the Senator from Bucks, Mr. Buckman, that no objection was made to the insertion of the amendments.

The PRESIDENT. The Chair did not hear any objection, not even by the Senator from Beaver.

QUESTION OF PARLIAMENTARY INQUIRY

Mr. BATCHELOR. Mr. President, while I do not exactly understand what you mean, I rise to a question of parliamentary inquiry.

The PRESIDENT. The Senator from Beaver, Mr. Batchelor, will state his question of parliamentary inquiry.

Mr. BATCHELOR. Mr. President, I understood the Chair to ask if there was any objection to immediate consideration of these amendments, and I said that I did not object to immediate consideration but that I did object to the amendments.

Mr. STAUDENMEIER. Mr. President, with the explanation that the Senator from Beaver has now given, I imagine that the parliamentary procedure is in form.

Mr. STAUDENMEIER. Mr. President, I move to reconsider the vote by which the bill No. 102 passed second reading.

The PRESIDENT. How did the Senator vote?

Mr. STAUDENMEIER. Mr. President, I voted "aye".

Mr. HARVEY. Mr. President, I second the motion.

The PRESIDENT. How did the Senator vote?

Mr. HARVEY. Mr. President, I voted "aye".

On the question,

Will the Senate agree to the motion?

It was agreed to.

And the question recurring,

Will the Senate agree to the bill on second reading?

Mr. STAUDENMEIER. Mr. President, I move to reconsider the vote by which the title was agreed to.

Mr. HARVEY. Mr. President, I second the motion.

The motion was agreed to.

And the question recurring,

Will the Senate agree to the title?

Mr. STAUDENMEIER. Mr. President, I move to reconsider the vote by which the first section of the bill was agreed to.

Mr. HARVEY. Mr. President, I second the motion.

The motion was agreed to.

And the question recurring,

Will the Senate agree to the section?

The first section of the bill was read as follows:

Section 1 Be it resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met That the following amendment to the Constitution of Pennsylvania be and the same is hereby proposed in accordance with the eighteenth article thereof

That article nine be amended by a 'ding thereto the following section

Section 17 In addition to the purposes stated in article nine section four of this Constitution the State may be authorized to issue bonds to the amount of forty-two millions of dollars ($42,000,000) for the acquisition of lands and buildings and the construction and improvement of State owned buildings and the equipment thereof for the care and maintenance of penal offenders delinquents mental defectives epileptics persons mentally diseased and tuberculosis patients and for the construction and equipment of buildings at the Pennsylvania State College

On the question,

Will the Senate agree to the section?

Mr. STAUDENMEIER. Mr. President, I move to amend page 2, line 3, by inserting after the word "deceased" the following: "the sick and the injured".

Mr. HARVEY. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The title of the bill was read as follows and agreed to:

A Joint Resolution proposing an amendment to article nine of the Constitution of the Commonwealth of Pennsylvania by adding thereto a section

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

MOTION TO ADJOURN

Mr. BUCKMAN. Mr. President, I move that the Senate do now adjourn until tomorrow at twelve o'clock noon.

Mr. GELDER. Mr. President, I second the motion.

(Prolonged interruption from the gallery)

On the question,

Will the Senate agree to the motion?

The PRESIDENT. Let me say to those in the Hall that the Conference Committee on the tax anticipation notes is now meeting and will likely be in session all night. The Appropriation Committee reported bills out tongiht and will meet in the morning. Therefore, under the parliamentary rules of the Senate nothing can be done until these committees report back to the Senate. The Chair has recognized the motion to adjourn until noon tomorrow, and it is hoped that these committees may be able to report.

The Chair has no alternative but to put the motion. The motion is to adjourn until noon tomorrow.

(Continued interruptions by voices from the gallery).

ORDER OF THE DAY CALLED

Mr. BUCKMAN. Mr. President, it being twelve o'clock midnight, I call for the order of the day.

QUESTION OF QUORUM

Mr. SHAPIRO. Mr. President, there are four members who are requesting the call of the roll to ascertain whether or not a quorum is present.

The PRESIDENT. The Senator from Philadelphia raises the question of a quorum.

Mr. SHAPIRO. Mr. President, my question is that no quorum being present, the motion to adjourn cannot be taken, and since I am here, I expect all the rest of the members of the Senate to be here. I shall make a further motion when this question is determined. I shall not attempt to compete with the noise from the gallery, and I suggest that the gallery subside so that we may be able to transact business; therefore, I ask that the roll be called for the purpose of ascertaining whether there is a quorum present.

The PRESIDENT. The roll will be called to ascertain whether or not a quorum is present.

The roll was called and the following were present: Messrs. Aron, Batchelor, Buckman, Cavalcante, Chapman, Ealy, Frey, Gelder, Graff, Harris, Homsher, Huffman, Lanius, McCreesh, Owlett, Pierson, Pytko, Ruth, Saus, Scott, Shapiro, Thompson (Centre), Thompson (Westmoreland), Trainer.

The PRESIDENT. The roll call shows twenty-four members present, which is less than a quorum.

Mr. SHAPIRO. Mr. President, I now desire to read Rule 35: "When, upon a call, which may be demanded by not less than four Senators, it is found that less than a quorum is present, it shall be the duty of the President to order the doors of the Senate to be closed, and to direct the Clerk to call the roll of the Senate, and note the absentees, after which the names of the absentees shall again be called, and for those whose absence no excuse, or an insufficient excuse, is made, may, by order of a majority of the Senators present, be sent for and taken in custody by the sergeant-at-arms, or his assistants appointed for the purpose, and brought before the bar of the Senate, where, unless excused by a majority of the Senators present, they shall be reproved by the President for neglect of duty."

I now call for the Chair to act in accordance with Rule 35.

The PRESIDENT. The Secretary will announce the absentees.

The absentees were as follows:

Messrs. Baumer, Bean, Bennett, Clark, Coyne, Harvey, Howell, Kahle, Law, Mallery, McClure, McGinnis, Miller, Prince, Rankin, Reed (Dauphin), Reed (Washington), Rice, Roberts, Rodgers, Rupp, Sones, Sordoni, Staudenmeier, Woodward and Ziesenheim.

The PRESIDENT. The Chair instructs the sergeant-at-arms to gather together the absentees.

Mr. BUCKMAN. Mr. President, I and four other Senators raise the question of a quorum.

Mr. SHAPIRO. Mr. President, I object. Rule 35 has not yet been executed. Rule 35 requires that the sergeant-at-arms be sent for the absent members to make excuses. They have not yet been sent for, and I have heard no report from the sergeant-at-arms.

Mr. BUCKMAN. Mr. President, it does not say anything of the kind. It says, "by action of a majority." I renew my call for a test vote on a quorum being present, and I ask that four Senators stand up and join me.

The call was seconded by Messrs. Homsher, Reed (Dauphin), Chapman and Batchelor.

POINT OF ORDER

Mr. SHAPIRO. Mr. President, I rise to a point of order.

The PRESIDENT. The Senator from Philadelphia will state his point of order.

Mr. SHAPIRO. The motion made by the Senator from Bucks, Mr. Buckman, is out of order, because Rule 35 has not yet been executed. It requires more than the mere bringing in of a quorum. The Rule requires, as I read it, that sergeant-at-arms shall be sent to bring in the absent Senators, and they shall be brought to the bar of the Senate to give excuses, and until they do so the Rule has not been executed.

The PRESIDENT. The latter part of the Rule referred to by the Senator from Philadelphia provides that the Chair shall ascertain if a quorum is present, then the roll of the absentees shall be called, and in the meantime the absentees are to be sent for. The majority vote of the Senate is necessary, in the latter part of the Rule, to require appearance before the bar of the Senate.

Mr. BUCKMAN. Mr. President, I renew my call for the presence of a quorum, which has already been seconded.

Mr. CAVALCANTE. Mr. President, I ask for a roll call on the previous question.

The PRESIDENT. The Rule provides that the absentees shall again be called, then a majority vote of the Senate shall decide as to what shall be done with those not responding to the absentee call.

Mr. SHAPIRO. Mr. President, I now move, in accordance with Rule 35, that the absent members, with the exception of Senator Prince, whose absence we all can understand there is a reason for, be sent for by the sergeant-at-arms.

POINT OF ORDER

Mr. BUCKMAN. Mr. President, I rise to a point of order.

The PRESIDENT. The Senator from Bucks, Mr. Buckman, will state his point of order.

Mr. BUCKMAN. Mr. President, my point of order is that a majority of the Senate has answered to the roll call, and there is a previous question pending before the House, for which I now call.

The PRESIDENT. The Chairs feels that the point raised by the Senator from Bucks is not well taken, by reason of the fact that the motion of the Senator from Philadelphia is to carry out the purpose and principle of raising the question of no quorum, and that its natural sequence provides that they shall be sent for in accordance with the motion. It is up to a majority of the Senate to decide on that motion. The motion is made by the Senator from Philadelphia, Mr. Shapiro, seconded by the Senator from Philadelphia, Mr. McCreesh, that the absentees who did not respond shall be sent for by the sergeant-at-arms.

MOTION TO ADJOURN

Mr. BUCKMAN. Mr. President, I move that the Senate do now adjourn until twelve o'clock noon tomorrow.

Mr. OWLETT. Mr. President, I second the motion.

The PRESIDENT. The Chair has ruled that the motion of the Senator from Philadelphia, Mr. Shapiro, is the natural sequence to the point of no quorum. It is therefore in order. The motion is that the absentees be sent for.

On the question the roll will be called and the Clerk will proceed.

Mr. SHAPIRO. Mr. President, I understand that we are voting on the motion made by me that the absent Senators be sent for.

The PRESIDENT. The Chair informs the Senator from Philadelphia, Mr. Shapiro, that his understanding is correct.

And the question recurring,

Will the Senate agree to the motion?

The yeas and nays were required by Mr. SHAPIRO and Mr. McCREESH and were as follows, viz:

YEAS—10

Cavalcante,	McCreesh,	Ruth,	Thompson,
Frey,	Pytko,	Scott,	(Centre)
Harris,	Rupp,	Shapiro,	

NAYS—19

Aron,	Gelder,	Lanius,	Rodgers,
Batchelor,	Graff,	Mallery,	Salus,
Buckman,	Homsher,	Owlett,	Thompson,
Chapman,	Howell,	Pierson,	(Westmoreland)
Ealy,	Huffman,	Reed,	Trainer,
		(Dauphin)	

So the question was determined in the negative.

Mr. BUCKMAN. Mr. President, I call for my previous motion, which was made at ten minutes to eleven and has not yet been put by the Chair.

The PRESIDENT. The question is on the motion made by the Senator from Bucks, that the Senate stands adjourned until twelve o'clock tomorrow noon.

Mr. SHAPIRO. Mr. President, I propose to ask for a roll call on this motion, and I propose to vote against the motion. My reason—

POINT OF ORDER

Mr. BUCKMAN. I rise to a point of order.

The PRESIDENT. The Senator from Bucks will state his point of order.

Mr. BUCKMAN. Mr. President, the motion to adjourn is not debatable.

Mr. SHAPIRO. Mr. President, since we are indulging in technicalities, I rise to a question of personal privilege.

POINT OF ORDER

Mr. BUCKMAN. Mr. President, I rise to a point of order.

The PRESIDENT. The Senator from Bucks, Mr. Buckman, will state his point of order.

Mr. BUCKMAN. Mr. President, my point of order is that there is a motion before the House that is not debatable, and the question of personal privilege is not in order.

The PRESIDENT. A motion to adjourn is not debatable.

Mr. SHAPIRO. Mr. President, I gave the orders to a gentleman who—

Mr. OWLETT. Mr. President, is the Senator afraid to tell his name?

Mr. SHAPIRO. Mr. President, I am not afraid to tell the Senator from Tioga, or anybody else on the floor. I do not know the gentleman's name, but I, or anybody else, can very quickly—

Mr. OWLETT. Mr. President, I desire to interrogate the Senator from Philadelphia, Mr. Shapiro.

The PRESIDENT. Will the Senator from Philadelphia, Mr. Shapiro, permit himself to be interrogated?

Mr. SHAPIRO. Mr. President, I should be very glad to have the Senator from Tioga interrogate me.

Mr. OWLETT. Mr. President, I should like to ask the Senator from Philadelphia who he spoke to a little while ago, asking that the crowd in the gallery keep quiet.

Mr. SHAPIRO. Mr. President, the gentleman who came down here to address the Senate last week—I do not know his name, but I understand he is one of the unemployed, very much interested. If the Senator from Tioga is interested in him, I think he wil give the Senator fuller details.

Mr. OWLETT. Mr. President, I would like to ask the Senator from Philadelphia, Mr. Shapiro, if he is the man who organized this hunger march.

Mr. SHAPIRO. Mr. President, if I organized the hunger march the Senator from Tioga would not be as comfortable as he is now.

Mr. President, for the benefit of the Senator from Tioga and the rest of the members of this Senate, I do not know a single person in this group; but I do know what I am here for, and that is to answer the call of this Session, which was to provide relief and take care of the other matters in the call.

Mr. President, if some more Republican Senators walk out, I will call for a quorum again.

Mr. President, my reason for insisting again—

Mr. President, if we are going to play marbles, I can play marbles, and I know how to play marbles. Last Thursday—

I view with alarm any gifts from the Senator from Beaver.

The PRESIDENT. The roll was asked for on the

motion to adjourn. Evidently a poll was taken, which the Chair is unable to accept.

Let us have order, please. Let me say to you, you are not helping the unemployed or the reilief situation just at this moment.

Just a minute. Request was made by the Senator from Philadelphia, Mr. Shapiro, and others, that the roll be called on the motion to adjourn. Now, there was a poll taken, which, as I said, the Chair is unable to accept. There is only the alternative left of proceeding with the roll in order, as demanded by the Senator from Philadelphia, Mr. Shapiro, and the clerk will proceed.

And the question recurring,

Will the Senate agree to the motion?

ADJOURNMENT

The yeas and nays were required by Mr. SHAPIRO and Mr. OWLETT, and were as follows, viz:

YEAS—21

Batchelor,	Graff,	Owlett,	Rupp,
Bean,	Homsher,	Pierson,	Salus,
Buckman,	Howell,	Reed,	Thompson,
Chapman,	Huffman,	(Dauphin)	(Westmoreland)
Ealy,	Lanius,	Roberts,	Trainer,
Gelder,	Mallery,	Rodgers,	

NAYS—10

Aron,	Harris,	Ruth,	Thompson,
Cavalcante,	McCreesh,	Scott,	(Centre)
Frey,	Pytko,	Shapiro,	

So the question was determined in the affirmative.

The Senate adjourned at 12 midnight until 12 o'clock noon, Tuesday, July 28, 1936.

HOUSE OF REPRESENTATIVES

MONDAY, July 27, 1936

The House met at 9.00 p. m.

The SPEAKER (Roy E. Furman) in the Chair.

PRAYER

The Reverend MARSHALL L. SHEPARD, a member of the House, offered the following prayer:

Thou who hast been our dwelling place in all generations, we pray Thee as we gather for this week's session of this Legislature that we may be conscious of Thy presence. We pray Thee that we may be guided by Thy wisdom, that in all we shall undertake we shall be conscious of the great responsibility that is upon us as members of this Legislature, and dedicate our lives to the general welfare of our citizens.

Bless the Speaker of this House and all of his aides. In His name and for His sake. Amen.

JOURNAL APPROVED

The SPEAKER. The Clerk will read the Journal of Thursday, July 23, 1936.

The Clerk proceeded to read the Journal of Thursday, July 23, 1936, when, on motion of Mr. SCHROCK the further reading was dispensed with and the Journal approved.

COMMUNICATION

The SPEAKER laid before the House the following communication which was read by the Clerk:

REPAYMENT OF MOTOR FUNDS

A communication from the Pennsylvania Motor Federation demanding repayment of Motor License Funds.

Referred to the Committee on Appropriations.

SENATE MESSAGE

RESOLUTION FOR CONCURRENCE

The Clerk of the Senate being introduced presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, July 23, 1936.

Resolved (if the House of Representatives concur), that Senate Bill No. 17, Printer's No. 4, entitled "An act to amend sections seven and eight of the act approved the twenty-second day of June one thousand nine hundred and thirty-five (Pamphlet Laws four hundred and fourteen) entitled 'An act to provide revenue for State purposes imposing taxes upon certain classes of personal property providing for the assessment collection and lien of the same and the distribution of the proceeds thereof imposing duties on executors administrators registers of wills recorders of deeds prothonotaries and court clerks and on persons copartnerships associations banks national banks trust companies and other corporations receiving deposits of money and on certain corporations and limited partnerships conferring powers and imposing duties on certain State officers and departments imposing penalties and making an appropriation' by changing certain penalties imposed by said act," be recalled from the Governor for further consideration.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

SENATE ADOPTS CONFERENCE COMMITTEE REPORT ON SENATE BILL No. 8

The Clerk of the Senate being introduced, informed that the Senate has adopted the report of the Committee of Conference on the subject of the difference existing between the two Houses on Senate Bill numbered and entitled as follows:

SENATE BILL No. 8.

A Joint Resolution proposing an amendment to section one article eighteen of the Constitution of the Commonwealth of Pennsylvania

REPORT OF COMMITTEE OF CONFERENCE ON SENATE BILL No. 8.

Mr. HOMER S. BROWN. Mr. Speaker, I desire to call up at this time the report of the Committee of Conference on Senate Bill No. 8, Printer's No. 37.

The report was read by the Clerk as follows:

To the Members of the Senate and House of Representatives:

We the undersigned Committee of Conference on the part of the Senate and House of Representatives for the purpose of considering Senate Bill No. 8 entitled:

"A JOINT RESOLUTION

Proposing an amendment to section one article eighteen of the Constitution of the Commonwealth of Pennsylvania" respectfully submit the following bill as our report:

GEORGE L. REED,
BENJAMIN H. THOMPSON,
GLEN R. LAW,
Committee on the Part of the Senate
HOMER S. BROWN,
R. OMINSKY,
ROBERT E. WOODSIDE, JR.,
Committee on the Part of the House of Representatives

A Joint Resolution proposing an amendment to section one article eighteen of the Constitution of the Commonwealth of Pennsylvania

Section 1 Be it resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met That the following amendment to the Constitution of the Commonwealth of Pennsylvania be and the same is hereby proposed in accordance with the eighteenth article thereof

That section one article eighteen of the Constitution of Pennsylvania is hereby amended to read as follows

Section 1 Any amendment or amendments to this Constitution may be proposed in the Senate or House of Representatives and if the same shall be agreed to by a majority of the members elected to each House such proposed amendment or amendments shall be entered on their journals with the yeas and nays taken thereon and the Secretary of the Commonwealth shall cause the same to be published three months before the next general or municipal election in at least two newspapers in every county in which such newspapers shall be published and if in the General Assembly next afterwards chosen such proposed amendment or amendments shall be agreed to by a majority of the members elected to each House the Secretary of the Commonwealth shall cause the same again to be published in the manner aforesaid and such proposed amendment or amendments shall be submitted to the qualified electors of the State in such manner and at such time at least three months after being so agreed to by the two Houses as the General Assembly shall prescribe and if such amendment or amendments shall be approved by a majority of those voting thereon such amendment or amendments shall become a part of the Constitution When two or more amendments shall be submitted they shall be voted upon separately

On the question,

Will the House adopt the report of the Committee of Conference?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—202

Achterman,	Eberharter,	Mason,	Shepard,
Alexander,	Eroe,	McCreary,	Shortz,
Allen,	Falkenstein,	McDermott,	Shreiner,
Altenburg,	Ferko,	McDevitt,	Shugarts,
Andrews,	Finnerty,	McElroy,	Siegel,
Anthony,	Fitch,	McHenry,	Simon.
Arnold,	Flanagan,	McKinney,	Simpson,
Atkins,	Flinchbaugh,	Melchiorre,	Sinwell,
Aukerman,	Flynn	Mentzer,	Sloan,
Baine,	Forrest,	Merrell,	Smith, J. A.,
Baker, F. T.,	Gates,	Moomaw,	Smith, W. G.,
Baker, J. J.,	Gerard,	Moore,	Snyder, F. E.,
Baldi,	Gillette,	Moran,	Snyder, J. L.,
Barber,	Greenstein,	Moul,	Sowers,
Barnhardt,	Habbyshaw,	Muir,	Sproul,
Beadman,	Haberlen,	Munley,	Stank,
Bernhard,	Hagerty,	Murrin,	Stevens,
Blumberg,	Haluska,	Nagel,	Stewart,
Boose,	Hamilton, F. P.,	Nothnagle,	Stockham,
Boyer,	Hamilton, R. S.,	O'Keefe,	Stone,
Bradley,	Harkins,	Ominsky,	Stott,
Brancato,	Harmuth,	O'Neill,	Sumney,
Brennan,	Hartman,	Panton,	Surface,
Brown, H. S.,	Hefferon,	Parks,	Sweeney,
Brown, J. E.,	Hermansen,	Patterson, C.,	Tahl,
Brownfield,	Hetrick,	Patterson, J. W.,	Terry,
Brumbaugh,	Hindman,	Pearson,	Tronzo,
Burke,	Hirsch,	Perry,	Trout,
Cannon,	Hoffner,	Pfaff,	Tumelty,
Caputo,	Holland,	Phillips,	Turner,
Carr,	Holstrom,	Piole,	Van Allsburg,
Carson,	Hoopes,	Powers,	VanSickle,
Castor,	Horst,	Reising,	Wall,
Chervenak,	Jackson,	Reynolds,	Wasserman,
Coakley,	Jones,	Rhys,	Weidemann,
Cochran,	Kane,	Rinn,	Weiss,
Cohen,	Kelder,	Roan,	Welliver,
Coleman,	Kelso,	Robinson,	Welsh,
Condon,	Kenney,	Rooney,	Westrick,
Coolahan,	Kilroy,	Root,	White,
Cooper,	Kinney,	Royer,	Wickersham,
Cordier,	Klingler,	Ruffennach,	Winner,
Davies,	Kobelak,	Sarraf,	Witkin,
Decker,	LaRue,	Scanlon,	Wood,
Denning,	Linderman,	Schaeffer,	Woodside,
Dent,	Long,	Schrock,	Yeakel,
Diehl,	Longaker,	Schrope,	Yourishin,
Dillev,	Lovett,	Schwab,	Zappala,
Downey, G. E.,	Lynch,	Serrill,	Zimmerman,
Downey, J. J.,	Male,	Shaw,	Furman,
Duffort,	Mallen,		

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative, and the report of the Committee of Conference was adopted.

Ordered, That the Clerk inform the Senate accordingly.

LEAVES OF ABSENCE

Mr. Sarraf asked and obtained leave of absence for Mr. MOONEY on account of illness.

Mr. Forrest asked and obtained leave of absence for Mr. PETERS for this evening's session.

Mr. Duffort asked and obtained leave of absence for Mr. ROBERT BOYD for the remainder of the week on account of illness.

REQUEST TO MAKE STATEMENT

Mr. WITKIN. Mr. Speaker, I ask unanimous consent of the House to make a statement.

The SPEAKER. Will the House give its unanimous consent to the gentleman from Philadelphia to make a statement? Are there objections?

Mr. COHEN. Mr. Speaker, I object.

The SPEAKER. The Chair hears objection and consent is not granted.

REQUEST TO MAKE STATEMENT

Mr. EBERHARTER. Mr. Speaker, I ask unanimous consent of the House to make a statement.

The SPEAKER. Will the House give its unanimous consent to the gentleman from Allegheny to make a statement? Are there objections?

Mr. BLUMBERG. Mr. Speaker, I object.

The SPEAKER. The Chair hears objection and consent is not granted.

REPORT FROM COMMITTEE

Mr. SIMON, from the Committee on Rules, reported as amended, House Resolution No. 46.

SENATE MESSAGE

The Clerk of the Senate being introduced, presented extracts from the Journal of the Senate which were laid upon the table.

RESOLUTION

Mr. JOHN A. SMITH. Mr. Speaker, I ask unanimous consent to introduce a resolution.

The SPEAKER. This is a Joint Resolution and takes the same course as a bill. It requires unanimous consent to introduce it.

The Clerk will read the title of the Joint Resolution for the information of the House.

The title of the Joint Resolution as read by the Clerk as follows:

A Joint Resolution proposing an amendment to Article IX of the Constitution of the Commonwealth of Pennsylvania, by adding thereto Section 1c.

The SPEAKER. Will the House give its unanimous consent to the introduction of the Joint Resolution? Are there objections?

Mr. WITKIN. Mr. Speaker, I object.

The SPEAKER. The Chair hears objection and consent is not granted.

RESOLUTION

Mr. JOHN E. BROWN offered a resolution and asked unanimous consent for it to be read and for immediate consideration.

The SPEAKER. The Chair wishes to inform the House that this is not a privileged resolution.

Will the House give its unanimous consent for the resolution to be read for information? Are there objections?

Mr. COHEN. Mr. Speaker, I object.

The SPEAKER. The Chair hears objection and consent is not granted.

QUESTION OF PARLIAMENTARY INQUIRY

Mr. JOHN E. BROWN. Mr. Speaker, I rise to a question of parliamentary inquiry.

The SPEAKER. The gentleman from Washington will state his question of parliamentary inquiry.

Mr. BROWN. Mr. Speaker, on May 19, we introduced a resolution which passed this House unanimously in regard to married women who are—

POINT OF ORDER

Mr. WITKIN. Mr. Speaker, I rise to a point of order.

The SPEAKER. The gentleman from Philadelphia will state his point of order.

Mr. WITKIN. Mr. Speaker, the gentleman is not asking a question of parliamentary inquiry, but is about to make a statement and I object.

The SPEAKER. The point of order is well taken. The gentleman will not be permitted to make a statement without the consent of the House.

Mr. JOHN E. BROWN. Mr. Speaker, I ask unanimous consent of this House to make a statement. This statement that I am going to make, this Legislative inquiry—

The SPEAKER. The gentleman is out of order.

Mr. JOHN E. BROWN. Mr. Speaker, I ask unanimous consent of the House to make a statement.

The SPEAKER. Will the House give its unanimous consent to the gentleman from Washington to make a statement? Are there objections?

Mr. PEARSON. Mr. Speaker, I object.

The SPEAKER. The Chair hears objection and consent is not granted.

The resolution will be filed with the Clerk under the rules.

RESOLUTION

DISCHARGING COMMITTEE

Mr. HOOPES offered a resolution which was read by the Clerk as follows:

In the House of Representatives, July 27, 1936.

Resolved, That the Committee on Appropriations be discharged from further consideration of House Bill 139, entitled:

"An Act relating to unemployment relief making an appropriation to the State Emergency Relief Board for direct and work relief, and prescribing the powers and duties of the Board with reference thereto"

said bill having been referred to said committee on June 16, 1936, and having been in the hands of said committee more than ten Legislative days.

On the question,

Will the House adopt the resolution?

RESOLUTION TABLED

Mr. COHEN. Mr. Speaker, I move that the resolution be laid upon the table.

Mr. WITKIN. Mr. Speaker, I second the motion made by the gentleman from York, Mr. Cohen.

On the question,

Will the House agree to the motion?

The yeas and nays were required by Mr. HOOPES and Mr. TRONZO.

Mr. HOOPES. Mr. Speaker, I ask for a verification of the roll.

(During the verification of the negative roll)

Mr. TRONZO. Mr. Speaker, how is the gentleman from Luzerne, Mr. Jones, recorded as voting.

The SPEAKER. The gentleman is not recorded as voting.

QUESTION OF PARLIAMENTARY INQUIRY

Mr. TRONZO. Mr. Speaker, I rise to a question of parliamentary inquiry.

The SPEAKER. The gentleman from Allegheny will state his question of parliamentary inquiry.

Mr. TRONZO. Mr. Speaker, is it not so that a member on the floor of the House has to be recorded one way or the other?

POINT OF ORDER

Mr. WITKIN. Mr. Speaker, I rise to a point of order.

The SPEAKER. The gentleman from Philadelphia will state his point of order.

Mr. WITKIN. Mr. Speaker, after the affirmative or the negative roll is verified the inquiry made by the gentleman from Allegheny comes too late, because the gentleman, if he had not voted, could not be recorded on the vote that has already been verified.

Mr. TRONZO. Mr. Speaker, for the purpose of expediting this matter before the House, the gentleman from Luzerne being present and not wishing to vote, I withdraw my question.

The roll was verified and was as follows:

YEAS—181

Achterman,	Finnerty,	McDevitt,	Shugarts,
Alexander,	Fitch,	McElroy,	Siegel,
Allen,	Flanagan,	McHenry,	Simon,
Altenburg,	Flinchbaugh,	McKinney,	Simpson,
Andrews,	Forrest,	Melchiorre,	Sinwell,
Anthony,	Gates,	Mentzer,	Sloan,
Arnold,	Gerard,	Merrell,	Smith, J. A.,
Atkins,	Gillette,	Moomaw,	Smith, W. G.,
Aukerman,	Greenstein,	Moore,	Snyder, F. E.,
Baine,	Habbyshaw,	Moran,	Snyder, J. L.,
Baker, F. T.,	Haberlen,	Moul,	Sowers,
Baker, J. J.,	Hagerty,	Muir,	Sproul,
Baldi,	Haluska,	Munley,	Stank,
Barber,	Hamilton, F. P.,	Nagel,	Stevens,
Barnhardt,	Hamilton, R. S.,	Nothnagle,	Stewart,
Beadman,	Harkins,	O'Keefe,	Stockham,
Bernhard,	Harmuth,	Ominsky,	Stone,
Blumberg,	Hartman,	O'Neill,	Stott,
Boose,	Hermansen,	Panton,	Sumney,
Boyer,	Hetrick,	Parks,	Surface,
Bradley,	Hindman,	Patterson, C.,	Sweeney,
Brancato,	Hirsch,	Patterson, J. W.,	Terry,
Brennan,	Hoffner,	Pearson,	Tronzo,
Brown, H. S.,	Holland,	Perry,	Trout,
Brown, J. E.,	Holstrom,	Pfaff,	Tumelty,
Brownfield,	Horst,	Phillips,	Turner,
Brumbaugh,	Jackson,	Piole,	VanAllsburg,
Caputo,	Kane,	Powers,	VanSickle,
Carson,	Kelder,	Reynolds,	Wall,
Castor,	Kelso,	Rinn,	Wasserman,
Chervenak,	Kenney,	Roan,	Weidemann,
Coakley,	Kilroy,	Robinson,	Weiss,
Cochran,	Kinney,	Rooney,	Welliver,
Cohen,	Klingler,	Root,	Welsh,
Coleman,	Kobelak,	Royer,	Westrick,
Condon,	LaRue,	Ruffennach,	White,
Coolahan,	Linderman,	Schaeffer,	Wickersham,
Cooper,	Long,	Schrock,	Winner,
Cordier,	Longaker,	Schrope,	Witkin,
Denning,	Lynch,	Schwab,	Wood,
Downey, G. E.,	Male,	Serrill,	Woodside,
Downey, J. J.,	Mallen,	Shaw,	Yeakel,
Eberharter,	Mason,	Shepard,	Zappala,
Eroe,	McCreary,	Shortz,	Zimmerman,
Falkenstein,	McDermott,	Shreiner,	Furman,
Ferko,			

NAYS—8

Cannon,	Hoopes,	Murrin,	Scanlon,
Duffort,	Lovett,	Sarraf,	Yourishin,

So the question was determined in the affirmative and the motion was agreed to.

BILL ON FINAL PASSAGE RECALLED FROM GOVERNOR

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 109, as follows:

An Act to authorize and empower cities boroughs towns and townships separately or jointly to provide for protection against floods by erecting and constructing certain works and improvements located within or without their territorial limits and within or without the county in which situate and to expend moneys and incur indebedness to assess benefits against property benefited to issue improvement bonds imposing no municipal liability and to acquire take injure or destroy property for such purposes

Section 1 Be is enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the word "municipality" as used in this act shall be construed to include cities boroughs towns and townships.

Section 2 Any municipality may erect or construct dykes river bank protection and other flood control works and may widen deepen straighten and otherwise improve the channels and banks of creeks streams and rivers within or without its territorial limits and within or without the county in which such municipality is situated if such works and improvements will be of benefit to the municipality providing the same and to the inhabitants thereof.

Any two or more municipalities may jointly erect, construct and provide such works and improvements within the territorial limits of any municipality joining or within or without the county in which such municipality or municipalities are situate.

No such works or improvements shall be erected under the provisions of this act in any municipality not joining in the erection or construction thereof, unless such municipality shall first consent thereto.

Nothing contained in this section or in this act shall be deemed to authorize any municipality to erect or construct any dam for flood control or other purposes.

Section 3. No such works or improvements involving an expenditure by any municipality or municipalities of more than three hundred dollars ($300) shall be erected, constructed or provided, except by contract let to the lowest responsible bidder after due advertisement once a week for two successive weeks in at least one newspaper of general circulation: Provided, however, That no contract shall be required to be let for the performance of the work on any such work or improvement wher the cost of the labor shall be paid by the Federal Government or any agency thereof, without cost to the municipality or municipalities.

Section 4. Any municipality may expend public moneys and may in accordance with existing law, incur or increase its indebtedness for the purpose of erecting, constructing and providing such works and improvements in accordance with the provisions of this act.

Section 5. Any municipality shall have power to acquire any private property, easements or rights of way deemed necessary for the erection or construction of any such works or improvements by purchase or by the right of eminent domain, and shall have power to enter upon, injure and destroy any private property deemed necessary. The proceedings for the condemnation of property and for the assessment of damages to property taken, injured or destroyed shall be in accordance with existing law providing for the assessment of damages and benefits where property is taken, injured or destroyed by such municipality for municipal purposes.

Section 6. Any municipality shall have power to provide for the assessment of benefits against private property located within its corporate limits, benefited or to be benefited by such works or improvements. No assessment of benefits shall be made against private property unless, in the opinion of the board of viewers making the assessment, such property will be benefited by the prevention or lessening of future flood damage. The fact that private property has been damaged by flood, arising directly or indirectly from the waters of the creek, stream or river on which the work is being done or improvement provided, shall be conclusive evidence that benefit will accrue to such property by reason of the works or improvements to be provided under the authority of this act. No exemption from benefits shall exist for any private property by reason of the fact that the same does not abut on any such work or improvement or on the creek, stream or river carrying the flood waters.

Section 7. The court of common pleas of any county shall, upon the petition of any municipality located within such county, appoint a board of three viewers from the county board of viewers, whose duty it shall be to assess all benefits to private property to be occasioned by such works or improvements after the same are completed. It shall be the duty of the authorities of any such municipality to furnish to each board of viewers so appointed, a complete set of any official plans which it may have adopted, showing the proposed works and improvements and the private property within its corporate limits which will be benefited by such proposed works or improvements.

Section 8. The viewers having been duly sworn or affirmed, faithfully, justly and impartially to decide and a true report to make concerning all matters before them or to be submitted to them, and in relation to which they are authorized to inquire, and having viewed each parcel of private property which it appears will be benefited, shall hear all parties and their witnesses, and shall determine the benefits, if any, to accrue to each such parcel of pri-

vate property, and shall prepare a schedule of such property, showing the amount of benefits assessed against each parcel of property.

Section 9. The viewers shall give notice to all persons against whose property benefits have been assessed of a time and place when and where the viewers will meet and exhibit their schedule, and hear all exceptions thereto. Such notice shall be given by registered mail, addressed to the last known post office address of the owner or reputed owner of the property, and by publication once a week for two weeks in at least two newspapers of general circulation in such municipality or in the county, if so many be published therein. The failure of an owner to receive the registered notice shall not be deemed to invalidate the proceedings, but in such cases the notice by publication shall be deemed sufficient.

Section 10. After hearing all parties and their witnesses and after making whatever changes in their schedule are deemed necessary, the viewers shall prepare a revised schedule of benefits to private property and file a copy of the same in the court of common pleas of the county. When the report of viewers is filed, it shall be confirmed nisi, and notice thereof shall immediately be given by the board of viewers by publication once in the newspapers in which the notice of the hearings before the viewers was published. Such notice shall state the date of the filing of the report, shall contain the schedule of property assessed, and shall state that unless exceptions are filed thereto, or an appeal to the court of common pleas is taken therefrom, within thirty days from the filing of the report, the same will be confirmed absolutely.

Section 11. Within thirty days after the filing of the report of viewers, any person interested may file exceptions to the same or may appeal to the court of common pleas and demand a jury trial.

Each person filing exceptions or taking an appeal, shall except to or appeal from so much of the report only as affects property in which he has an interest, and the part of the report of the viewers not excepted to or appealed from, shall be confirmed absolutely after said thirty day period.

Section 12. Where exceptions to a report of viewers are filed, the court shall proceed to hear and determine the same in the manner exceptions to reports of viewers are generally proceeded with within the county. Where an appeal is taken, it shall state the grounds upon which it is taken and shall be accompanied by an affidavit that it is not taken for the purpose of delay, but because the appellant believes that injustice has been done.

Upon the trial of any appeal, or the hearing of any exceptions, in case the appellant or party excepting does not obtain a verdict or decree more favorable than was the report of viewers, he shall not recover any costs.

The court of common pleas shall order what notices shall be given in connection with such proceedings, by exceptions or appeals, and may by rule or otherwise, prescribe the form of the pleadings.

The court may also, in proper cases, consolidate proceedings by exceptions or by appeals, into a single proceeding.

Section 13. Any person aggrieved by an order of court upon exceptions filed or the determination of the case where a jury trial was demanded, may, within thirty days after such final order or determination and not thereafter, appeal to the Supreme or Superior Court, as the case may be.

Where an appeal is taken to the Supreme Court and an appeal is also taken to the Superior Court, and the appeals in both cases are substantially the same or involve the same questions, the Superior Court may certify such appeal to the Supreme Court to be heard with other appeals from the same report.

The Supreme or Superior Court shall consolidate all appeals coming before it from the same report and hear them as one case except that cases arising from exceptions shall not be consolidated with those arising from appeals.

Where an appeal is taken to the wrong court, such court shall certify the same to the court to which it should have been taken.

Section 14. All assessments of benefits shall become due and payable to the municipality when the works and improvements have been completed, which date shall be fixed by the official order of the corporate authorities of the municipality, notice of which order shall be published by the board in the newspapers in which notice of the hearing before the viewers was published, by one insertion.

Any person may pay any part or all of the benefits assessed against him to the municipality before the due date thereof. If such payment is made within one month after the amount of the benefits have been finally ascertained, a discount of ten per centum of the amount thereof paid shall be allowed. All benefits or any part thereof, paid after such one month period and before the date of the completion of the works and improvements, shall be subject to a discount of five per centum of the amount paid. All assessments of benefits or parts thereof, remaining unpaid when the improvements are completed, shall bear interest at the rate of six per centum per annum from the date of the completion of the works or improvements until paid.

The municipality shall send by registered mail, addressed to the last known post office address, a statement of the amount due by each person, after the same has been finally ascertained, together with a notice of the discounts allowed by this act for prompt payment, and when, or approximately when, interest will be added to the amount due.

Section 15. All assessments for benefits against private property shall remain a lien thereon from the time the report of viewers is filed in court until paid, unless the liens thereof be lost by failure to revive the same. It shall be the duty of the municipality within six months after its order that the works and improvements have been completed, to file in the office of the prothonotary of the proper county, liens for all benefits assessd which remain unpaid. But no such lien shall be filed unless the municipality shall first notify by mail, addressed to the last known post office address of the owner or reputed owner of the property against which an assessment has been made, of its intention to have said lien filed if payment of the amount due is not made before a time prescribed by the municipality. Such lien shall be filed in the same manner as is provided by law for the filing of municipal claims and shall have priority over all other liens, except taxes and other municipal claims, and except also mortgages and judgments of record prior to the time the report of the viewers was filed in court.

Such liens shall be revived, prosecuted to judgment, executed and collected by the municipality in the same manner in all respects as is provided by law in the case of municipal claims.

Section 16. In order to enable municipalities to erect and construct the works and improvements authorized by this act, if benefits are to be assessed against private property as herein provided, the municipality may issue improvement bonds based solely upon the assessment of benefits made or to be made by reason of such works and improvements and imposing no municipal liability.

Section 17. Nothing contained in this act shall be construed to repeal the provisions of any law, the enforcement of which is vested in the Department of Health or the Sanitary Water Board, or the provisions of any law, the enforcement of which is vested in the Department of Forests and Waters or the Water and Power Resources Board.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—198

Achterman,	Eberharter,	McCreary,	Shepard,
Alexander,	Eroe.	McDermott,	Shortz,
Allen,	Falkenstein,	McDevitt,	Shreiner,
Altenburg,	Ferko,	McElroy,	Shugarts,
Andrews,	Finnerty,	McHenry,	Siegel,
Anthony,	Fitch,	McKinney,	Simon,
Arnold,	Flanagan,	Melchiorre,	Simpson,

Atkins,	Flinchbaugh,	Mentzer,	Sinwell,
Aukerman,	Forrest,	Merrell,	Sloan,
Baine,	Gates,	Moomaw,	Smith, J. A.,
Baker, F. T.,	Gerard,	Moore,	Smith, W. G.,
Baker, J J.,	Gillette,	Moran,	Snyder, F. E.,
Baldi,	Greenstein,	Moul,	Snyder, J. L.,
Barber,	Habbyshaw,	Muir,	Sowers,
Barnhardt,	Haberlen,	Munley,	Sproul,
Beadman,	Hagerty,	Murrin,	Stank,
Bernhard,	Haluska,	Nagel,	Stevens,
Blumberg,	Hamilton, F. P.,	Nothnagle,	Stewart,
Boose,	Hamilton, R. S.,	O'Keefe,	Stockham,
Boyer,	Harkins,	Ominsky,	Stone,
Bradley,	Harmuth,	O'Neill,	Stott,
Brancato,	Hartman,	Panton,	Sumney,
Brennan,	Hermansen,	Parks,	Surface,
Brown, H. S.,	Hetrick,	Patterson, C.,	Sweeney
Brown, J. E.,	Hindman,	Patterson, J. W.,	Terry,
Brownfield,	Hirsch,	Pearson,	Tronzo,
Brumbaugh,	Hoffner,	Perry,	Trout,
Burke,	Holland,	Pfaff,	Tumelty,
Cannon,	Holstrom,	Phillips,	Turner,
Caputo,	Hoopes,	Piole,	VanAllsburg,
Carr,	Horst,	Powers,	VanSickle,
Carson,	Jackson,	Reising,	Wall,
Castor,	Jones,	Reynolds,	Wasserman,
Chervenak,	Kane,	Rhys,	Weidemann,
Coakley,	Kelder,	Rinn,	Weiss,
Cochran,	Kelso,	Roan,	Welliver,
Cohen,	Kenney,	Robinson,	Welsh,
Coleman,	Kilroy,	Rooney,	Westrick,
Condon,	Kinney,	Root,	White,
Coolahan,	Klingler,	Royer,	Wickersham,
Cooper,	Kobelak,	Ruffennach,	Winner,
Cordier,	LaRue,	Sarraf,	Witkin,
Decker,	Linderman,	Scanlon,	Wood,
Denning,	Long,	Schaeffer,	Woodside,
Dent,	Longaker,	Schrock,	Yeakel,
Diehl,	Lovett,	Schrope,	Yourishin,
Dilley,	Lynch,	Schwab,	Zappala,
Downey, G. E.,	Male,	Serrill,	Zimmerman,
Downey, J. J.,	Mallen,	Shaw,	Furman,
Duffort,	Mason,		

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

SENATE MESSAGE

HOUSE BILL CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 134.

An Act requiring unemployment relief orders to be presented for payment within a certain period otherwise to be cancelled and the moneys appropriated for their payment to be escheated to the Commonwealth and credited to the current appropriation for unemployment relief purposes.

With the information that the Senate has passed the same without amendment.

ADJOURNMENT

Mr. CLIFF PATTERSON. Mr. Speaker, I move that this House do now adjourn until tomorrow at 12:00 o'clock noon.

The motion was agreed to, and (at 10:21 P. M.) the House adjourned until Tuesday, July 28, 1936, at 12:00 o'clock noon.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Extraordinary Session of 1936.

Vol. 19. HARRISBURG, PA., TUESDAY, JULY 28, 1936. No. 42.

SENATE

TUESDAY, JULY 28, 1936

The Senate met at 12 o'clock noon.

The PRESIDENT (Lieutenant Governor Thomas Kennedy) in the Chair.

PRAYER

The Chaplain, Rev. William E. Howard, D. D., offered the following prayer:

O God, when Jesus was born in Bethlehem a heavenly choir announced His advent by singing to the shepherds who watched their flocks by night on the Judean hills "Peace on earth good-will among men." When Jesus was about to lead his disciples and go back again to heaven he gathered them about him and said "Peace I leave with you, My peace I give unto you."

Whatever may be our belief concerning the Man of Galilee, O God, we must concede that in His life, His association with men and His teachings he was the "Prince of Peace." He went about doing good. No man or woman was too rich or too poor to be received by Him. We need the spirit of this Great Teacher today. Until His message of love and peace rules the world, the world will be in turmoil; and this spirit cannot rule the world until it rules our individual lives.

May the peace of God which passeth understanding be the crowning motive of all our lives. Amen.

JOURNAL APPROVED

The PRESIDENT. A quorum of the State being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. SONES, the further reading was dispensed with, and the Journal was approved.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced presented communication in writing from His Excellency the Governor of the Commonwealth, which was read as follows:

APPROVAL OF RESOLUTION RECALLING FROM THE GOVERNOR SENATE BILL NO. 17

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 28, 1936.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed a Resolution of the Senate and House of Representatives recalling from the Governor Senate Bill No. 17, Printer's No. 4, for further consideration.

Accordingly, the original bill is herewith returned.

GEORGE H. EARLE.

NOMINATIONS BY THE GOVERNOR

The Secretary to the Governor being introduced, presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows, and referred to the Committee on Executive Nominations.

NOTARIES PUBLIC

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 28, 1936.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

BRADFORD COUNTY

A. S. Buckley, Athens.

CRAWFORD COUNTY

C. E. Tucker, Meadville.

LANCASTER COUNTY

Jerre P. Trout, Quarryville.

UNION COUNTY

Miss C. Elisabeth Hertzog, Lewisburg.

WARREN COUNTY

Mrs. Myrtle M. Mader, Warren.

GEORGE H. EARLE.

BILLS SIGNED

The PRESIDENT (Lieutenant Governor Thomas Kennedy) announced that the Chief Clerk having reported that the following bills had passed both Houses of the General Assembly and the same being correct, the titles were publicly read as follows:

Senate Bill No. 8, entitled:

A Joint Resolution proposing an amendment to section one, article eighteen of the Constitution of the Commonwealth of Pennsylvania.

House Bill No. 134, entitled:

An Act requiring unemployment relief orders to be presented for payment within a certain period, otherwise to be cancelled and the moneys appropriated for their payment to be escheated to the Commonwealth.

Whereupon,

The PRESIDENT (Lieutenant Governor Thomas Kennedy) in the presence of the Senate signed the same.

HOUSE MESSAGE

AMENDMENT TO HOUSE BILL NO. 109 RECALLED FROM THE GOVERNOR

The Clerk of the House of Representatives being introduced, presented for concurrence bill of the House of Representatives, as follows:

House Bill No. 109, entitled:

An Act to authorize and empower municipalities and townships, separately or jointly, to erect and construct flood control works and improvements within or without their territorial limits, and to expend moneys and incur indebtedness for such purposes.

Said bill having been recalled from the Governor for amendment, the vote had on final passage and third reading were reconsidered in the House and the bill amended, in which amendments the concurrence of the Senate is requested.

Said amendment having been printed as required by the Constitution, were twice read as follows:

Amend page 1, line 1 of the title by striking out after the word "empower" and before the word "and" the word: "[municipalities]" and inserting in lieu thereof the following: "cities boroughs towns"

Mr. HARVEY. Mr. President, the amendments to House Bill No. 109 are perfectly satisfactory.

On the question,

Will the Senate concur in the amendments?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46

Aron,	Harvey,	Pierson,	Ruth,
Batchelor,	Homsher,	Prince,	Salus,
Baumer,	Howell,	Pytko,	Scott,
Bean,	Huffman,	Rankin,	Shapiro,
Buckman,	Kahle,	Reed,	Sones,
Cavalcante,	Lanius,	(Dauphin)	Staudenmeier,
Chapman,	Law,	Reed,	Thompson,
Coyne,	Mallery,	(Washington)	(Centre)
Ealy,	McClure,	Rice,	Thompson,
Frey,	McCreesh,	Roberts,	(Westmoreland)
Gelder,	McGinnis,	Rodgers,	Trainer,
Graff,	Miller,	Rupp,	Woodward,
Harris,	Owlett,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 49 (House Bill No. 69), as follows:

An Act authorizing and directing the Department of Forests and Waters to investigate survey and report on the location and availability for purchase of certain lands suitable for reforestion with flood control as the objective

Whereas the continued efficiency of any water impounding dams which may be constructed by the State or Federal Government as flood control projects is dependent upon reducing to a minimum the silt deposited in them and

Whereas A forest cover with its honey-combed soil and thick humus bedded surface is the most effective agent known to prevent soil erosion and the silting of streams and dams and to retard the water run-off and

Whereas There are upwards of two million three hundred thousand acres of submarginal idle and abandoned farm lands in this State located largely on the upper river water sheds which are subject to serious soil erosion and rapid water run-off which constitute a growing menace during flood seasons and are of little value for reforestation and

Whereas The rate of fire damage on private unmanaged and unattended wild lands is six times that on State-controlled forest lands and such burned-over lands constitute an additional menace from soil erosion and water run-off therefore

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the Department of Forests and Waters is hereby authorized and directed to make an investigation and reforestation survey with flood control as the objective of all private forest lands and all abandoned farm lands and submarginal lands their location availability for purchase and their approximate purchase prices together with all lands in any of the above classes on which the taxes imposed by political subdivisions are delinquent or which have been sold to counties because of insufficient bids at tax sales

The investigation and survey shall include the three watersheds of the Commonwealth the Susquehanna watershed the Delaware watershed and the Ohio watershed including lands draining directly or indirectly into the Susquehanna River and its North and West Branches and the Juniata River the Delaware the Lehigh and Schuylkill Rivers and the Ohio Allegheny Monongahela and Beaver Rivers

Section 2 The Department of Forests and Waters shall make a complete report of its investigation and reforestation survey to the next General Assembly convening in January one thousand nine hundred and thirty-seven not later than February first one thousand nine hundred and thirty-seven so that the General Assembly may be fully advised in order that appropriate legislation may be enacted with a view of adopting a comprehensive flood control program

And said bill having been read at length the third time, and agreed to, and the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46

Aron,	Harvey,	Pierson,	Ruth,
Batchelor,	Homsher,	Prince,	Salus,
Baumer,	Howell,	Pytko,	Scott,
Bean,	Huffman,	Rankin,	Shapiro,
Buckman,	Kahle,	Reed,	Sones,
Cavalcante,	Lanius,	(Dauphin)	Staudenmeier,
Chapman,	Law,	Reed,	Thompson,
Coyne,	Mallery,	(Washington)	(Centre)
Ealy,	McClure,	Rice,	Thompson,
Frey,	McCreesh,	Roberts,	(Westmoreland)
Gelder,	McGinnis,	Rodgers,	Trainer,
Graff,	Miller,	Rupp,	Woodward,
Harris,	Owlett,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has

passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 102 (House Bill No. 136), as follows:

A Joint Resolution proposing an amendment to article nine of the Constitution of the Commonwealth of Pennsylvania by adding thereto a section

Section 1 Be it resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met That the following amendment to the Constitution of Pennsylvania be and the same is hereby proposed in accordance with the eighteenth article thereof

That article nine be amended by adding thereto the following section

Section 17 In addition to the purposes stated in article nine section four of this Constitution the State may be authorized to issue bonds to the amount of forty-two millions of dollars ($42,000,000) for the acquisition of lands and buildings and the construction and improvement of State owned buildings and the equipment thereof for the care and maintenance of penal offenders delinquents mental defectives epileptics persons mentally diseased the sick and the injured and tuberculosis patients and for the construction and equipment of buildings at the Pennsylvania State College.

And said bill having been read at length the third time, and the amendments made thereto having been printed as required by the Constitution,

On the question,

Will the Senate agree to the bill on third reading?

Mr. WOODWARD. Mr. President, I ask unanimous consent to amend Section 1, page 2, line 3, by inserting after the word "persons" the word and; also page 2, lines 3 and 4, by striking out the words "and tuberculosis patients"

The PRESIDENT. Is there objection?

Mr. WOODWARD. Mr. President, this is an amendment to save the State about $5,000,000. You will find for these State-owned institutions there is about $5,000,000 set aside for a new tuberculosis sanitarium. I have been in touch with the Department of Welfare, and they feel that some of the hospitals for the sick and injured can be transformed into tuberculosis hospitals, which would be operated at the same expense. It is a perfectly common sense proposition and it will save the State a considerable sum of money. And the bill can be introduced at the regular session of the Legislature. It has the agreement of the Department of Welfare.

Mr. President, I ask unanimous consent to offer these amendments.

The PRESIDENT. Is there objection?

Mr. STAUDENMEIER. Mr. President, I object.

The PRESIDENT. The Chair hears objection.

MOTION TO GO INTO COMMITTEE OF THE WHOLE

Mr. WOODWARD. Mr. President, I ask that the Senate now go into the Committee of the Whole for the purpose of considering these special amendments.

Mr. BATCHELOR. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. STAUDENMEIER. Mr. President, I desire to speak on this motion to go into Committee of the Whole. If I understand this amendment—if I am wrong, I should be glad to have the Senator from Philadelphia, Mr. Woodward, correct me—the amendment would cut out the funds for the erection of a building to take care of the tuberculosis patients, the thought in back of the amendment being that one of the hospitals that takes care of the sick and injured at the present time could be changed into a tuberculosis sanitarium. Is that correct?

Mr. WOODWARD. Mr. President, that is correct.

Mr. STAUDENMEIER. Mr. President, and members of the Senate, day after day—and I am sure this is the experience of practically every member of this Senate—people are coming to our offices and writing to us asking to get into a tubercular institution. It seems to me that if there is a need for any institution at all it is a need for an additional tubercular institution, and to take a chance upon the authorities taking over something that is now being used for the sick and injured, and converting it into a tubercular institution,—I think that is playing with fire, to use plain language.

We need a new tubercular sanitarium—there is no question about that; there is not a person can get up on this floor and deny that. It is needed just as much as, if not more than, the other institutions that are enumerated in this resolution; and I, for one, am unalterably opposed to taking a chance on the Welfare Department or any other agency converting an institution that is now used for one purpose and changing it from that purpose to a tubercular institution. As I have said before, that is playing with fire; and we should not, at a time like this take any chances of that type.

If my good friend, the Senator from Philadelphia, Mr. Woodward, should offer these amendments because of any quarrel with the institutions that are taking care of the sick and injured, that are State-owned, there is a remedy for that; but we should not be confronted here with the make-shift method of getting rid of them by saying that they can be converted into tuberculosis institutions. I say here, without fear of successful contradiction, that there is just as much need today for your State-owned hospitals that take care of the sick and injured as when they were first constructed. To say that the State-owned hospitals can be thrown upon the communities on which they exist, or can be converted for some other purpose, is absolutely foolhardy.

Take, for instance, a county like Schuylkill, with three State-owned hospitals, you might say filled to capacity,—in many cases by people who could not pay for hospitalization. Can any of those hospitals be thrown upon the communities, or does the Senator advocate that one of them should be converted into a tubercular institution? Carbon has one, at Shamokin; Luzerne has one at Wilkes-Barre; and Lackawanna has one at Scranton, and so on. Every one of them is absolutely needed; and if we are going to cut off these institutions at this time, my friends, the State of Pennsylvania is going to pay far more for people who could have been taken care of in the first instance by proper hospitalization. And then, not having received that hospitalization, they become wrecks upon the sea of life, and become public charges in a greater sense than they are when the disease is in its inceptive period.

Folks, that is not saving money. To my mind that is throwing away money. And to come in here and to say that this resolution should be amended so that some of these State-owned hospitals that take care of the sick and

injured can be converted into tubercular institutions—oh, if it is the last thing I had done in this Senate, I would oppose that motion with every ounce of energy within me!—because it is not a fair method.

If they want to get rid of these State-owned hospitals, let them come out in the open and have the fight here, not use these methods of subterfuge, and this thing of going into Committee of the Whole. Why, the moment I came over here in 1933, not dry behind the ears—in German they say nicht drocha hinder die ora—I was confronted with this going into Committee of the Whole; and to my amazement I found—and I did not appeal from the Chair; perhaps I should have at that time—that the motion for this Senate to resolve itself into Committee of the Whole carries with it, if that motion is carried, the amendment; that is, if the motion is carried the amendment is agreed to. I never heard of any such ridiculous parliamentary procedure in my life. And that is still the procedure in this Senate, and I warn my fellow-Senators that if this motion for the Senate to convert itself into a Committee of the Whole carries, those amendments are carried, and not another word can be said here about them.

I am just warning you—not warning, I am entreating, I am beseeching the good will of my fellow-Senators, to vote this motion down, because you are not going to get another vote on it. If you vote to resolve yourselves into a Committee of the Whole, then you are voting to insert these amendments. Vote against this motion, and you are voting these amendments down.

Folks, let us—let us be men here, let us stand on our two feet, and let us say in no uncertain way that we are opposed to methods of legislating of this type; and I sincerely and earnestly ask each and every one of you to vote this motion down.

Mr. HUFFMAN. Mr. President, this is a resolution for the purpose of changing the Constitution, and it is a resolution that was very fully considered in Committee, where a resolution of this kind should be considered in detail, and it seems to me that it is not a proper place for the purpose of trying to change the character of a resolution that carries with it $42,000,000. Speaking for myself right now, I am not sure just what this amendment proposes to do, but I am quite sure there are others on the floor here who are not sufficiently advised to vote intelligently on an amendment of this importance. As I gather the argument, it would seem to me that what the amendment proposes to do is a matter for the Legislature. That is to say, if this resolution goes through in its original form, if the Legislature desires to change and modify a State Hospital to use it for something else, that is up to them. It is not a matter that should go into the Constitution. Again I want to say that this was fully considered at several meetings of this committee. This resolution was fixed up in a manner satisfactory to everybody on the committee, and at this time it ought not to be changed here. I hope this motion, carrying the amendment, is voted down.

Mr. BATCHELOR. Mr. President, I agree with the Senator from Monroe, Mr. Huffman. This resolution was very thoroughly considered in committee, and after reporting it from that committee, it had two readings in this Senate. The resolution was amended last night, which, in my opinion, very materially changes the purpose for which the resolution was presented to this Legislature, and that was to take care of the needs of your mental hospitals, your tuberculosis hospitals and institutions like Polk, which we know are overcrowded. Last evening amendments were offered to this resolution to include ten state medical and surgical hospitals, as it was said, to take care of the sick and injured of Pennsylvania. Now that was not the purpose of it at all, it was not to take care of the sick and injured in Pennsylvania, it was to take care of the sick and injured in five particular counties of the State of Pennsylvania, and to tax the other sixty-two counties of the State of Pennsylvania to provide the funds with which to take care of the sick and injured in those five particular counties, and three of those particular hospitals are in one county. I am not going to take up all the time of the Senate this morning, but if anybody will turn to the last report of the Auditor General, or, as a matter of fact, to any reports of the Auditor General, you will see the tremendous amount of money that is appropriated every biennium to take care of the sick and injured in five particular counties of the State of Pennsylvania. Just in Schuylkill County, one hospital there received almost $400,000, another hospital has received something over $300,000, and another hospital there received something over $200,000, all in one county. Let us see what that means to the rest of this State. I have in my hand the report of the Welfare Department of the State of Pennsylvania, which calls attention to the fact that the appropriation to ten state-owned hospitals having 884 beds for patients, amounted to $2,470,301.00, whereas the appropriation to 158 state-aided hospitals having 19,964 beds for patients, amounted to $5,365,375.00. In other words, the State of Pennsylvania provided during that biennium an amount equal to $2,794.00 for every bed in these state-owned institutions, whereas to the state-aided hospitals was appropriated an amount of $268.00 per bed.

Now, I am in this position, Mr. President, I would like to have a joint resolution here authorizing the people to vote on a bond issue to provide money for our tuberculosis hospitals to hospitals for mental defectives, and to such institutions as Polk, etc., but when it comes down to asking the people of the State of Pennsylvania to adopt a constitutional amendment to borrow money to take care of the hospitals in five counties of this State, I think it is just too ridiculous to talk about it here.

I think there is one thing more, it is going to defeat the very thing we want, because I am quite sure that the people of Pennsylvania are not going to have placed a bond issue upon them to supply money for those ten state-owned hospitals in five counties.

I would like to read what Governor Fisher recommended in this regard: "It is apparent that the State is not warranted in expanding the plants of these state hospitals to provide community service, other than that for which they were designed." And there are a lot of other things about these hospitals. I do not know whether the members of this Senate know it or not, but in some of these hospitals you will have a staff there that will not permit any other physician in that community to practice in that hospital. I think it is high time that amendments such as the Senator from Philadelphia, Dr. Woodward, offered, be considered by the Senate.

Mr. STAUDENMEIER. Mr. President, it appears that the Senator from Beaver has created some misleading impressions, as he has just told you what money was appropriated by the State of Pennsylvania to these state-owned hospitals, but he has neglected to give the figures of the amount of money that is returned by the state-owned hos-

pitals to the State of Pennsylvania. I do not say that he has deliberately neglected to do that, but the Senate must not forget that these are state-owned institutions, and every cent collected in these hospitals naturally goes back to the Commonwealth of Pennsylvania. So it is not a one-sided picture, it is not like a privately owned or state-aided hospital, because there it is just a matter of the State giving aid and getting nothing in return, but these institutions are part of the property of Pennsylvania, just like this Capitol is, if any revenue were obtained by renting out some portion of the Capitol, the State will get that. Any revenue that comes to the state-owned hospitals, the State gets that. I just want to point that out, I do not want to unduly delay this motion.

Mr. OWLETT. Mr. President, I have in my district one of those state-owned hospitals, and I just want to correct another impression that I am afraid the Senator from Beaver, Mr. Batchelor, gives to this Senate, when he charges the total expenses of these hospitals to the five counties in which they are located. In my county, the Blossburg State Hospital draws from five or six neighboring counties, and that is practically the only institution in that whole section of the State in which medical and surgical care can be obtained by the citizens, and everyone who is able is compelled to pay for the services rendered there, and, as the Senator from Schuylkill pointed out, that money goes into the State Treasury of Pennsylvania. These institutions are State institutions, the State owns them, and it would be a real shame and a blot on the Commonwealth of Pennsylvania if they are allowed to go down and to stop rendering the service they are rendering to the people of this State.

Mr. THOMPSON (Centre). Mr. President, I think the Senator from Philadelphia and the Senator from Beaver have endeavored to lead the Senate into a terrifically wrong impression as to the purport of this joint resolution. In the first place, we are spending our time arguing about State-owned institutions in the nature of hospitals, whereas these amendments only propose to strike out what affects tubercular patients in this resolution.

I cannot help but marvel at the Senator from Philadelphia's appalling inconsistency. It has been only a few months since we heard him crying around in this Senate for the State of Pennsylvania to take over his institution at Byberry, which is operated by Philadelphia County, and which has been plundered politically down there to a point where it could not be operated successfully. He wants to hang it around the neck of the State of Pennsylvania. Now he comes in here today with a resolution to provide funds for the greatest need that we have in this State, namely, to take care of our tubercular patients—we all know a person cannot be admitted to a tubercular institution today until some patient in that institution either dies or gets well, this waiting list is tremendous; it contains almost as many now as are in the institutions; and yet he comes here with an amendment to this resolution asking us to toss this whole crowd of people aside.

This resolution has got to be before this Legislature, has got to be before the next Legislature, and if it is voted on favorably by the people it has got to come back here for an appropriation bill; and I cannot see any reason or justification for us to quibble around here about a matter of this kind this morning, when two years hence, or less than two years, we have to fight it out when the appropriation bill comes up. Certainly no one can present a sound argument against the helping of tubercular patients of this State. These State-owned institutions are not concerned in the amendments to this resolution only the future of tubercular institutions is unvalued. I ask that the amendments be voted down by a vote against this motion to resolve ourselves into a Committee of the Whole.

Mr. LAW. Mr. President, I want to call the attention of the members of the Senate to the fact that this resolution allocates no money to any institution or group of institutions. That will have to be done later. I think that the resolution should be left as it is, to cover practically all of the state-owned institutions, so that when the time comes to allocate money, it may be done properly and to those institutions that need it most, including the tuberculosis hospitals and, if necessary, the hospitals for the sick and injured.

The PRESIDENT. The motion is that the Senate resolve itself into a Committee of the Whole for the purpose of considering special amendments.

Mr. KAHLE. Mr. President, I am surprised that the Senator from Philadelphia, Dr. Woodward, a physician in this Senate, would bring forth amendments to cut out protection for the care of tubercular patients, when we know they are in such need today. When we look at them on the one hand, we know that we have many degenerates. Those degenerates have been placed there because of the sins of their forefathers. It is a condition, of course, that cannot be remedied by the inmates, but they have care, they have help, and so forth; but on the other hand, he asks to strike out the amendments that would care for the tubercular patients of this State, those that have no way or no recourse to prevent the disease that has come upon them, and are we going to neglect them by cutting out these with an amendment which prohibits the protection of those who are suffering from disease and are striving for help, and to be restored back to their normal condition again? I think it is very unwise that we should ever consider such an amendment.

MOTION WITHDRAWN

Mr. WOODWARD. Mr. President, with the permission of my seconder, I will withdraw my motion.

The PRESIDENT. Will the Senator from Beaver, Mr. Batchelor, agree to withdraw his second?

Mr. BATCHELOR. Mr. President, I will.

The motion is withdrawn.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—42

Aron,	Homsher,	Owlett,	Ruth,
Baumer,	Howell,	Pierson,	Scott,
Bean,	Huffman,	Prince,	Shapiro,
Cavalcante,	Kahle,	Pytko,	Sones,
Chapman,	Lanius,	Rankin,	Staudenmeier,
Coyne,	Law,	Reed,	Thompson,
Ealy,	Mallery,	(Dauphin)	(Centre)
Frey,	McClure,	Rice,	Thompson,
Gelder,	McCreesh,	Roberts,	(Westmoreland)
Graff,	McGinnis,	Rodgers,	Trainer,
Harris,	Miller,	Rupp,	Woodward,
Harvey,			

NAYS—2

Batchelor,	Buckman,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispense with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 19 (House Bill No. 15), as follows:

An Act ratifying confirming and validating the transfer of money from the State Stores Fund and the Motor License Fund to the General Fund and providing for the subsequent return from the General Fund of the transferred money

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the action of the Governor the Auditor General and State Treasurer in transferring to the General Fund the sum of two million five hundred thousand dollars ($2,500,000) from the State Stores Fund and the sum of one million five hundred eighty-six thousand two hundred eleven dollars ($1,586,211) from the Motor License Fund in accordance with Concurrent Resolution Serial Number Eighteen approved by the Governor on June second one thousand nine hundred thirty-six in order to make the same available for expenditure for unemployment relief by the State Emergency Relief Board is hereby ratified confirmed and validated To the extent to which the transfer makes it necessary the use of the money transferred from the Motor License Fund for its ordinary purposes shall be postponed but not otherwise modified

Section 2 The amounts transferred under this act from the Motor License Fund to the General Fund shall be repaid to the Motor License Fund out of the General Fund not later than May thirty-first one thousand nine hundred thirty-seven

Section 3 This act shall become effective immediately upon final enactment

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

RECESS

Mr. HOMSHER. Mr. President, I move that the Senate do now take a recess until four o'clock this afternoon.

Mr. ARON. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS

The PRESIDENT. The time of recess having elapsed, the Senate will be in order.

REPORTS FROM COMMITTEES

Mr. GELDER. Mr. President, I ask unanimous consent to make a report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. GELDER, from the Committee on Appropriations, re-reported as amended, Senate Bill No. 107 (House Bill No. 156), entitled:

An Act making an appropriation to the State Emergency Relief Board for direct relief and expenses defining the purposes for which such moneys may be expended creating public assistance boards in each county, and prescribing their powers and duties; imposing certain expenses on counties prescribing the powers and duties of the State Emergency Relief Board and certain State departments county officers, poor directors and courts of common pleas; prohibiting political activity by employes of the State Emergency Relief Board; and prescribing penalties.

Mr. COYNE. Mr. President, I ask unanimous consent to make a report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. COYNE, from the Committee on Executive Nominations reported with a favorable recommendation the following nominations made by His Excellency the Governor of the Commonwealth:

NOTARIES PUBLIC

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 28, 1936.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

BRADFORD COUNTY

A. S. Buckley, Athens.

CRAWFORD COUNTY

C. E. Tucker, Meadville.

LANCASTER COUNTY

Jerre P. Trout, Quarryville.

UNION COUNTY

Miss C. Elisabeth Hertzog, Lewisburg.

WARREN COUNTY

Mrs. Myrtle M. Mader, Warren.

GEORGE H. EARLE.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 27, 1936.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as Notaries Public, for terms of four years to compute from the dates set opposite their names:

ALLEGHENY COUNTY

William C. Stratman, Pittsburgh, August 2, 1936.

PHILADELPHIA COUNTY

Jacob Sommerstein, Philadelphia, August 18, 1936.

GEORGE H. EARLE.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 27, 1936.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for

terms of four years to compute from the date of confirmation:

ALLEGHENY COUNTY

James W Truxal, Millvale.

DELAWARE COUNTY

E. S. Quay, East Lansdowne.

LACKAWANNA COUNTY

Anthony D. Carrano, Scranton.
Fred Hammernick, Scranton.

NORTHAMPTON COUNTY

Frank L. Maues, Easton.

PHILADELPHIA COUNTY

Murray L. Alterman, 1129 Bankers Securities Bldg., Philadelphia.
Lester S. Gibbs, 800 W Lehigh Ave., Philadelphia.
Matt A. Lynch, 4666 Penn St., Philadelphia.
Miss Margaret Rosborough, 1007 Commercial Trust Bldg., Philadelphia.

WESTMORELAND COUNTY

Miss Hilda C. Dahlem, Greensburg.
Miss Emily P. McGinnis, Latrobe.

GEORGE H. EARLE.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 23, 1936.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

ALLEGHENY COUNTY

Miss L. Maud Fire, 1900 Farmers Bank Bldg., Pittsburgh.

NORTHAMPTON COUNTY

Harold E. Huebner, Easton.

PHILADELPHIA COUNTY

Miss Sylvia Carp, 2547 S. Broad St., Philadelphia.
Miss Emma E. Farrell, Broad and Chestnut Sts., Philadelphia.
Daniel A. Murphy, 625 Wood St., Philadelphia.
Stanley Rojewski, 1643 W Hunting Park Ave., Philadelphia.

GEORGE H. EARLE.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 23, 1936.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following person for reappointment as a Notary Public, for a term of four years to compute from the date set opposite his name:

PHILADELPHIA COUNTY

Ross E. Harding, Philadelphia, July 17, 1936.

GEORGE H. EARLE.

JUSTICE OF THE PEACE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 25, 1936.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following appointment to compute from the date of confirmation:

Chas. A. Rodney, of Lehighton, Carbon County, as Justice of the Peace in the Township of Mahoning, Carbon County, until the first Monday in January, 1938.

GEORGE H. EARLE.

MEMBER OF THE STATE BOARD OF UNDERTAKERS

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, Pa., May 4, 1936.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor to nominate for the advice and consent of the Senate, the following:

Joseph N. Neid, Swissvale, from April 20, 1936, until August 31, 1943, and until his successor shall have been appointed and qualified.

GEORGE H. EARLE.

JUSTICE OF THE PEACE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 23, 1936.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate A. W. Eves, of Millville, Columbia County, for appointment as Justice of the Peace in the Borough of Millville, Columbia County (to fill a vacancy), until the first Monday in January, 1938.

GEORGE H. EARLE.

EXECUTIVE SESSION

By unanimous consent,

A motion was made by Mr. SONES,

That Rule 38, which requires nominations made by the Governor, to lie on the table one day be dispensed with, and the Senate do now resolve itself into Executive Session, for the purpose of acting upon the foregoing nominations.

Which was agreed to.

Whereupon,

A motion was made by Mr. SONES.

That the Senate do advise and consent to the nominations reported.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46

Aron,	Harvey,	Pierson,	Ruth,
Batchelor,	Homsher,	Prince,	Salus,
Baumer,	Howell,	Pytko,	Scott,
Bean,	Huffman,	Rankin,	Shapiro,
Buckman,	Kahle,	Reed,	Sones,
Cavalcante,	Lanius,	(Dauphin)	Staudenmeier,
Chapman,	Law,	Reed,	Thompson,
Coyne,	Mallery,	(Washington)	(Centre)
Ealy,	McClure,	Rice,	Thompson,
Frey,	McCreesh,	Roberts,	(Westmoreland)
Gelder,	McGinnis,	Rodgers,	Trainer,
Graff,	Miller,	Rupp,	Woodward,
Harris,	Owlett,		

NAYS—0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

Mr. SONES. Mr. President, I move that the Executive Session do now rise.

Mr. ROBERTS. Mr. President, I second the motion.

The motion was agreed to.

ERRATUM

Page 1242, Column 1, after line 48 insert the following:

CONDOLENCE ON THE DEATH OF FORMER SENATOR JOSEPH O. CLARK

Mr. GRAFF offered the following resolution which was twice read, considered and agreed to:

In the Senate, July 22, 1936.

It is with profound sorrow that the members of the Senate of Pennsylvania learn of the death of Joseph O. Clark, of Glen Campbell, Indiana County, a member of this body from Indiana and Jefferson Counties from 1920 to 1924.

Senator Clark was born in Montgomery Township, Indiana County, September 7, 1871, was reared on a farm and was educated in public and private schools of his community. Early in life he engaged in mercantile, lumber and real estate business and for years was extensively engaged in oil and natural gas operations in Oklahoma and Kansas and with the development of bituminous coal properties in Central Pennsylvania, West Virginia and Texas.

Mr. Clark in 1920 was elected to the Senate of Pennsylvania from Indiana and Jefferson Counties to succeed the late Senator Wilbur P. Graff. During his term in that body the members paid high tribute to Senator Clark's ability and judgment by their dependence upon his opinions and he by his attention to duty and wise consideration of pending legislation rendered signal service for his constituents and for the people of Pennsylvania. Senator Clark took an active part in Republican party affairs and in 1922 was chosen Secretary of the Republican State Committee of Pennsylvania.

The members of the Senate wish to express their great sorrow over the passing of Senator Clark and in adopting this minute of respect to emphasize their high regard for him as a citizen and a legislator.

It is hereby resolved that a copy of this minute be sent to the family of Senator Clark.

ADJOURNMENT

Mr. HUFFMAN. Mr. President, the Committee of Finance and the Committee on Appropriations have spent all day on this relief matter, and we have made some progress. It is necessary to have some more time, and we will take it up again tomorrow morning.

I make a motion that the Senate do now adjourn until tomorrow afternoon at 2 o'clock.

Mr. HOWELL. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 7:19 P. M. until tomorrow, Wednesday, July 29, 1936, at 2 o'clock P. M.

HOUSE OF REPRESENTATIVES

TUESDAY, JULY 28, 1936.

The House met at 12.00 o'clock noon.

The SPEAKER (Roy E. Furman) in the Chair.

PRAYER

The Reverend MARSHALL L. SHEPARD, a member of the House, offered the following prayer:

O God, our Heavenly Father, for all of the blessings that Thou hast bestowed upon us during the past night, we are thankful. As high as the Heavens are above the earth so great is Thy tender mercy towards us; as far as the East is from the West so far hast Thou removed our transgressions from us. In the strength of this grace that Thou has afforded us may we go forward with the work of this session, conscious of the fact that thou wilt keep Thy promise to be with us always, even unto the end.

Bless the Speaker of this House and all of his aides and all the officers of our government. In His name and for His sake. Amen.

JOURNAL APPROVED

The SPEAKER. The Clerk will read the Journal of yesterday.

The Clerk proceeded to read the Journal of yesterday, when, on motion of Mr. WILLIAM G. SMITH, the further reading was dispensed with and the Journal approved.

RESOLUTIONS INTRODUCED AND REFERRED

By Mr. MORAN RESOLUTION No. 53.

In the House of Representatives, July 27, 1936.

Whereas, There are sinister forces which have been active during the special session of the Legislature to force upon the people of Pennsylvania a tax program for unemployment relief purposes to fall heaviest upon those least able to pay; and

Whereas, These forces obtained amendment in the Senate of certain tax measures submitted at the present special session of the Legislature which, in their original form, were designed to impose taxes upon those best able to pay and which, in their amended form, bear too heavily upon those least able to pay; and

Whereas, It is a settled principle that to be equitable, a government must assess taxes upon the basis of ability to pay; and

Whereas, It will be necessary at the convening of the next regular session of the General Assembly for measures to be introduced to raise moneys for unemployment relief purposes; and

Whereas, Methods and means must be devised and safeguards obtained to avoid further imposition of taxes upon the small real estate owner, the farmer, the tenant and small business men; and

Whereas, It is evident that special interests who wish to escape their fair share of community responsibility will attempt to crack the whip as they so evidently have done during this special session of the Legislature; now, therefore, be it

Resolved, That the Speaker of the House of Representatives, the body of the General Assembly which is charged by the Constitution of the Commonwealth with the duty of originating tax measures, appoint a committee of five members who shall investigate the ways, means and methods of evolving a tax program which will place the burden upon those best able to pay and who shall further investigate the means, methods and devices that were employed during this special session by the opponents of a program of taxation based upon ability to pay in order to shift the burden upon those least able to bear it, and further investigate and report to the next regular session of the General Assembly a tax program designed to fulfill the above general purposes; and be it

Resolved, That the said Committee shall have power to issue subpoenas under the hand and seal of its Chairman, requesting and commanding any person or persons to appear before it and to answer any question touching matters properly being inquired into by the committee and to produce such books, papers, records and documents as the committee may deem necessary. Provided, That the committee shall not have the power to subpoena any Federal official or any records of the government of the United States. Such subpoenas may, except as herein otherwise provided, be served upon any person and shall have the force and effect of subpoenas issued out of the Courts of this Commonwealth. Each member of said committee shall have the power to administer oaths and affirmations to witnesses appearing before the committee. Any person who shall wilfully refuse or neglect to testify

before such committee and to produce any papers, books or documents shall be subject to the penalties provided by the laws of the Commonwealth in such cases; and be it further

Resolved, That in the event that the power hereby conferred upon the said committee to subpoena witnesses and enforce its subpoenas during the recess of the House shall be held by any Court to be unconstitutional, the said committee shall nevertheless continue its work and take the testimony of such persons as shall voluntarily appear before it.

Referred to the Committee on Rules.

Br. Mr. JOHN E. BROWN. RESOLUTION No. 54.

In the House of Representatives, July 27, 1936.

Whereas, the House, by Resolution No. 6, Serial No. 48, resolved that it was the sense of the House of Representatives that all married women employed by the State Emergency Relief Board, who were not in need of employment be replaced by the employment of competent persons, residents of this Commonwealth, who are without employment and in need of work, therefore be it

Resolved, That the State Emergency Relief Board be directed to furnish to the House of Representatives, not later than July 29, 1936, a statement showing the replacements made by said board in compliance with the terms of said resolution.

Resolved, That a copy of this resolution be transmitted to the State Emergency Relief Board by the Chief Clerk of this House.

Referred to the Committee on Rules.

BILL SIGNED BY THE SPEAKER

Bill numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the title was publicly read as follows:

HOUSE BILL No. 134.

An Act requiring unemployment relief orders to be presented for payment within a certain period otherwise to be cancelled and the moneys appropriated for their payment to be escheated to the Commonwealth and credited to the current appropriation for unemployment relief purposes.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

LEAVES OF ABSENCE

Mr. CARSON asked and obtained leave of absence for himself for the remainder of the week after today's session.

Mr. JAMES L. SNYDER asked and obtained leave of absence for himself for the remainder of the week after today's session.

Mr. MOOMAW asked and obtained leave of absence for himself for tomorrow's session.

Mr. ATKINS asked and obtained leave of absence for himself for the remainder of the week after today's session.

QUESTION OF PARLIAMENTARY INQUIRY

Mr. TERRY. Mr. Speaker, I arise to a question of parliamentary inquiry.

The SPEAKER. The gentleman from Wyoming will state his question of parliamentary inquiry.

Mr. TERRY. Mr. Speaker, I merely want to know when the Ways and Means Committee will sit to consider House Bill No. 126.

The SPEAKER. That is entirely a matter for the committee to decide.

Mr. TERRY. Mr. Speaker, I would like to interrogate the Chairman of the Committee, the gentleman from York, Mr. Flinchbaugh.

The SPEAKER. Will the gentleman from York permit himself to be interrogated?

Mr. FLINCHBAUGH. Mr. Speaker, I will.

Mr. TERRY. Mr. Speaker, does the gentleman from York know of any influence that is keeping this bill in Committee?

Mr. FLINCHBAUGH. Mr. Speaker, in answer to the gentleman from Wyoming, Mr. Terry, there is no particular influence that is keeping the bill in Committee. I recall having one protest from the County of Allegheny in opposition to the bill. There has been no agitation either against or for the bill particularly. I might state, without divulging any secrets of the Committee, that repeatedly as Chairman of the Committee, I asked the Committee whether there is any inclination on the part of the Committee to consider further revenue raising measures, and the Committee always, practically unanimously, was averse to considering any additional revenue raising measures in the hands of the Committee.

Mr. TERRY. Mr. Speaker, I take it from what the gentleman from York says that there is no hope of getting this bill out of the Committee, is that right?

Mr. FLINCHBAUGH. Mr. Speaker, I would say to the gentleman from Wyoming that I wouldn't say that there is no hope of getting the bill out of Committee. If there is any opinion in the House that the bill ought to be considered, I will be glad to call a meeting of the Committee and consider this or any other measures, but, knowing the temper of the Committee, I doubt very much whether it is possible to get any additional revenue raising measures out of the Committee.

I would like, Mr. Speaker, to give this a little further consideration. If I recall rightly, I had this bill up with some of the legal lights of the House, and if I recall rightly there is some question about the legality of the bill.

Mr. TERRY. In other words, that means no.

Mr. FLINCHBAUGH. Mr. Speaker, as an answer to the gentleman from Wyoming, I would say——

Mr. TERRY. I have no further questions.

The SPEAKER. The gentleman will not carry on a conversation or discuss the bill. The interrogation is proper.

The gentleman will ask his questions of the gentleman from York, and the gentleman from York will answer any questions if he so desires.

MOTION

Mr. TERRY. Mr. Speaker, I desire to make a motion.

The SPEAKER. Will the gentleman from Wyoming, Mr. Terry, please come to the desk?

Mr. SOWERS. Mr. Speaker, may I ask the gentleman frm Woyming, Mr. Terry, to explain this tax bill on trust estates to the House?

Mr. TERRY. Mr. Speaker, I withdraw my motion temporarily.

ADJOURNMENT

Mr. JAMES W. PATTERSON. Mr. Speaker, I move that this House do now adjourn until tomorrow at 12.00 o'clock noon.

The motion was agreed to, and (at 12:45 P. M.) the House adjourned until Wednesday, July 29, 1936, at 12.00 o'clock noon.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

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SENATE

WEDNESDAY, July 29, 1936

The Senate met at 2 o'clock P. M.

The PRESIDENT (Lieutenant-Governor Thomas Kennedy) in the Chair.

PRAYER

The Chaplain, Rev. William E. Howard, D. D., offered the following prayer:

Our Father and our God, make us honest and consistent in our judgments of the lives about us. We can only see the outward appearances of these lives and are therefore prone to make misjudgments and deal unjustly with them. Thou dost know the intent and purpose of every heart, so Thy judgments are true and righteous altogether. Is it not then wise, O God, for us to refrain from condemning our fellow men and to remember that Thou dost declare "Vengeance is mine, I will repay, saith the Lord."

It is said of our Master, "Having loved His own He loved them to the end." By so doing He bound His followers unto Him with bands of steel, transforming them into heroes and martyrs. Even those who betrayed denied and forsook Him He won by love.

Grant that those who misunderstand each other and hopelessly disagree may strive to honestly see each the other's view-point and thus come to know and trust one another. How false is the doctrine, "Might is right." How divinely true the declaration "Right is might." May faith in and obedience to this slogan lead the cause of righteousness to speedy victory. Amen.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when on motion of Mr. BAUMER, the further reading was dispensed with, and the Journal was approved.

PETITIONS

RESOLUTION DEMANDING ENACTMENT OF RELIEF LEGISLATION

The Chair cleared his table and laid before the Senate the following communication:

Mahanoy City, Pa., July 27, 1936.

Thomas R. Kennedy,
State Capitol, Harrisburg, Pa.

The Central Labor Union of Shenandoah at its regular meeting July 26, adopted a resolution demanding that adequate relief legislation be enacted immediately.

JOSEPH GLADSKI, President.

RESOLUTION PROTESTING AGAINST THE DELAY IN ENACTMENT OF RELIEF LEGISLATION

The Chair cleared his table and laid before the Senate communication from the Lehigh Township Incorporative League, Danielsville, protesting against the delay in enactment of relief legislation.

Which was referred to the Committee on Finance.

HOUSE MESSAGES

HOUSE CONCURS IN AMENDMENTS MADE BY THE SENATE TO HOUSE BILL NO. 69

The Clerk of the House of Representatives being introduced presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 69, entitled:

An Act authorizing and directing the Department of Forests and Waters to investigate, survey and report on the location and availability for purchase of certain lands suitable for reforestation and flood control as the objective; and making an appropriation.

HOUSE CONCURS IN AMENDMENTS MADE BY THE SENATE TO HOUSE BILL NO. 136

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 136, entitled:

A Joint Resolution proposing an amendment to article nine of the Constitution of the Commonwealth of Pennsylvania, by adding thereto a section.

BILLS SIGNED

The PRESIDENT (Lieutenant-Governor Thomas Kennedy) announced that the Chief Clerk having reported that the following bills had passed both Houses of the General Assembly and the same being correct, the titles were publicly read as follows:

House Bill No. 109, entitled:

An Act to authorize and empower municipalities and townships, separately or jointly, to erect and construct flood control works and improvements within or without their territorial limits, and to expend moneys and incur indebtedness for such purposes.

House Bill No. 69, entitled:

An Act authorizing and directing the Department of Forests and Waters to investigate, survey and report on the location and availability for purchase of certain lands suitable for reforestation and flood control as the objective; and making an appropriation.

House Bill No. 136, entitled:

A Joint Resolution proposing an amendment to article nine of the Constitution of the Commonwealth of Pennsylvania, by adding thereto a section.

Whereupon,

The PRESIDENT (Lieutenant-Governor Thomas Kennedy) in the presence of the Senate signed the same.

NOMINATIONS BY THE GOVERNOR

The Secretary to the Governor being introduced, presented communication in writing from His Excellency, the Governor of the Commonwealth, which was read as follows, and referred to the Committee on Executive Nominations.

NOTARIES PUBLIC

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 29, 1936.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

ALLEGHENY COUNTY

Miss Helen G. Arnold, McKees Rocks.

DAUPHIN COUNTY

George E. Bowman, Harrisburg.

DELAWARE COUNTY

Wm. E. Griffith, Glen Riddle.

WESTMORELAND COUNTY

Mrs. Lou K. Diffenderfer, Export.

GEORGE H. EARLE.

BILL INTRODUCED

Mr. RODGERS read in his place and presented to the Chair Senate Bill No. 118, entitled:

A Joint Resolution proposing an amendment to section four, article nine, of the Constitution of the Commonwealth of Pennsylvania.

Which was committed to the Committee on Constitutional Changes.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 19 (House Bill No. 15), entitled:

An Act ratifying confirming and validating the transfer of money from the State Stores Fund and the Motor License Fund to the General Fund and providing for the subsequent return from the General Fund of the transferred money

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—47

Aron,	Harvey,	Pierson,	Salus,
Batchelor,	Homsher,	Prince,	Scott,
Baumer,	Howell,	Pytko,	Shapiro,
Bean,	Huffman,	Rankin,	Sones,
Buckman,	Kahle,	Reed,	Staudenmeier,
Cavalcante,	Lanius,	(Dauphin)	Thompson,
Chapman,	Law,	Reed,	(Centre)
Coyne,	Mallery,	(Washington)	Thompson,
Ealy,	McClure,	Rice,	(Westmoreland)
Frey,	McCreesh,	Roberts,	Trainer,
Gelder,	McGinnis,	Rodgers,	Woodward,
Graff,	Miller,	Rupp,	Ziesenheim,
Harris,	Owlett,	Ruth,	

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

BILL OVER IN ORDER

Mr. HUFFMAN. Mr. President, I ask unanimous consent that Senate Bill No. 107 (House Bill No. 156), on third reading, entitled:

An Act making an appropriation to the State Emergency Relief Board for direct relief and expenses defining the purposes for which such moneys may be expended creating public assistance boards in each county and prescribing their powers and duties imposing certain expenses on counties prescribing the powers and duties of the State Emergency Relief Board and certain State departments county officers poor directors and courts of common pleas prohibiting political activity by employes of the State Emergency Relief Board and prescribing penalties

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

ADJOURNMENT

Mr. HUFFMAN. Mr. President, this session was called primarily for the purpose of appropriating money for relief, and a great deal of work has been done in the last two days on this subject. We have, perhaps I can say, tentatively agreed on a relief program. The Committee has been working all morning, and needs some more time on it. There is very little to do on the floor, and I therefore make the motion that this Senate do now adjourn until tomorrow afternoon at 2 o'clock.

Mr. GELDER. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 4:36 P. M. until tomorrow, Thursday, July 30, 1936, at 2 o'clock P. M.

HOUSE OF REPRESENTATIVES

WEDNESDAY, JULY 29, 1936

The House met at 12:00 o'clock noon.

The SPEAKER (Roy E. Furman) in the Chair.

PRAYER

The Reverend MARTIN F. BIERBAUM of Allegheny County offered the following prayer:

Our Father, Who art in Heaven, we approach Thee with

profound reverence and with a sense of our iniquities, that we may realize that Thou art our Father and we are Thy children. We thank Thee for the land of plenty in which we live; we thank Thee for Thy manifold blessings that Thou didst bestow upon our nation since its inception, since in every generation Thou hast given us leaders who have believed that the fear of God is the beginning of wisdom.

Our Father and our God, let Thy Spirit make possible a rebirth of the serious mindedness of heart and soul of our forefathers, so that once more the welfare of a people be the supreme law of the land. May we rediscover Thy blessed truth, that blessed is that nation whose God is the Lord.

Let Thy blessings rest upon the President of the United States, the Governor of this State and all others in authority, and imbue them with Thy Spirit, that they may realize their responsibility, and that the governed may also know their responsibility, and that we all realize that fundamentals do not change but applications of truth do. So may we rediscover anew that spirit of brotherliness, of good will among men, to the glory of God and the welfare of His people. Amen.

JOURNAL APPROVED

The SPEAKER. The Clerk will read the Journal of yesterday.

The Clerk proceeded to read the Journal of yesterday, when, on motion of Mr. ROAN, the further reading was dispensed with and the Journal approved.

SENATE MESSAGE

The Clerk of the Senate being introduced, presented extracts from the Journal of the Senate which were laid upon the table.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE BILLS NOS. 26, 28, 40 AND 165

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 28, 1936.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed the following:

House Bill No. 26, Printer's No. 199, entitled "An Act to further amend section one of the act approved the thirteenth day of June one thousand nine hundred seven (Pamphlet Laws six hundred forty) entitled 'An act to provide revenue by levying a tax upon the shares of stock of companies incorporated under the provisions of section twenty-nine of an act entitled "An act to provide for the incorporation and regulation of certain corporations" approved April twenty-ninth one thousand eight hundred and seventy-four and the supplements thereto for the insurance of owners of real estate mortgages and others interested in real estate from loss by reason of defective titles liens and encumbrances and of companies entitled to the benefits of and of companies having any of the powers of companies entitled to the benefits of an act entitled "An act conferring upon certain fidelity insurance safety deposit trust and savings companies the powers and privileges of companies incorporated under the provisions of section twenty-nine of an act entitled 'An act to provide for the incorporation and regulation of certain corporations' approved April twenty-ninth Anno Domini one thousand eight hundred and seventy-four and of the supplements thereto" approved June twenty-seventh one thousand eight hundred and ninety-five commonly known as title insurance or trust companies' by increasing the rate of tax for a limited period of time by providing that certain corporations shall not be subject to the tax and by further modifying the method of computing the tax."

House Bill No. 28, Printer's No. 190, entitled "An Act to further amend section one of the act approved the fifteenth day of July one thousand eight hundred and ninety-seven (Pamphlet Laws two hundred ninety-two), entitled 'An act to provide revenue by taxation' by increasing the rate of tax."

House Bill No. 40, Printer's No. 192, entitled "An Act to provide for the commemoration by the Commonwealth of Pennsylvania of the Three Hundredth Anniversary of the Earliest Settlement the First Courts of Law and the First Capital within what is now Pennsylvania and making an appropriation."

House Bill No. 165, Printer's No. 195, entitled "An Act to amend the act approved the ninth day of April one thousand nine hundred twenty-nine (Pamphlet Laws three hundred forty-three) entitled 'An act relating to the finances of the State government providing for the settlement assessment collection and lien of taxes bonus and all other accounts due the Commonwealth the collection and recovery of fees and other money or property due or belonging to the Commonwealth or any agency thereof including escheated property and the proceeds of its sale the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth and the settlement of claims against the Commonwealth the resettlement of accounts and appeals to the courts refunds of moneys erroneously paid to the Commonwealth auditing the accounts of the Commonwealth and all agencies thereof of all public officers collecting moneys payable to the Commonwealth or any agency thereof and all receipts of approprations from the Commonwealth and imposing penalties affecting every department board commission and officer of the State government every political subdivision of the State and certain officers of such subdivisions every person association and corporation required to pay assess or collect taxes or to make returns or reports under the laws imposing taxes for State purposes or to pay license fees or other moneys to the Commonwealth or any agency thereof every State depository and every debtor or creditor of the Commonwealth' as amended by making further provision relative to the settlement resettlement and collection of certain taxes and further defining the powers and duties of the Department of Revenue with relation thereto."

GEORGE H. EARLE.

BILL SIGNED BY THE SPEAKER

Bill numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the title was publicly read as follows:

SENATE BILL No. 8.

A Joint Resolution proposing an amendment to section one article eighteen of the Constitution of the Commonwealth of Pennsylvania.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 69.

An Act authorizing and directing the Department of Forests and Waters to investigate survey and report on the location and availability for purchase of certain lands suitable for reforestation with flood control as the objective and making an appropriation.

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend title, last line, by striking out after the word "objective" the words "and making an appropriation."

Amend Section 3, page 3, by striking out the entire section as follows:

"Section 3 The sum of one hundred thousand dollars ($100,000) or so much thereof as may be necessary is hereby specifically appropriated to the Department of Forests and Waters for the payment of the salary compensation and wages of engineers experts clerks assistants and employes deemed necessary in making the investigation survey and report authorized by this act for the payment of postage traveling expenses mileage charges to the Department of Property and Supplies for the use of automobiles telephone toll charges telegrams expenses of operating and maintaining automobiles and other motor equipment for printing and for all other incidental expenses necessary for carrying into effect the provisions of this act."

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—180

Alexander,	Eberharter,	Mason,	Shaw,
Allen,	Eroe,	McCreary,	Shepard,
Altenburg,	Falkenstein,	McDermott,	Shortz,
Andrews,	Ferko,	McDevitt,	Shreiner,
Arnold,	Finnerty,	McElroy,	Shugarts,
Aukerman,	Fitch,	McKinney,	Siegel,
Baine,	Flanagan,	Melchiorre,	Simon,
Baker, F. T.,	Flinchbaugh	Mentzer,	Simpson,
Baker, J. J.,	Forrest,	Merrell,	Sinwell,
Baldi,	Gates,	Moore,	Smith, J. A.,
Barber,	Gerard,	Moran,	Smith, W. G.,
Barnhardt,	Gillette,	Moul,	Snyder, F. E.,
Beadman,	Greenstein,	Muir,	Sowers,
Bernhard,	Habbyshaw,	Murrin,	Stevens,
Blumberg,	Haberlen,	Nagel,	Stewart,
Boose,	Hagerty,	Nothnagle,	Stockham,
Boyer,	Haluska,	O'Keefe,	Stone,
Bradley,	Hamilton, F. P.,	Ominsky,	Sumney,
Brancato,	Hamilton, R. S.,	O'Neill,	Surface,
Brennan,	Harkins,	Panton,	Sweeney,
Brown, H. S.,	Harmuth,	Parks,	Tahl,
Brown, J. E.,	Hefferon,	Patterson, C.,	Terry,
Brownfield,	Hermansen,	Patterson, J. W.,	Tronzo,
Brumbaugh,	Hetrick,	Pearson,	Trout,
Burke,	Hirsch,	Perry,	Tumelty,
Cannon,	Holland,	Pfaff,	Turner,
Caputo,	Holstrom,	Phillips,	VanAllsburg,
Castor,	Horst,	Piole,	VanSickle,
Chervenak,	Jackson,	Powers,	Wall,
Coakley,	Jones,	Reising,	Wasserman,
Cochran,	Kelder,	Reynolds,	Weidemann,
Cohen,	Kelso,	Rhys,	Weiss,
Coleman,	Kenney,	Rinn,	Welliver,
Condon,	Kilroy,	Roan,	Welsh,
Coolahan,	Kinney,	Robinson,	Westrick,
Cooper,	Klingler,	Rooney,	White,
Cordier,	Kobelak,	Root,	Wickersham,
Davies,	LaRue,	Royer,	Winner,
Decker,	Linderman,	Ruffennach,	Witkin,
Dent,	Long,	Sarraf,	Wood,
Diehl,	Longaker,	Scanlon,	Woodside,
Dilley,	Lovett,	Schrock,	Yeakel,
Downey, G. E.,	Lynch,	Schrope,	Yourishin,
Downey, J. J.,	Male,	Schwab,	Zappala,
Duffort,	Mallen,	Serrill,	Furman,

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative, and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 136.

A Joint Resolution proposing an amendment to article nine of the Constitution of the Commonwealth of Pennsylvania by adding thereto a section.

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend Section 1, page 2, line 1, by inserting after the word "diseased" the words "the sick and the injured"; also in line 2, by inserting after the word "patients" the words "and for the construction and equipment of buildings at the Pennsylvania State College."

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—180

Alexander,	Eberharter,	Mason,	Shaw,
Allen,	Eroe,	McCreary,	Shepard,
Altenburg,	Falkenstein,	McDermott,	Shortz,
Andrews,	Ferko,	McDevitt,	Shreiner,
Arnold,	Finnerty,	McElroy,	Shugarts,
Aukerman,	Fitch,	McKinney,	Siegel,
Baine,	Flanagan,	Melchiorre,	Simon,
Baker, F. T.,	Flinchbaugh,	Mentzer,	Simpson,
Baker, J. J.,	Forrest,	Merrell,	Sinwell,
Baldi,	Gates,	Moore,	Smith, J. A.,
Barber,	Gerard,	Moran,	Smith, W. G.,
Barnhardt,	Gillette,	Moul,	Snyder, F. E.,
Beadman,	Greenstein,	Muir,	Sowers,
Bernhard,	Habbyshaw,	Murrin,	Stevens,
Blumberg,	Haberlen,	Nagel,	Stewart,
Boose,	Hagerty,	Nothnagle,	Stockham,
Boyer,	Haluska,	O'Keefe,	Stone,
Bradley,	Hamilton, F. P.,	Ominsky,	Sumney,
Brancato,	Hamilton, R. S.,	O'Neill,	Surface,
Brennan,	Harkins,	Panton,	Sweeney,
Brown, H. S.,	Harmuth,	Parks,	Tahl,
Brown, J. E.,	Hefferon,	Patterson, C.,	Terry,
Brownfield,	Hermansen,	Patterson, J. W.,	Tronzo,
Brumbaugh,	Hetrick,	Pearson,	Trout,
Burke,	Hirsch,	Perry,	Tumelty,
Cannon,	Holland,	Pfaff,	Turner,
Caputo,	Holstrom,	Phillips,	Van Allsburg,
Castor,	Horst,	Piole,	VanSickle,
Chervenak,	Jackson,	Powers,	Wall,
Coakley,	Jones,	Reising,	Wasserman,
Cochran,	Kelder,	Reynolds,	Weidemann,
Cohen,	Kelso,	Rhys,	Weiss,
Coleman,	Kenney,	Rinn,	Welliver,
Condon,	Kilroy,	Roan,	Welsh,
Coolahan,	Kinney,	Robinson,	Westrick,
Cooper,	Klingler,	Rooney,	Wickersham,
Cordier,	Kobelak,	Root,	Winner,
Davies,	LaRue,	Royer,	Witkin,
Decker,	Linderman,	Ruffennach,	Wood,
Dent,	Long,	Sarraf,	Woodside,
Diehl,	Longaker,	Scanlon,	Yeakel,
Dilley,	Lovett,	Schrock,	Yourishin,
Downey, G. E.,	Lynch,	Schrope,	Zappala,
Downey, J. J.,	Male,	Schwab,	Furman,
Duffort,	Mallen,	Serrill,	

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative, and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

AMENDED HOUSE BILL RECALLED FROM THE GOVERNOR CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 109.

An Act to authorize and empower cities boroughs towns and townships separately or jointly to provide for protection against floods by erecting and constructing certain works and improvements located within or without their territorial limits and within or without the county in which situate and to expend moneys and incur indebtedness to assess benefits against property benefited to issue improvement bonds imposing no municipal liability and to acquire take injure or destroy property for such purposes.

Said bill having been recalled from the Governor for the purpose of amendment, the vote had on final passage and third reading reconsidered in the House and the bill amended, in amendments the Senate has concurred.

LEAVES OF ABSENCE

Mr. STONE asked and obtained leave of absence for himself for the remainder of the week after todays session.

Mr. SUMNEY asked and obtained leave of absence for himself for the remainder of the week after today's session.

Mr. RINN asked and obtained leave of absence for himself for the remainder of the week after today's session.

Mr. McCREARY asked and obtained leave of absence for himself for the remainder of the week after today's session.

Mr. Piole asked and obtained leave of absence for Mr. STANK for today's session.

Mr. Schwab asked and obtained leave of absence for Mr. McHENRY.

Mr. SCHWAB asked and obtained leave of absence for himself for the remainder of the week after today's session.

Mr. Alexander asked and obtained leave of absence for Mr. MURRIN for the remainder of the week.

Mr. MENTZER asked and obtained leave of absence for himself for the remainder of the week after today's session.

Mr. KELDER asked and obtained leave of absence for himself for the remainder of the week after today's session.

Mr. FRANCIS T. BAKER asked and obtained leave of absence for himself for the remainder of the week after today's session.

Mr. SERRILL asked and obtained leave of absence for himself for the remainder of the week after today's session.

BILLS SIGNED BY THE SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

HOUSE BILL No. 69.

An Act authorizing and directing the Department of Forests and Waters to investigate survey and report on the location and availability for purchase of certain lands suitable for reforestation with flood control as the objective.

HOUSE BILL No. 136.

A Joint Resolution proposing an amendment to article nine of the Constitution of the Commonwealth of Pennsylvania by adding thereto a section.

HOUSE BILL No. 109.

An Act to authorize and empower cities boroughs towns and townships separately or jointly to provide for protection against floods by erecting and constructing certain works and improvements located within or without their territorial limits and within or without the county in which situate and to expend moneys and incur indebtedness to assess benefits against property benefited to issue improvement bonds imposing no municipal liability and to acquire take injure or destroy property for such purposes.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

RESOLUTION

Mr. JAMES W. PATTERSON offered a resolution which was filed with the Clerk under the rules.

RESOLUTION NO. 40

Mr. HARKINS. Mr. Speaker, I desire to call up at this time Resolution No. 40, Printer's No. 205.

The resolution was read by the Clerk as follows:

In the House of Representatives, July 10, 1936.

The adoption of the unicameral system for legislative bodies in the State of Nebraska and in the Irish Free State indicates a trend away from the bicameral systems. Bills have also been introduced from time to time in the General Assembly of Pennsylvania proposing constitutional amendments to bring about a change to the unicameral system in this Commonwealth.

It is therefore fitting that the subject be carefully considered and studied so that this House may be well advised as to all of the benefits and detriments incident to a unicameral State legislature, before venturing to pass upon the adoption or rejection of so drastic a change in the legislative branch of the State Government; therefore be it

Resolved, That the Speaker of the House of Representatives appoint seven Members of this House to serve as a committee to study the unicameral system as applied to legislative bodies, and to report its findings and recommendations to the House of Representatives at its regular session in the year one thousand nine hundred and thirty-seven.

On the question,

Will the House adopt the resolution?

Mr. HARKINS. Mr. Speaker, I would like to call the attention of the members of the House to the fact that this resolution merely provides for an investigating committee for the purpose of studying this unicameral system. It does not provide for any powers other than the power of studying the question and making recommendations to the House of Representatives at the next session. For those who might object to the appointment of this committee if there were an appropriation attendant upon this bill, let me advise you that there is no appropriation, so that those of you who object for that reason should no longer bject.

The objection was raised a moment ago to the fact that under the conditions as at present this plan is unconstitutional, and there is no use to study something that is unconstitutional. The purpose, of course, is to advise the members of the House, of all features and all the factors that enter into the unicameral system. I believe that there is a large number of people in Pennsylvania who believe

that the unicameral system of government would be better than the one under which we now function, and I feel that the report will present facts upon which the Legislature can act with regard to this question, having the facts before them.

Mr. TUMELTY. Mr. Speaker, I would like to interrogate the gentleman from Allegheny, Mr. Harkins.

The SPEAKER. Will the gentleman from Allegheny, Mr. Harkins, permit himself to be interrogated.

Mr. HARKINS. Mr. Speaker, I will.

Mr. TUMELTY. Mr. Speaker, I would like the gentleman from Allegheny to tell the members of this House how it will be possible to investigate conditions in the Irish Free State without a trip to the Irish Free State. That is the resolution.

Mr. HARKINS. Mr. Speaker, in connection with that interrogation, of course I recognize the fact that if I needed information about that, I would go to people who would be well able to tell me, and in consideration of that, and the fact that it will be lot of expense to go to the Irish Free State, which trip is not anticipated. If it becomes necessary to get the information concerning that, I myself will consult the interrogator, and I am sure he will be able to assist me. All of the expense necessary to get the information needed in this connection will be only the mailing expenses, and I think I still have enough proceeds to take care of that.

Mr. WITKIN. Mr. Speaker and members of the House, there are a lot of reasons, in my judgment, why this resolution ought to be defeated, and one of them is that all of the members of the House should have a chance to be promoted, and if we had such a system as this in this Commonwealth, then Mr. Dent and Mr. Haluska would not have the opportunity of satisfying their ambition to go to a higher house. Therefore, for the benefit of your own members as well as the people of the Commonwealth I ask that you vote "no" on this resolution.

Mr. TRONZO. Mr. Speaker, in answer to the gentleman from Philadelphia, Mr. Witkin, I wish to assure him that if we ever have a possibility of getting rid of the Senate, I am sure the Democratic candidates elected to that office will be glad to give up their chance to serve therein.

Mr. Speaker, and members of the House, this resolution should pass this House. As the gentleman from Allegheny, Mr. Harkins, just said, there is no appropriation attached to the resolution. It is an attempt to gather some data that we can get together before the next session, and we would like to have the pleasure and privilege of presenting this data to the next General Assembly. Lord knows we have every reason in the world to kick against the bicameral system, especially in this State. There is one very good reason that we should have a unicameral system, and that is exactly what this special session has performed in the three and a half months that we have been in session. There is no real logical reason today for a bicameral system,—but we won't go into that. We will just say, give this resolution the break that it deserves. This is worthy of being passed strictly on its merits.

Mr. McCREARY. Mr. Speaker and members of the House, it is only natural, gentlemen, that I should be in favor of this resolution, because I introduced one exactly like it in the 1935 session, and it was never allowed out of committee. Consequently now that it is on the floor of the House I would like to see it discussed on its merits, as the sponsor suggested, for this reason: this same bill was introduced in the Nebraska Legislature in 1935 and was passed and is now law, and it is going into effect in the 1937 Legislature of that State. Further, gentlemen, it was introduced by George W. Norris, United States Senator from that State, and George W. Norris is the man who talked about invisible government under which this State is now suffering. Now, gentlemen, that is an exposition of the two houses in this legislature.

POINT OF ORDER

Mr. WITKIN. Mr. Speaker, I arise to a point of order.

The SPEAKER. The gentleman from Philadelphia will state his point of order.

Mr. WITKIN. Mr. Speaker, I ask that the gentleman from York, Mr. Cohen, stop interfering with the Republican gentleman from Erie, Mr. McCreary.

The SPEAKER. The point of order is well taken.

Mr. COHEN. Mr. Speaker, I wish to explain to the House that I called to Mr. McCreary's attention the fact that Mr. Norris, Senator Norris, was the individual who opposed hidden governmen. I also explained to the gentleman from Erie, Mr. McCreary,—

Mr. WITKIN. Mr. Speaker, I object.

The SPEAKER. The gentleman from Erie, Mr. McCreary, has the floor. The gentleman will proceed.

Mr. COHEN. Mr. Speaker, will the gentleman yield?

Mr. McCREARY. No sir, not until I get through, Mr. Speaker. Whatever I wanted to say I could have said in a few minutes' time. I just wanted to speak in favor of this unicameral legislation, calling your attention to the fact that our present special session was a good example of what two Houses can do to the taxpayers of this State. $465,000 is the estimated cost of this special session, thirteen long weeks, and still we haven't come to a conclusion, even with the help of the Alliance Workers army. And that, gentlemen, is the sinister exhibition of what the two Houses in this State have caused up until the present time. My idea is to have one House, keep that House responsible and hold them responsible for what they do in this Legislature.

On the question recurring,

Will the House adopt the resolution?

The yeas and nays were required by Mr. WITKIN and Mr. EROE.

Mr. TRONZO. Mr. Speaker, I ask for a verification of the roll.

The roll was verified and was as follows:

YEAS—78

Achterman,	Ferko,	Lovett,	Robinson,
Alexander,	Finnerty,	Lynch,	Rooney,
Arnold,	Fitch,	Male,	Ruffennach,
Aukerman,	Flanagan,	McCreary,	Sarraf,
Baker, J. J.,	Flinchbaugh,	McDermott,	Scanlon,
Barber,	Gates,	McElroy,	Schrope,
Brown, H. S.,	Haberlen,	Mentzer,	Schwab,
Brown, J. E.,	Hamilton, F. P.	Moran,	Shugarts,
Brownfield,	Harkins,	Munley,	Siegel,
Brumbaugh,	Harmuth,	Nagel,	Stevens,
Caputo,	Hermansen,	Ominsky,	Tronzo,
Cohen,	Hetrick,	O'Neill,	Tumelty,
Coleman,	Hirsch,	Patterson, C.,	VanSickle,
Decker,	Holland,	Patterson, J. W.,	Weiss,
Diehl,	Holstrom,	Pearson,	Welsh,
Dilley,	Kilroy,	Pfaff,	Westrick,
Downey, G. E.,	Kinney,	Piole,	Yourishin,
Eroe,	Klingler,	Powers,	Zappala,
Falkenstein,	Kobelak,		

NAYS—65

Altenburg,	Dent,	Muir,	Stewart,
Baker, F. T.,	Forrest,	Nothnagle,	Stockham,
Baldi,	Gillette,	Perry,	Surface,
Barnhardt,	Habbyshaw,	Phillips,	Sweeney,
Beadman,	Hamilton, R. S.,	Reynolds,	Terry,
Bernhard,	Horst,	Rhys,	Trout,
Blumberg,	Jones,	Roan,	Turner,
Boose,	Kelder,	Royer,	Wall,
Boyer,	Kelso,	Schrock,	Weidemann,
Brancato,	Kenney,	Serrill,	Wickersham,
Brennan,	Linderman,	Shaw,	Winner,
Chervenak,	Longaker,	Shortz,	Witkin,
Coakley,	Mason,	Sinwell,	Wood,
Cochran,	McDevitt,	Sloan,	Woodside,
Cooper,	McKinney,	Snyder, F. E.,	Yeakel,
Cordier,	Merrell,	Sowers,	Furman,
Denning,	Moore,		

So the question was determined in the affirmative and the resolution was adopted.

RECESS

The SPEAKER. If there are no objections the Chair is about to declare a recess until 5.00 p. m. Are there objections? The Chair hears none and declares a recess until 5.00 p. m.

AFTER RECESS

The House reconvened at 5.00 p. m.

The SPEAKER (Roy E. Furman) in the Chair.

RESOLUTION INTRODUCED AND REFERRED

By MESSRS. JAMES W. PATTERSON and CAPUTO.

RESOLUTION No. 55.

In the House of Representatives, July 29, 1936.

Whereas, There is at present another scandal in the affairs of the minor judiciary of Allegheny County; and

Whereas, Public investigations of the affairs of the minor judiciary are periodic in this Commonwealth; and

Whereas, The Legislature should be made cognizant of the present weaknesses which exist in this branch of the judicial department in order that corrective measures may be adopted; therefore be it

Resolved, That the Speaker of the House of Representatives shall appoint a legislative committee composed of five Members of the House of Representatives, whose duty it shall be to investigate the minor judiciary of this Commonwealth, and to confer with committees of the various bar associations, with the judges of the courts of common pleas, with civic groups and organizations, and with representatives of the minor judiciary, with a view of ascertaining the conditions which exist in the minor judiciary, and to ascertain what corrective measures may be taken to eliminate abuses;

Resolved, That said committee shall have power to issue subpoenas under the hand and seal of its chairman requesting and commanding any person to appear before them and to answer such questions touching matters properly being inquired into by the committee and to produce such books, papers, records and documents as the committee may deem necessary. Such subpoenas may be served upon any person and shall have the force and effect of subpoenas issued out of the courts of this Commonwealth. Each member of said committee shall have power to administer oaths and affirmations to witnesses appearing before the committee. Any person who shall wilfully neglect or refuse to testify before said committee or to produce any books, papers, records or documents, shall be subject to the penalties provided by the laws of the Commonwealth in such cases;

Resolved, That said committee shall make report to the House of Representatives of the Session of 1937, accompanied by such drafts of legislation as the committee deems appropriate.

Referred to the Committee on Rules.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 15.

An Act transferring money from the Liquid Fuels Tax Fund to the General Fund and providing for the subsequent return from the General Fund of the transferred money.

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend title, page 1, at the beginning of line 1, by striking out the word "Transferring" and inserting in lieu thereof the words "Ratifying confirming and validating the transfer of"; also in same line by striking out the words "Liquid Fuels Tax" and inserting in lieu thereof the words "State Stores"; also in same line by inserting after the word "Fund" the words "and the Motor License Fund."

Amend Section 1, page 1, by striking out in lines 4 to 14 the following: 'the moneys in the Liquid Fuels Tax Fund upon the effective date of this act are hereby transferred to the General Fund and that any moneys coming into the Liquid Fuels Tax Fund between the effective date of this act and June thirtieth one thousand nine hundred thirty-six shall be transferred to the General Fund immediately upon their payment into the Liquid Fuels Tax Fund But the total amount to be transferred upon this section shall not exceed three million dollars ($3,000,000)

The purpose of this transfer is to provide funds for unemployment relief."

and inserting in lieu thereof the following: "the action of the Governor the Auditor General and State Treasurer in transferring to the General Fund the sum of two million five hundred thousand dollars ($2,500,000) from the State Stores Fund and the sum of one million five hundred eighty-six thousand two hundred eleven dollars ($1,586,211) from the Motor License Fund in accordance with Concurrent Resolution Serial Number Eighteen approved by the Governor on June second one thousand nine hundred thirty-six in order to make the same available for expenditure for unemployment relief by the State Emergency Relief Board is hereby ratified confirmed and validated."

Amend Section 1, page 1, line 14, by striking out after the word "which" the word "this" and inserting in lieu thereof the word "the"; also on page 2, line 1, by inserting before the word "transferred" the word "money"; also in same line by striking out after the word "transferred" the word "fund" and inserting in lieu thereof the words "from the Motor License Fund."

Amend Section 2, page 2, line 5, by striking out the words "Liquid Fuels Tax" and inserting in lieu thereof the words "Motor License"; also in line 6, by striking out the words "Liquid Fuels Tax" and inserting in lieu thereof the words "Motor License."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. COHEN. Mr. Speaker and members of the House, by way of explanation this bill only ratifies the transfer that has been made possibly eight weeks ago, which had not been amended by the Senate.

On the question recurring,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—184

Achterman,	Duffort,	Mason,	Shepard,
Alexander,	Eberharter,	McCreary,	Shortz,
Allen,	Eroe,	McDermott,	Shreiner,
Altenburg,	Falkenstein,	McDevitt,	Shugarts,
Andrews,	Ferko,	McElroy,	Siegel,
Anthony,	Finnerty,	McKinney,	Simon,
Arnold,	Fitch,	Melchiorre,	Simpson,
Aukerman,	Flanagan,	Mentzer,	Sinwell,
Baine,	Flinchbaugh,	Merrell,	Sloan,
Baker, F. T.,	Gerard,	Moore,	Smith, J. A.,
Baker, J. J.,	Gillette,	Moran,	Smith, W. G.,
Baldi,	Greenstein,	Moul,	Snyder, F. E.,
Barber,	Habbyshaw,	Muir,	Sowers,
Barnhardt,	Haberlen,	Munley,	Stevens,
Beadman,	Hagerty,	Nagel,	Stewart,
Bernhard,	Haluska,	Nothnagle,	Stockham,
Blumberg,	Hamilton, F. P.,	O'Keefe,	Stone,
Boose,	Hamilton, R. S.,	Ominsky,	Sumney,
Boyer,	Harkins,	O'Neill,	Surface,
Bradley,	Harmuth,	Panton,	Sweeney,
Brancato,	Hefferon,	Parks,	Tahl,
Brennan,	Hermansen,	Patterson, C.,	Terry,
Brown, H. S.,	Hetrick,	Patterson, J. W.,	Tronzo,
Brown, J. E.,	Hindman,	Pearson,	Trout,
Brownfield,	Hirsch,	Perry,	Tumelty,
Brumbaugh,	Hoffner,	Pfaff,	Turner,
Burke,	Holland,	Phillips,	Van Allsburg,
Cannon,	Holstrom,	Piola,	VanSickle,
Caputo,	Horst,	Powers,	Wall,
Castor,	Jackson,	Reising,	Wasserman,
Chervenak,	Jones,	Reynolds,	Weidemann,
Coakley,	Kelder,	Rhys,	Weiss,
Cochran,	Kelso,	Rinn,	Welliver,
Cohen,	Kenney,	Roan,	Welsh,
Coleman,	Kilroy,	Robinson,	Westrick,
Condon,	Kinney,	Rooney,	White,
Coolahan,	Klingler,	Root,	Wickersham,
Cooper,	Kobelak,	Royer,	Winner,
Cordier,	LaRue,	Ruffennach,	Witkin,
Davies,	Linderman,	Sarraf,	Wood,
Decker,	Long,	Scanlon,	Woodside,
Dent,	Longaker,	Schrock,	Yeakel,
Diehl,	Lovett,	Schrope,	Yourishin,
Dilley,	Lynch,	Schwab,	Zappala,
Downey, G. E.,	Male,	Serrill,	Furman,
Downey, J. J.,	Mallen,	Shaw,	

NAYS—1

Gates,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative, and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

BILL SIGNED BY THE SPEAKER

Bill numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the title was publicly read as follows:

HOUSE BILL No. 15.

An Act ratifying confirming and validating the transfer of money from the State Stores Fund and the Motor License Fund to the General Fund and providing for the subsequent return from the General Fund of the transferred money.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

RESOLUTION No. 50

Mr. OMINSKY. Mr. Speaker, I desire to call up at this time Resolution No: 50, Printer's No. 206.

The resolution was read by the Clerk as follows:

In the House of Representatives, July 21, 1936.

Whereas, the Grand Jury of the County of Philadelphia, impaneled for the August Term, one thousand nine hundred thirty-five and thereafter, continued as a special grand jury, and, after careful investigation, did make its presentment to the Court of Quarter Sessions of said county, in which said Grand Jury made certain findings as to abuses, imperfections, insufficiencies and defects and evils in the Magistrates System of Philadelphia, and recommended the study of appropriate legislation to correct the same, so far as practical, and to that end recommended the establishment of a commission to study its presentment and to draft and recommend to the Legislature of one thousand nine hundred thirty-seven such legislation as might be necessary to correct the evils found to exist; and

Whereas, in said presentment it was recommended that the commission be composed of the following:

Four citizens, one to be selected by the Governor of Pennsylvania, one by the Mayor of Philadelphia, one by the Philadelphia Bar Association, and one by the Criminal Justice Association;

Three members of the Grand Jury, to be selected by the Grand Jury;

Two representatives of the District Attorney of Philadelphia, to be selected by the District Attorney;

Two representatives of the Attorney General of Pennsylvania, to be selected by the Attorney General; and

Two magistrates, to be selected by the Board of Magistrates; and

Whereas, pursuant to said recommendation the respective appointments were duly made and the commission organized and thereafter the commission elected to its membership the Controller of the City and County of Philadelphia; and

Whereas, it is desirable to augment said commission by the addition of members of the Legislature, and to give said augmented commission an official status; therefore be it

Resolved, (if the Senate concur), That the commission created as recited in the foregoing preambles, together with two members of the Senate, to be appointed by the President Pro Tempore, and two members of the House of Representatives, to be appointed by the Speaker, be, and it is hereby, designated a legislative commission to study and investigate the Magistrates System of the City of Philadelphia, and to report to the General Assembly of one thousand nine hundred thirty-seven its recommendations as to such changes, revisions or improvements in the law as it may find to be necessary or desirable; and be it further

Resolved, That the said commission shall have power to issue subpoenas, under the hand and seal of its chairman, requesting and commanding any person or persons to appear before it and to answer such questions touching matters properly being inquired into by the commission, and to produce such books, papers, records and documents as the commission may deem necessary. Such subpoenas may be served upon any person and shall have the force and effect of subpoenas issued out of the courts of this Commonwealth. Each member of said commission shall have the power to administer oaths and affirmations to witnesses appearing before the commission. Any person who shall wilfully neglect or refuse to testify before said commission, or to produce any books, papers, records or documents, shall be subject to the penalties provided by the laws of the Commonwealth in such cases.

On the question,

Will the House adopt the resolution?

Mr. SOWERS. Mr. Speaker and members of the House, the resolution before you is establishing a very bad precedent. I would have no objection whatever to the appointment of a commission to investgate the magisterial system, but I certainly must object to allowing prvate societies and private movements to select members of that commission. If the members of the Legislature are not able to select an entire commission, then none of the members

of the Legislature should be on the commission. It is a very, very bad precedent to allow any of these reform organizations or letterhead organizations to pick out this person or that person and then come up here and ask that they be given authority of law to go snooping around. If there is to be any real investigation it should be made by a commission appointed by the members of the House, and in no other way.

Mr. WITKIN. Mr. Speaker and members of the House, it is rather embarrassing to be compelled to disagree with my Republican colleague from Philadelphia, Mr. Sowers, but I firmly and honestly believe that this resolution is a proper one and ought to be passed. I believe that the commission that is presently appointed to do this job, if you may call it a commission, is a commission that is most meritoriously selected. It is composed of some of the best citizenry of Philadelphia, and I believe that the addition to that commission of two members of the House and two members of the Senate to observe the proceedings of that commission in order that they may be better able to advise the House and the Senate in the next session of the Legislature, would be a most proper thing to do.

I, therefore, ask the membership of this House to vote in favor of this resolution in order that we may not be recorded as endeavoring to thwart the progress of this commission that has been appointed and that has already organized. I believe that the commission, when it shall finally complete its report and have made it to the next session of the Legislature, will have made a good job.

I, therefore, regret that I am compelled to disagree with my colleague from Philadelphia, and I will ask those members of the House who think that I am right to vote in favor of this resolution. A vote against it might be construed as a vote against the correction of evils that exist in the magisterial system and that ought to be corrected.

On the question recurring,

Will the House adopt the resolution?

The yeas and nays were required by Mr. TUMELTY and Mr. PFAFF.

Mr. SOWERS. Mr. Speaker, I ask for a verification of the roll.

The roll was verified and was as follows:

YEAS—92

Achterman,	Diehl,	Male,	Schrope,
Alexander,	Dilley,	McCreary,	Schwab,
Allen,	Downey, G. E.,	McDermott,	Shaw,
Anthony,	Downey, J. J.,	McDevitt,	Shepard,
Arnold,	Eberharter,	McElroy,	Shortz,
Baine,	Ferko,	Melchiorre,	Shugarts,
Baker, F. T.,	Finnerty,	Merrell,	Siegel,
Baker, J. J.,	Fitch,	Moran,	Simon,
Baldi,	Flanagan,	Nagel,	Sinwell,
Blumberg,	Gerard,	O'Keefe,	Smith, J. A.,
Boyer,	Haluska,	Ominsky,	Smith, W. G.,
Bradley,	Hamilton, F. P.,	O'Neill,	Stevens,
Brennan,	Hamilton, R. S.,	Parks,	Stockham,
Brown, H. S.,	Harkins,	Patterson, Cliff,	Tronzo,
Brown, J. E.,	Holland,	Patterson, J. W.	Weiss,
Brownfield,	Holstrom,	Pearson,	Welliver,
Burke,	Horst,	Piole,	Welsh,
Caputo,	Kilroy,	Powers,	Westrick,
Chervenak,	Kinney,	Rhys,	Witkin,
Cochran,	Klingler,	Robinson,	Yeakel,
Cohen	Kobelak,	Royer	Yourishin,
Coleman,	Long,	Sarraf,	Zappala,
Coolahan,	Lynch,	Scanlon,	Furman,
Decker,			

NAYS—23

Altenburg,	Gates,	Muir,	Stewart,
Beadman,	Hagerty,	Pfaff,	Terry,
Bernhard,	Hetrick,	Roan,	Tumelty,
Boose,	Kenney,	Simpson,	Turner,
Duffort,	Mason,	Sloan,	Wickersham,
Falkenstein	Moore,	Sowers,	Wood,
Flinchbaugh,			

So the question was determined in the affirmative and the resolution was adopted.

Ordered, That the Clerk present the same to the Senate for concurrence.

RESOLUTION NO. 46

Mr. McCREARY. Mr. Speaker, I desire to call up at this time Resolution No. 46, Printer's No. 210.

The resolution was twice read considered and adopted as follows:

In the House of Representatives, July 20, 1936.

Amend House Resolution Number forty-six Serial Number sixty-nine dated July fifteen one thousand nine hundred thirty-six to read as follows

Whereas, The Reconstruction Finance Corporation has announced reductions in interest rates to various classes of borrowers ranging from five percent (5%) to four percent (4%) on industrial loans four percent (4%) to three and one-half percent (3½%) for insurance company loans and four percent (4%) to three percent (3%) for closed banks and

Whereas The legal interest rate in this State is six per cent a rate which has prevailed since one thousand eight hundred fifty-eight (1858) prior to which a rate of eight percent (8%) prevailed for a period of one hundred thirty-five (135) years and

Whereas Large business concerns are through the policy of the Reconstruction Finance Corporation, and because of their credit, enabled at this time to borrow money at rates well below the established legal rate and

Whereas, The small individual business man, the farmer and the home owner is in most cases still required to pay the legal rate of interest when forced to the necessity of borrowing money from banks and other financial institutions therefore be it

Resolved (if the Senate concur) That the Speaker of the House of Representatives be authorized to appoint [a committee of five] three Members of the House and the President Pro Tempore of the Senate be authorized to appoint three Members of the Senate who together shall constitute a joint legislative committee whose duty it shall be to make a study of the existing rates of interest and the trend if any towards lower rates of legal interest in order to ascertain whether or not it is feasible and timely that legislation be adopted reducing the legal rate of interest in this Commonwealth [from] below six percent (6%) [to four percent (4%) or some other rate]

Resolved, That said committee shall make a report to the next regular Session of the Legislature with its recommendations

Ordered, That the Clerk present the same to the Senate for concurrence.

LEAVES OF ABSENCE

Mr. Weiss asked and obtained leave of absence for Mr. KANE for the remainder of the week.

Mr. Longaker asked and obtained leave of absence for Mr. FORREST for the remainder of the week.

Mr. GILLETTE asked and obtained leave of absence for himself for the remainder of the week after today's session.

Mr. TURNER asked and obtained leave of absence for himself for the remainder of the week after today's session.

Mr. MUIR asked and obtained leave of absence for himself for the remainder of the week after today's session.

BILL INTRODUCED

Mr. SHAW asked and obtained the unanimous consent of the House to introduce a bill which was filed with the Clerk.

QUESTION OF PARLIAMENTARY INQUIRY

Mr. JOHN E. BROWN. Mr. Speaker, I arise to a question of parliamentary inquiry.

The SPEAKER. The gentleman will state his question of parliamentary inquiry.

Mr. JOHN E. BROWN. Mr. Speaker, I would like to inquire, if a member is not present——

POINT OF ORDER

Mr. TURNER. Mr. Speaker, I arise to a point of order.

The SPEAKER. The gentleman from Delaware will state his point of order.

Mr. TURNER. Mr. Speaker, the gentleman is addressing the Chair without his coat on.

The SPEAKER. The point of order is well taken.

Mr. JOHN E. BROWN. Mr. Speaker, I mean no disrespect to the Chair and to the members of the Assembly, but I do believe that the time has become so important in the history of Pennsylvania that it doesn't matter so much whether you have your coat on as how you think and how you act. My parliamentary inquiry was one that only concerns those who are absent without obtaining leave of absence. Do they draw their mileage? I am in earnest about this.

The SPEAKER. The Chair wishes to refer the inquiry to the Chief Clerk of the House who has control of the mileage.

Mr. JOHN E. BROWN. Mr. Speaker, what I want to say is that the rest of the members of the House have been down here sweltering for about thirteen weeks. We have members that do not even present themselves on the floor of the House. I do not think it is fair.

ADJOURNMENT

Mr. GERARD. Mr. Speaker, I move that this House do now adjourn until tomorrow at 3.00 p. m.

The motion was agreed to, and (at 6.40 p. m.) the House adjourned until Thursday, July 30, 1936, at 3.00 p. m.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Extraordinary Session of 1936.

Vol. 19. HARRISBURG, PA., THURSDAY, JULY 30, 1936. No. 44.

SENATE

THURSDAY, JULY 30, 1936

The Senate met at 2 o'clock P. M.

The PRESIDENT (Lieutenant-Governor Thomas Kennedy) in the Chair.

PRAYER

The Honorable FRANK W. RUTH, offered the following prayer:

Almighty God, our Heavenly Father, we come to Thee this evening. We pray that through the power of Thy Holy Spirit Thou wilt teach us the true meaning of friendship. May we say:

"Let us live in a house by the side of the road,
Where the race of men goes by;
The men that are good; and the men that are bad,—
As good and as bad as I.
We would not sit in the scorner's seat,
Nor hurl the cynic's ban;
Let us live in a house by the side of the road
And be a friend to man."

We ask in the Master's name. Amen.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. RICE, the further reading was dispensed with, and the Journal was approved.

PETITIONS

PROTESTING AGAINST DELAY IN APPROPRIATING ADEQUATE RELIEF FOR UNEMPLOYED OF PENNSYLVANIA

The Chair cleared his table and laid before the Senate protest of the Philadelphia Citizens' Committee of Unemployed Needs and numerous other citizens of Philadelphia protesting against delay in appropriating adequate funds for Pennsylvania's unemployed.

OPPOSING INCREASING IN CIGARETTE TAX

The Chair also laid before the Senate telegram from the Philadelphia Division of National Association of Tobacco Distributors opposing increase in the cigarette tax.

Also a telegram from the Retail Tobacco Dealers of Philadelphia, Harry A. Tint, President, opposing increase in the cigarette tax.

Mr. REED (Dauphin) presented a petition from the Philadelphia Division of National Association of Tobacco Distributors opposing any increase in the cigarette tax.

Which were referred to the Committee on Finance.

COMMUNICATIONS

The Chair cleared his table and laid before the Senate the following telegram:

Philadelphia, Penna., July 29, 1936.

Hon. Thomas Kennedy, Lieutenant Governor,
Harrisburg, Penna.

We earnestly ask your influence in opposition to any increase in the Cigarette Tax. If this tax should be increased it would result in an increased price to the consumer and thus increase the movement to purchase cigarettes in interstate commerce free of the state tax. There are more than eighty thousand retailers of cigarettes in Pennsylvania who would thus be injured.

Please remember that eight cents of the cost of a fifteen cent package is already taxes six cents to the Federal Government and two cents to the State. We ask your cooperation in preventing what would be an increase to the point of injustice in the sales tax on this commodity.

Philadelphia Division of National Association of Tobacco Distributors by Nelson F. Eberbach, President.

The Chair cleared his table and laid before the Senate a communication from R. B. Mateer, as follows:

1869 Wynnewood Road,
Philadelphia, Pa.

President and Secretary, Penna. Senate,
Harrisburg, Pa.

Gentlemen:

It is about time to throw the scums—women children and communists males out of the galleries of our Senate Chamber.

Those individuals have responded to a spend-thirft appeal and have made of our legislative halls nothing but a political shambles.

These individuals demand work! Well they would not take it when offered. The men would down work here in Philadelphia because they would have to get off the dole. The women continue to have children so that more relief will be accorded a lazy, shiftless, ignorant lot of individuals, and gentlemen it is about time to tell them "by the sweat of your brow shall you eat bread." That and no other way.

The shiftless demand cash and believe in laziness, but gentlemen how about a tax payers' strike? Have you ever considered what will happen when those of us who are working lay down on the job? We can buy nearly every thing outside of Pennsylvania and we can permit taxes to accumulate our real estate, and demand a moratorium and get it. And then what will you do for the scum who should be whipped out of Harrisburg and out of our country?

R. B. MATEER.

NOMINATIONS BY THE GOVERNOR

The Secretary to the Governor being introduced, presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows, and referred to the Committee on Executive Nominations.

NOTARIES PUBLIC

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 30, 1936.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

ALLEGHENY COUNTY

Miss Consuelo Cline, Pittsburgh, 1229 Park Bldg.
Miss Elizabeth M. Keaney, Pittsburgh, 609 Plaza Bldg.
Thomas J. Nichols, Pittsburgh, 430 Fourth Ave.
W. R. Shoup, Jr., Pittsburgh, 2117 Penn Ave.

BUTLER COUNTY

Uber S. Adams, Prospect.

CAMBRIA COUNTY

John W. McCall, Summerhill.

DAUPHIN COUNTY

Paul E. Deimler, Hummelstown.

LUZERNE COUNTY

Miss Margaret A. Collins, Wilkes-Barre.
Peter Cotsack, Milnesville.

MONTGOMERY COUNTY

John P. Henrie, Glenside.

PHILADELPHIA COUNTY

Anthony T. Voncent, Philadelphia, S. E. Cor. 13th and Christian Sts.

VENANGO COUNTY

Miss Frances H. Blissell, Oil City.

GEORGE H. EARLE.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 30, 1936.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following person for reappointment as a Notary Public, for a term of four years to compute from the date set opposite her name:

MONTGOMERY COUNTY

Mrs. Marian R. Hand, Bryn Mawr, August 16, 1936.

GEORGE H. EARLE.

JUSTICES OF THE PEACE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 30, 1936.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following appointments to compute from the date of confirmation:

Charles E. Saupp, Jr., of Houtzdale, Clearfield County, as Justice of the Peace in the Borough of Houtzdale, Clearfield County (to fill a vacancy), until the first Monday in January, 1938.

J. Leishman Jamison, of Fredonia, Mercer County, as Justice of the Peace in the Borough of Fredonia, Mercer County, vice John N. McClure, deceased, until the first Monday in January, 1938.

GEORGE H. EARLE.

HOUSE MESSAGES

RESOLUTION AUTHORIZING THE TRANSFER OF FUNDS FOR UNEMPLOYMENT RELIEF PURPOSES

The Clerk of the House of Representatives being introduced, presented extract from the Journal of the House of Representatives which was twice read as follows:

In the House of Representatives, July 30, 1936.

Resolved (if the Senate concur), That the General Assembly hereby authorizes the Governor and the Fiscal Officers of the Commonwealth to transfer to the General Fund the sum of two million dollars ($2,000,000) from the State Stores Fund, and the sum of one million dollars ($1,000,000) from the Liquid Fuels Tax Fund, and hereby makes available to the State Emergency Relief Board the aggregate sum of three million dollars ($3,000,000) for unemployment relief purposes: and

Resolved, That the General Assembly hereby pledges that it will pass at this session of the General Assembly appropriate legislation (1) validating the action of the Governor and the Fiscal Officers in making the transfers authorized by this resolution, (2) appropriating to the State Emergency Relief Board for unemployment relief purposes the sum of three million dollars ($3,000,000), and (3) providing revenue by taxation or otherwise to repay moneys transferred by authority of this resolution from the State Stores Fund and the Liquid Fuels Tax Fund.

Mr. KAHLE. Mr. President, I ask unanimous consent that Rule 39 which requires concurrent resolutions be referred to an appropriate committee, be suspended and that the Senate do now proceed to the immediate consideration of the resolution just read.

The PRESIDENT. Is there objection? The Chair hears none.

On the question,

Will the Senate agree to the resolution?

The yeas and nays were required and were as follows, viz:

YEAS—36

Aron,	Harris,	Miller,	Rodgers,
Batchelor,	Harvey,	Owlett,	Ruth,
Baumer,	Homsher,	Pierson,	Salus,
Bean,	Howell,	Pytko,	Scott,
Cavalcante,	Huffman,	Reed,	Staudenmeier,
Chapman,	Kahle,	(Dauphin)	Thompson,
Coyne,	Law,	Reed,	(Centre)
Ealy,	Mallery,	(Washington)	Thompson,
Frey,	McCreesh,	Rice,	(Westmoreland)
Gelder,	McGinnis,	Roberts,	Woodward,

NAYS—0

So the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

HOUSE CONCURS IN SENATE AMENDMENTS TO HOUSE BILL NO. 15

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 15, entitled:

An Act transferring money from the Liquid Fuels Tax Fund to the General Fund; and providing for the subsequent return from the General Fund of the transferred money.

RESOLUTION RECALLING FROM THE GOVERNOR HOUSE BILL NO. 69

He also presented extract from the Journal of the House of Representatives, which was twice read as follows, considered and agreed to:

In the House of Representatives.

Resolved (if the Senate concur), That House Bill No. 69, Printer's Number 207, entitled:

An Act authorizing and directing the Department of Forests and Waters to investigate, survey and report on the location and availability for purchase of certain lands suitable for reforestation and flood control as the objective; and making an appropriation

be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk inform the House of Representatives accordingly.

COMMITTEE TO MAKE A STUDY WITH REGARD TO REDUCING LEGAL RATE OF INTEREST FROM SIX PER CENTUM TO FOUR PER CENTUM

He also presented extract from the Journal of the House of Representatives which was twice read as follows:

In the House of Representatives, July 15, 1936.

Whereas, The Reconstruction Finance Corporation has announced reductions in interest rates to various classes of borrowers ranging from 5% to 4% on industrial loans, 4% to 3½% for insurance company loans, and 4% to 3% for closed banks; and

Whereas, The legal interest rate in this State is 6%, a rate which has prevailed since 1858 prior to which a rate of 8% prevailed for a period of 135 years; and

Whereas, Large business concerns are, through the policy of the Reconstruction Finance Corporation, and because of their credit, enabled at this time to borrow money at rates well below the established legal rate; and

Whereas, The small individual business man, the farmer and the home owner is in most cases still required to pay the legal rate of interest when forced to the necessity of borrowing money from banks and other financial institutions; therefore be it

Resolved, That the Speaker of the House of Representatives be authorized to appoint a committee of five Members of the House, whose duty it shall be to make a study of the existing rates of interest and the trend, if any towards lower rates of legal interest in order to ascertain whether or not it is feasible and timely that legislation be adopted reducing the legal rate of interest in this Commonwealth from 6% to 4% or some other rate;

Resolved, That said committee shall make a report to the next regular Session of the Legislature with its recommendations.

Mr. ARON. Mr. President, I move the resolution be referred to the Committee on Banking.

Mr. CHAPMAN. Mr. President, I second the motion.

The motion was agreed to.

COMMISSION TO INVESTIGATE THE MAGISTRATES SYSTEM IN THE CITY OF PHILADELPHIA

He also presented extract from the Journal of the House of Representatives which was twice read as follows:

In the House of Representatives, July 21, 1936.

Whereas, the Grand Jury of the County of Philadelphia, impaneled for the August Term, one thousand nine hundred thirty-five and thereafter, continued as a special grand jury, and, after careful investigation, did make its presentment to the Court of Quarter Sessions of said county, in which said Grand Jury made certain findings as to abuses, imperfections, insufficiencies and defects and evils in the Magistrates System of Philadelphia, and recommended the study of appropriate legislation to correct the same, so far as practical, and to that end recommended the establishment of a commission to study its presentment and to draft and recommend to the Legislature of one thousand nine hundred thirty-seven such legislation as might be necessary to correct the evils found to exist; and

Whereas, in said presentment it was recommended that the commission be composed of the following:

Four citizens, one to be selected by the Governor of Pennsylvania, one by the Mayor of Philadelphia, one by the Philadelphia Bar Association, and one by the Criminal Justice Association;

Three members of the Grand Jury, to be selected by the Grand Jury;

Two representatives of the District Attorney of Philadelphia, to be selected by the District Attorney;

Two representatives of the Attorney General of Pennsylvania, to be selected by the Attorney General; and

Two magistrates, to be selected by the Board of Magistrates; and

Whereas, pursuant to said recommendation the respective appointments were duly made and the commission organized and thereafter the commission elected to its membership the Controller of the City and County of Philadelphia; and

Whereas, it is desirable to augment said commission by the addition of members of the Legislature, and to give said augmented commission an official status; therefor be it

Resolved (if the Senate concur), That the commission created as recited in the foregoing preambles, together with two members of the Senate, to be appointed by the President Pro Tempore, and two members of the House of Representatives, to be appointed by the Speaker, be, and it is hereby, designated a legislative commission to study and investigate the Magistrates System of the City of Philadelphia, and to report to the General Assembly of one thousand nine hundred thirty-seven its recommendation as to such changes, revisions or improvements in the law as it may find to be necessary or desirable; and be it further

Resolved, That the said commission shall have power to issue subpoenas, under the hand and seal of its chairman, requesting and commanding any person or persons to appear before it and to answer such questions touching matters properly being inquired into by the commission, and to produce such books, papers, records and documents as the commission may deem necessary. Such subpoenas may be served upon any person and shall have the force and effect of subpoenas issued out of the courts of this Commonwealth. Each member of said commission shall have the power to administer oaths and affirmations to witnesses appearing before the commission. Any person who shall wilfully neglect or refuse to testify before said commission, or to produce any books, papers, records or documents, shall be subject to the penalties provided by the laws of the Commonwealth in such cases.

Mr. ARON. Mr. President, I move the resolution be referred to the Committee on Judiciary General.

Mr. CHAPMAN. Mr. President, I second the motion.

The motion was agreed to.

BILL SIGNED

The PRESIDENT (Lieutenant-Governor Thomas Kennedy) announced that the Chief Clerk having reported that the following bill had passed both Houses of the General Assembly and the same being correct, the title was publicly read as follows:

House Bill No. 15, entitled:

An Act transferring money from the Liquid Fuels Tax Fund to the General Fund; and providing for the subsequent return from the General Fund of the transferred money.

Whereupon,

The PRESIDENT (Lieutenant-Governor Thomas Kennedy) in the presence of the Senate signed the same.

HOUSE NON-CONCURS IN AMENDMENTS TO HOUSE BILL NO. 18

He also informed the Senate that the House of Representatives has non-concurred in amendments made by the Senate to House Bill No. 18, entitled:

An Act making an appropriation to the State Emergency Relief Board for direct relief, work relief, and expenses; defining the purposes for which such moneys may be expended; and prescribing the powers and duties of the State Emergency Relief Board and certain State Departments.

RECONSIDERATION OF HOUSE BILL NO. 18

Mr. HUFFMAN. Mr. President, I move to reconsider the vote by which House Bill No. 18 passed finally.

The PRESIDENT. How did the Senator vote?

Mr. HUFFMAN. Mr. President, I voted "aye."

Mr. GELDER. Mr. President, I second the motion.

The PRESIDENT. How did the Senator vote?

Mr. GELDER. Mr. President, I voted "aye."

The motion was agreed to.

And the question recurring,

Shall the bill pass finally?

Mr. HUFFMAN. Mr. President, I move to reconsider the vote by which the bill passed third reading.

The PRESIDENT. How did the Senator vote?

Mr. HUFFMAN. Mr. President, I voted "aye."

Mr. GELDER. Mr. President, I second the motion.

The PRESIDENT. How did the Senator vote?

Mr. GELDER. Mr. President, I voted "aye."

The motion was agreed to.

And the question recurring,

Will the Senate agree to the bill on third reading?

BILL RECOMMITTED

Mr. HUFFMAN. Mr. President, I move that House Bill No. 18, be recommitted to the Committee on Appropriations.

Mr. GELDER. Mr. President, I second the motion.

The motion was agreed to.

HOUSE NON-CONCURS IN AMENDMENTS TO HOUSE BILL NO. 19

He also informed the Senate that the House of Representatives has non-concurred in amendments made by the Senate to House Bill No. 19, entitled:

An Act to amend section three of the act, approved the sixteenth day of May, one thousand nine hundred thirty-five (P. L. 208), entitled "Corporate Net Income Tax Act," by increasing the rate of tax for a limited period of time.

Mr. GELDER. Mr. President, I move that the bill lie on the table for the present.

Mr. HARRIS. Mr. President, I second the motion.

The motion was agreed to.

REPORT FROM COMMITTEE

Mr. MALLERY, from the Committee on Judiciary General, re-reported as amended, Senate Bill No. 68 (House Bill No. 70), entitled:

An Act relating to flood control; prescribing the powers and duties of the Water and Power Resources Board of the Department of Forests and Waters in relation to the creation of flood control districts, adoption of plans for flood control works and improvements, carrying into effect of such plans, assistance, aid and cooperation with public and private agencies and the Federal Government in Federal flood control works and improvements, and entering into compacts and agreements with other states for flood control works and improvements; conferring the power of eminent domain; providing for appeals; conferring certain powers on municipalities, counties and townships, and the Department of Highways.

Mr. MALLERY. Mr. President, I want to announce at this time in reporting this bill, it has been understood by the Committee on Judiciary General that the bill is to be returned after it has been printed, for further consideration.

Mr. RODGERS. Mr. President, it is agreed that the bill shall come out for printing and then be returned to the Committe on Judiciary General for further consideration. However, I do hope that at the very earliest day next week we will be permitted to bring this bill out on the floor for final passage.

BILLS INTRODUCED

Mr. THOMPSON (Centre) read in his place and presented to the Chair Senate Bill No. 119, entitled:

An Act relieving real and personal property of recipients of mothers' and old age assistance from liability for assistance received.

Which was committed to the Committee on State Government.

Mr. McGINNIS read in his place and presented to the Chair Senate Bill No. 120, entitled:

An Act to further amend section one of the act, approved the fifteenth day of July, one thousand eight hundred and ninety-seven (P. L. 292), entitled "An act to provide revenue by taxation," by providing that certain corporations shall not be subject to the tax.

Which was committed to the Committee on Finance.

QUESTION OF PERSONAL PRIVILEGE

Mr. KAHLE. Mr. President, I rise to a question of personal privilege.

The PRESIDENT. The Senator from Clarion, Mr. Kahle, will state his question of personal privilege.

Mr. KAHLE. Mr. President, I have received a telegram announcing the death of Hon. Thomas Brown, an ex-member of the House. A resolution has been offered in the House, and, due to the fact that we have a man in our midst who served with him, I consider it appropriate to offer a resolution also in the Senate.

In offering the following resolution upon the death of the late Honorable Thomas Brown of Clarion County, I desire to make the following brief statement: He and our President Pro Tempore, Honorable John G. Homsher, were the two surviving members who voted for the erection of the present beautiful State Capitol Building, in which we are now located, after the disastrous fire of 1897. Mr. Brown became a member of the House in 1899, and

served with Senator Homsher during the Sessions of 1901 and 1907. In my many personal contacts and conversations with Mr. Brown he frequently reminisced most delightfully of his friendship and acquaintance with Senator Homsher, whom he held in the highest esteem.

I, therefore, deem it a rare privilege at this time to offer this resolution on the death of former Representative Brown, not only because of his worth as a former legislator and a citizen, but for the additional reason of his close acquaintanceship and admiration for the Honorable John G. Homsher, whom we all hold in the highest esteem.

Mr. KAHLE offered the following resolution which was twice read, considered and agreed to:

In the Senate of Pennsylvania, July 30, 1936.

Whereas, Word has been received that on the twenty-eighth day of July, 1936, God in His infinite wisdom removed from the midst of his family and friends the Honorable Thomas Brown, a Member of this House from Clarion County during 1898 and 1900, and again in 1906; and

Whereas, The late Thomas Brown was born in Ireland January 27, 1850, came to the United States in his youth and located in Mercer County, Pennsylvania, was educated in the public schools and in night school. He later moved to Clarion County and was identified in private business there where he made many contacts and friends. He was active in civic affairs, having served as a Member of the School Board for twelve years and as President of this Board, was Justice of the Peace for nine years, was road supervisor, and was a Member of the Democratic County Committee at various times, and Chairman of the County Convention; and

Whereas, It is only fitting and proper that official note of the sad event be inscribed in our records as a tribute to his memory; therefore be it

Resolved, That the citizens of Clarion County have lost a brilliant but modest, a kind but courageous man, respected and admired by all who knew him, and whose public record will always be remembered; and be it further

Resolved, That the Senate of Pennsylvania express its grief and sincere sorrow for the death of Thomas Brown, and direct the Chief Clerk to forward a certified copy of this resolution to the survivors of this former Member of the House.

RECESS

Mr. OWLETT. Mr. President, I move that the Senate do now take a recess for five minutes.

Mr. HARVEY. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS

The PRESIDENT. The time of recess having elapsed, the Senate will be in order.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented communication in writing from His Excellency, the Governor of the Commonwealth, which was read as follows:

APPROVAL OF CONCURRENT RESOLUTION AUTHORIZING APPOINTMENT OF COMMITTEE TO PREPARE PLAN OF PERMANENT ADMINISTRATION OF UNEMPLOYMENT RELIEF AND DRAFT LEGISLATION

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 30, 1936.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed a concurrent resolution authorizing the appointment of a committee to prepare a plan of permanent administration of unemployment relief and to draft legislation incorporating such plan, etc., and appropriating $5,000.00 for the expenses of the committee.

GEORGE H. EARLE.

BILL OVER IN ORDER

Mr. GELDER. Mr. President, I ask unanimous consent that Senate Bill No. 107 (House Bill No. 156), on third reading, entitled:

An Act making an appropriation to the State Emergency Relief Board for direct relief and expenses defining the purposes for which such moneys may be expended creating public assistance boards in each county, and prescribing their powers and duties; imposing certain expenses on counties prescribing the powers and duties of the State Emergency Relief Board and certain State departments county officers, poor directors and courts of common pleas; prohibiting political activity by employes of the State Emergency Relief Board; and prescribing penalties

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

ADJOURNMENT

Mr. HUFFMAN. Mr. President, we have passed this evening a transfer of funds for immediate relief, and have gone as far with the complete settlement of relief and the other matters before the Legislature as we can get for the present. The General Appropriation Bill will come over Monday night, together with the other appropriations, in the bills that will come from the House. The House has had introduced before it tonight a bill which will authorize the borrowing of $1,000,000, the Liquor Bill, and a third bill. I understand they will vote on these bills, on second reading, tomorrow morning early, and we will get them for action on Monday night. There being nothing further before the Senate at this time, I move that the Senate do now adjourn until next Monday night at 9 o'clock.

Mr. GELDER. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 10:33 P. M. until Monday, August 3, 1936 at 9 o'clock P. M.

HOUSE OF REPRESENTATIVES

THURSDAY, JULY 30, 1936.

The House met at 3:00 o'clock P. M.

The SPEAKER (Roy E. Furman) in the Chair.

PRAYER

The Reverend MARSHALL L. SHEPARD, a member of the House, offered the following prayer:

O God our Heavenly Father, Thou who hast created us and who dost sustain our lives, we pray Thee that we might seek in all of our ways to acknowledge Thee, that Thou mayest direct our paths, that we might seek to conform to Thy eternal requirements, to do justice, to love mercy and to walk humbly before Thy face.

Bless the officers of this government, the Speaker of this House and all of the members as Thou seest we have need. May the words of our mouths and the meditations of our hearts be accepted in Thy sight, O Lord, our strength and our Redeemer. Amen.

JOURNAL APPROVED

The SPEAKER. The Clerk will read the Journal of yesterday.

The Clerk proceeded to read the Journal of yesterday, when, on motion of Mr. WEIDEMAN the further reading was dispensed with and the Journal approved.

COMMUNICATIONS

The Speaker laid before the House the following communication which was read by the Clerk.

RELIEF

A communication from The Father's Club of Kingsley House Settlement, Pittsburgh suggesting taxation to secure needed funds for relief.

Referred to the Committee on Appropriations.

CIGARETTE TAX

A telegram from the Philadelphia division of the National Association of Tobacco Distributors, protesting increase of cigarette tax.

Referred to the Committee on Ways and Means.

BILL REFERRED

By Mr. SHAW. HOUSE BILL No. 167.

An Act to authorize counties of the second class and cities of the second class to sue out writs of scire facias on certain tax liens, or to revive judgments on such liens, where more than five years have elapsed since said liens were filed or such judgments were entered or revived, and to reduce such liens to judgement or to revive such judgments, and providing for the revival and collection of such judgments.

Referred to the Committee on Municipal Corporations.

LEAVES OF ABSENCE

Mr. Weiss asked and obtained leave of absence for Mr. ROBINSON for the remainder of the week on account of illness.

Mr. WEISS asked and obtained leave of absence for himself for the remainder of the week after today's session.

Mr. Achterman asked and obtained leave of absence for Mr. COLEMAN for today's session.

Mr. Achterman asked and obtained leave of absence for Mr. LYNCH for today's session.

Mr. GERARD asked and obtained leave of absence for himself for the remainder of the week after today's session.

Mr. Sloan asked and obtained leave of absence for Messrs. SETWART, BOYER and himself for the remainder of the week after todays session.

Mr. McKinney asked and obtained leave of absence for Mr. MERRELL on account of illness.

Mr. ROYER asked and obtained leave of absence for himself for the remainder of the week after todays session.

Mr. Hartman asked and obtained leave of absence for Mr. HINDMAN for the remainder of the week.

RESOLUTION

RECALLING HOUSE BILL No. 69 FROM THE GOVERNOR

Mr. WEISS offered the following resolution which was twice read, considered and adopted:

In the House of Representatives, July 30, 1936.

Resolved, (if the Senate concur), that House Bill No. 69, Printer's No. 207, entitled "An Act authorizing and directing the Department of Forests and Waters to investigate survey and report on the location and availability for purchase of certain lands suitable for reforestation with flood control as the objection," be recalled from the Governor for the purpose of amendment.'

Ordered, That the Clerk present the same to the Senate for concurrence.

RESOLUTION

SYMPATHY EXTENDED ON DEATH OF HON. THOMAS BROWN

Mr. WILLIAM G. SMITH offered the following resolution which was twice read, considered and adopted:

In the House of Representatives, July 30, 1936.

Whereas, Word has been received that on the twenty-eighth day of July, 1936, God in His infinite wisdom removed from the midst of his family and friends the Honorable Thomas Brown, a Member of this House from Clarion County during 1898 and 1900, and again in 1906; and

Whereas, The late Thomas Brown was born in Ireland January 27, 1850, came to the United States in his youth and located in Mercer County, Pennsylvania, was educated in the public schools and in night school. He later moved to Clarion County and was identified in private business there where he made many contacts and friends. He was active in civic affairs, having served as a Member of the School Board for twelve years and as President of this Board, was Justice of the Peace for nine years, was road supervisor, and was a Member of the Democratic County Committee at various times, and Chairman of the County Convention and

Whereas, It is only fitting and proper that official note of the sad event be inscribed in our records as a tribute to his memory; therefore be it

Resolved, That the citizens of Clarion County have lost a brilliant but modest, a kind but courageous man, respected and admired by all who knew him, and whose public record will always be remembered; and be it further

Resolved, That the House of Representatives express its grief and sincere sorrow for the death of Thomas Brown, and direct the Chief Clerk to forward a certified copy of this resolution to the survivors of this former Member of the House.

CONGRATULATING HON. JAMES E. LOVETT

Messrs. DENT, STEVENS, HABERLEN and MENTZER offered the following resolution which was twice read, considered and adopted:

In the House of Representatives, July 30, 1936.

Whereas we have in our midst a quiet, unassuming hard working Representative whose whole existence has been one of service to his people, his flag, and his principles and

Whereas this Representative is a product of the district that he represents having first glimpsed the light of day in the beautiful sun kissed hills of old Westmoreland in the thriving municipality of Irwin on the 30th day of

July, 1894. The same friends and neighbors that have twice elected him as their Representative and have at this time honored him with the Democratic nomination for the third time and

Whereas we who have associated with him in the wee small hours of a strenuous legislative session recall the stern and stout manner in which he pronounces that well known legislative battle cry—"Ante-up," and have had the pleasure of spending many gainful hours complying with his request; be it hereby

Resolved, That we express the wish that in years to come his voice will become less stern and he may enjoy the profit of his years of patient waiting and working, with his loving wife and their three children, in that great Industrial Borough of Trafford where the sun kisses the green-topped hills and the winds softly whispers.

Many returns Jim Lovett.

ANNOUNCEMENTS BY THE SPEAKER

The Chair has an announcement to make to the members. At the present time there is no more business to come before the House. We expect to recess and come back later this afternoon, at which time we believe that there will be important business to transact. For that reason the Chair urges all the members to be present. The Senate will be in session, we are informed, around four o'clock.

There will be a caucus of the Democratic members immediately after this session in the House Caucus Room.

RECESS

The SPEAKER. If there are no objections the Chair is about to declare a recess until 5:00 P. M. Are there objections? The Chair hears none and declares a recess until 5:00 P. M.

AFTER RECESS

The House reconvened at 5:00 P. M.

The SPEAKER (Roy E. Furman) in the Chair.

ANNOUNCEMENT

There will be a Republican Caucus held immediately after recess in the Conference Room.

RECESS

The SPEAKER. If there are no objections the Chair is about to declare a recess for thirty minutes. Are there objections? The Chair hears none and declares a recess for thirty minutes.

AFTER RECESS

The SPEAKER (Roy E. Furman) in the Chair.

The time of recess having expired the House will be in order.

HOUSE BILL No. 18 TAKEN FROM TABLE

Mr. COHEN. Mr. Speaker, I move that the Senate Message and House Bill No. 18, which was laid upon the table, be taken from the table.

The motion was agreed to.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 18.

An Act making an appropriation to the State Emergency Relief Board for direct relief, work relief, and expenses; defining the purposes for which such moneys may be expended; and prescribing the powers and duties of the State Emergency Relief Board and certain State Departments.

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend Section 1, page 1, line 5, by striking out at the beginning of said line the words and figures "forty million five hundred seventy-seven thousand seven hundred eighty-nine dollars ($40,577,789)" and inserting in lieu thereof the words and figures: "ten million dollars ($10,000,000)."

Amend Section 4, page 2, line 21, by striking out after the word "of" the words and figures "one hundred ninety-five thousand dollars ($195,000)" and inserting in lieu thereof the words and figures "Eighteen thousand seven hundred fifty dollars ($18,750)."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. EBERHARTER. Mr. Speaker, I move that the House do non-concur in the amendments made by the Senate.

The motion was agreed to.

Ordered, That the Clerk inform the Senate accordingly.

HOUSE BILL No. 19 TAKEN FROM TABLE

Mr. OMINSKY. Mr. Speaker, I move that the Senate Message and House Bill No. 19, which was laid upon the table, be taken from the table.

The motion was agreed to.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 19.

An Act to amend section three of the act approved the sixteenth day of May one thousand nine hundred thirty-five (Pamphlet Laws two hundred eight) entitled "An act to provide revenue for State purposes by imposing an excise tax for a limited period of time on the net incomes of certain corporations joint-stock associations and limited partnerships providing for the assessment and collection of the tax and appeals to courts conferring powers and imposing duties on certain persons corporations joint-stock associations limited partnerships State and county officers boards and departments making an appropriation and providing penalties" by increasing the rate of tax for a limited period of time

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend title, page 1, line 1, by striking out the word "Section" and inserting in lieu thereof the words "Sections two and"; also in line 13, by inserting after the word "by" and before the word "increasing" the words "further defining net income and".

Amend Section 1, page 1, line 4, by striking out the word "Section" and inserting in lieu thereof the words "Sections two and"; also page 2, line 11, by striking out the word "is" and inserting in lieu thereof the word "are."

Amend bill, page 2, by inserting after line 11, the following:

"Section 2 Definitions The following words terms and phrases when used in this act shall have the meaning ascribed to them in this section except where the context clearly indicates a different meaning

"Corporation" A corporation having capital stock joint-stock association or limited partnership either organized under the laws of this Commonwealth the United States or any other state territory or foreign country or dependency and doing business in this Commonwealth or having capital or property employed or used in this Commonwealth by or in the name of itself or any person partnership association limited partnership joint-stock association or corporation The word "corporation" shall not include building and loan associations banks bank and trust companies national banks savings institutions beneficial life and limited life insurance companies mutual fire mutual casualty and mutual life insurance companies and foreign stock companies registered in this Commonwealth and therein engaged in doing business as life fire and casualty insurance companies and surety companies and trust companies

"Department" The Department of Revenue of this Commonwealth

"Net Income" 1 In case the entire business of the corporation is transacted for the calendar year or fiscal year as returned to and ascertained by the Federal Government subject however to any corrections thereof for fraud evasion or error as finally ascertained by the Federal Government Provided That additional deductions shall be allowed from net income on account of any taxes paid to the Government of the United States and on account of any dividends received from any other corporation And provided further That in the case of stock life fire casualty and indemnity insurance companies doing business on the mutual or participating plan the term "net income" shall not include the dividends paid to policy holders out of net income

2 In case the entire business of any corporation is not transacted within this Commonwealth the tax imposed by this act shall be based upon such portion of the net income of such corporation for the fiscal or calendar year as defined in clause one hereof as may be determined by allocations and apportionments made as follows

(a) Gains realized from the sale of capital assets if such assets consists of real estate or tangible personal property situated in the Commonwealth shall be allocated to this Commonwealth

(a) Gains realized from the sale of capital assets if such assets consist of real estate or tangible personal property situated outside of the Commonwealth shall not be allocated in any part of this Commonwealth

(c) The remainder of such net income shall be divided into three equal parts

(1) Of one-third such portion shall be attributed to business carried on within the Commonwealth as shall be found by multiplying said one-third by a fraction whose numerator is the value of the corporation's tangible property situated within this Commonwealth and whose denominator is the value of all the corporation's tangible property wherever situated

(2) Of one-third such portion shall be attributed to business carried on within the Commonwealth as shall be found by multiplying said one-third by a fraction whose numerator is the expenditure of the corporation for wages salaries commissions and other compensation to its employes and assignable to this Commonwealth as hereinafter provided and whose denominator is the total expenditures of the corporation for wages salaries commissions and other compensation to all its employes

(3) Of the remaining third such portion shall be attributed to business carried on within the Commonwealth as shall be found by multiplying said third by a fraction whose numerator is the amount of the taxpayer's gross receipts from business assignable to this Commonwealth as hereinafter provided and whose denominator is the amount of the taxpayer's gross receipts from all its business

In cases where only two of the foregoing three rules are applicable the remainder of the net income of the corporation shall be divided into two equal parts only each of which shall be apportioned in accordance with one of the remaining two rules If only one of the three rules is applicable the part of the net income received from business carried on within the Commonwealth shall be determined solely by that rule

The amount assignable to this Commonwealth of expenditures of the corporation for wages salaries commissions or other compensation to its employes shall be such expenditures for the taxable year as represent the wages salaries commissions or other compensation of employes not chiefly situated at connected with or sent out from premises for the transaction of business owned or rented by the corporation outside the Commonwealth

The amount of the corporation's gross receipts from business assignable to this Commonwealth shall be the amount of its gross receipts for the taxable year from (1) sales except those negotiated or affected in behalf of the corporation by agents or agencies chiefly situated at connected with or sent out from premises for the transaction of business owned or rented by the taxpayer outside the Commonwealth and sales otherwise determined to be attributable to the business conducted on such premises and (2) rentals or royalties from property situated or from the use of patents within this Commonwealth If a corporation maintains an office warehouse or other place of business in a state other than this Commonwealth for the purpose of reducing its tax under this subsection the department shall in determining the amount of its gross receipts from business assignable to this Commonwealth include therein the gross receipts from sales attributed by the corporation to the business conducted at such place of business in another state

A rule shall not be deemed to be inapplicable merely because all the tangible property or the expenditures of a corporation for wages salaries commissions or other compensation or the gross receipts of the corporation are found to be situated incurred or received without the Commonwealth

"Person" Every natural person association or corporation Whenever used in any clause prescribing and imposing a fine or imprisonment or both the term "person" as applied to associations shall mean the partners or members thereof and as applied to corporations the officers thereof

The singular shall include the plural and the masculine shall include the feminine and neuter"

Amend Section 1, page 2, line 29, by striking out the word "ten" and inserting in lieu thereof the word "eight"; also page 3, line 8, by striking out the word "ten" and inserting in lieu thereof the word "eight".

On the question,

Will the House concur in the amendments made by the Senate?

Mr. OMINSKY. Mr. Speaker, I move that the House do non-concur in the amendments made by the Senate.

The motion was agreed to.

Ordered that the Clerk inform the Senate accordingly.

RESOLUTION

TRANSFERRING FUNDS

Mr. VAN SICKLE asked and obtained unanimous consent to offer a resolution and for its immediate consideration.

The resolution was read by the Clerk as follows:

In the House of Representatives, July 30, 1936.

Resolved, (if the Senate concur), That the General

Assembly hereby authorizes the Governor and the Fiscal Officers of the Commonwealth to transfer to the General Fund the sum of two million dollars ($2,000,000) from the State Stores Fund, and the sum of one million dollars ($1,000,000) from the Liquid Fuels Tax Fund, and hereby makes available to the State Emergency Relief Board the aggregate sum of three million dollars ($3,000,000) for unemployment relief purposes; and

Resolved, That the General Assembly hereby pledges that it will pass at this session of the General Assembly appropriate legislation (1) validating the action of the Governor and the Fiscal Officers in making the transfers authorized by this resolution, (2) appropriating to the State Emergency Relief Board for unemployment relief purposes the sum of three million dollars ($3,000,000), and (3) providing revenue by taxation or otherwise to repay moneys transferred by authority of this resolution from the State Stores Fund and the Liquid Fuels Tax Fund.

On the question,

Will the House adopt the resolution?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—151

Achterman,	Downey, J. J.,	Male,	Shreiner,
Alexander,	Duffort,	Mason,	Shugarts,
Allen,	Eberharter,	McDermott,	Siegel,
Altenburg,	Eroe,	McDevitt,	Simon,
Andrews,	Falkenstein,	McElroy,	Simpson,
Anthony,	Ferko,	McHenry,	Sinwell,
Arnold,	Finnerty,	McKinney,	Sloan,
Aukerman,	Fitch,	Melchiorre,	Smith, J. A.,
Baine,	Flanagan,	Moomaw,	Smith, W. G.,
Baker, J. J.,	Flinchbaugh,	Moore,	Sowers,
Baldi,	Gerard,	Moran,	Stank,
Barnhardt,	Greenstein,	Moul,	Stevens,
Bernhard,	Habbyshaw,	Nagel,	Stewart,
Blumberg,	Haberlen,	Nothnagle,	Stockham,
Boose,	Hagerty,	O'Keefe,	Sweeney,
Boyer,	Haluska,	Ominsky,	Tahl,
Bradley,	Hamilton, F. P.,	O'Neill,	Terry,
Brancato,	Hamilton, R. S.,	Patterson, C.,	Tronzo,
Brennan,	Harkins,	Patterson, J. W.,	Trout,
Brown, H. S.,	Harmuth,	Pearson,	Tumelty,
Brown, J. E.,	Hartman,	Pfaff,	VanAllsburg,
Brownfield,	Hermansen,	Piole,	VanSickle,
Brumbaugh,	Hetrick,	Powers,	Wall,
Burke,	Hirsch,	Reising,	Wasserman,
Cannon,	Holland,	Rhys,	Weidemann,
Caputo,	Holstrom,	Roan,	Weiss,
Chervenak,	Hoopes,	Rooney,	Welliver,
Coakley,	Jones,	Root,	Welsh,
Cochran,	Kelso,	Royer,	Westrick,
Cohen,	Kenney,	Ruffennach,	Wickersham,
Condon,	Kilroy,	Sarraf,	Witkin,
Coolahan	Kinney,	Scanlon,	Wood,
Cordier,	Klingler,	Schaeffer,	Woodside,
Davies,	LaRue,	Schrock,	Yeakel,
Decker,	Linderman,	Schrope,	Yourishin,
Dent,	Long,	Shaw,	Zappala,
Dilley,	Longaker,	Shepard,	Furman,
Downey, G. E.,	Lovett,	Shortz,	

NAYS—1

Gates.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative, and the resolution was adopted.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS INTRODUCED

Mr. BURKE asked and obtained unanimous consent to introduce a bill the title of which was read by the Clerk as follows:

An Act transferring money from the State Insurance Fund to the General Fund; and requiring the Department of Property and Supplies to liquidate the investments in such Fund, in order to provide money for such transfer.

The SPEAKER. The bill will be filed with the Clerk under the rules.

Mr. FLINCHBAUGH asked and obtained unanimous consent to introduce a bill the title of which was read by the Clerk as follows:

An Act to provide revenue for State purposes by imposing an excise tax, for a limited period of time, upon the privilege of distilling, blending, rectifying, and manufacturing alcohol and spirituous liquors; providing for the collection of the tax and the manner of making payment thereof; conferring powers and imposing duties on certain State officers and departments; and providing penalties.

The SPEAKER. The bill will be filed with the Clerk under the rules.

Mr. WEISS asked and obtained unanimous consent to introduce a bill the title of which was read by the Clerk as follows:

An Act transferring money from the State School Fund to the General Fund, and requiring the State Council of Education to liquidate such investments in the State School Fund as may be necessary to effectuate such transfer.

The SPEAKER. The bill will be filed with the Clerk under the rules.

Mr. VAN SICKLE asked and obtained unanimous consent to introduce a bill the title of which was read by the Clerk as follows:

An Act ratifying, confirming and validating the transfer of money from the State Stores Fund and the Liquid Fuels Tax Fund to the General Fund.

The SPEAKER. The bill will be filed with the Clerk under the rules.

RESOLUTION INTRODUCED

Mr. ANDREWS asked and obtained unanimous consent to introduce a resolution which was filed with the Clerk under the rules.

BILL INTRODUCED

Mr. ACHTERMAN asked and obtained unanimous consent to introduce a bill the title of which was read by the Clerk as follows:

An Act authorizing the Commonwealth to negotiate a loan of one million dollars to meet casual deficiencies in revenue during the biennial fiscal period ending the thirty-first day of May, one thousand nine hundred thirty-seven, in accordance with the provisions of section four of article nine of the Constitution; defining the powers and duties of the Governor, the Auditor General and State Treasurer; and providing for the repayment of such loan.

The SPEAKER. The bill will be filed with the Clerk under the rules.

BILLS REFERRED

By Mr. BURKE. HOUSE BILL No. 168.

An Act transferring money from the State Insurance Fund to the General Fund; and requiring the Department of Property and Supplies to liquidate the investments in such Fund, in order to provide money for such transfer.

Referred to the Committee on Appropriations.

By Mr. FLINCHBAUGH. HOUSE BILL No. 169.

An Act to provide revenue for State purposes by imposing an excise tax, for a limited period of time, upon the privilege of distilling, blending, rectifying, and manufacturing alcohol and spirituous liquors; providing for the collection of the tax and the manner of making payment thereof; conferring powers and imposing duties on certain State officers and departments; and providing penalties.

Referred to the Committee on Ways and Means.

By Mr. WEISS. HOUSE BILL No. 170.

An Act transferring money from the State School Fund, to the General Fund, and requiring the State Council of Education to liquidate such investments in the State School Fund as may be necessary to effectuate such transfer.

Referred to the Committee on Appropriations.

By Mr. VAN SICKLE. HOUSE BILL No. 171.

An Act ratifying, confirming and validating the transfer of money from the State Stores Fund and the Liquid Fuels Tax Fund to the General Fund.

Referred to the Committee on Appropriations.

By Mr. ACHTERMAN. HOUSE BILL No. 172.

An Act authorizing the Commonwealth to negotiate a loan of one million dollars to meet casual deficiencies in revenue during the biennial fiscal period ending the thirty-first day of May, one thousand nine hundred thirty-seven, in accordance with the provisions of section four of article nine of the Constitution; defining the powers and duties of the Governor, the Auditor General and State Treasurer; and providing for the repayment of such loan.

Referred to the Committee on Appropriations.

COMMITTEES GRANTED PERMISSION TO MEET DURING SESSION

The Committees on Ways and Means, Municipal Corporations and Appropriations were granted permission to meet during the session of the House.

RESOLUTION REFERRED

By Mr. ANDREWS.

(Concurrent) RESOLUTION No. 56.

In the House of Representatives, July 30, 1936.

Whereas, The General Assembly transferred to the General Fund by House Bill No. 168 the sum of One Million Dollars ($1,000,000) from the State Insurance Fund and by House Bill No. 170 the sum of One Million Five Hundred Thousand Dollars ($1,500,000) from the State School Fund, for the purpose of providing immediate funds to meet appropriations from the General Fund.

Resolved (if the Senate concur), That the General Assembly hereby pledges that at its session in 1937 it will raise revenue by taxation or otherwise for the purpose of repaying the moneys transferred from the aforesaid funds and will enact appropriate legislation to effectuate the repayment of such moneys transferred from such funds.

Referred to the Committee on Rules.

REPORTS FROM COMMITTEES

Mr. SARRAF, from the Committee on Municipal Corporations, reported as committed, House Bill No. 167, entitled:

An Act to authorize counties of the second class and cities of the second class to sue out writs of scire facias on certain tax liens, or to revive judgments on such liens, where more than five years have elapsed since said liens were filed or such judgments were entered or revived, and to reduce such liens to judgments or to revive such judgments, and providing for the revival and collection of such judgments.

Mr. LOVETT, from the Committee on Appropriations, reported as committed, House Bill No. 168, entitled:

An Act transferring money from the State Insurance Fund to the General Fund; and requiring the Department of Property and Supplies to liquidate the investments in such Fund, in order to provide money for such transfer.

Mr. CAPUTO, from the Committee on Ways and Means, reported as committed, House Bill No. 169, entttled:

An Act to provide revenue for State purposes by mposing an excise tax, for a limited period of time, upon the privilege of distilling, blending, rectifying, and manufacturing alcohol and spirtuous liquors; providing for the collection of the tax and the manner of making payment thereof; conferring powers and imposing duties on certain State officers and departments; and providing penalties.

Mr. TRONZO, from the Committee on Appropriations, reported as committed, House Bill No. 170, entitled:

An Act transferring money from the State School Fund to the General Fund, and requiring the State Council of Education to liquidate such investments in the State School Fund as may be necessary to effectuate such transfer.

Mr. BLUMBERG, from the Committee on Appropriations, reported as committed, House Bill No. 171, entitled:

An Act ratifying, confirming and validating the transfer of money from the State Stores Fund and the Liquid Fuel Tax Fund to the General Fund.

Mr. ZAPPALA, from the Committee on Appropriations, reported as committed, House Bill No. 172, entitled:

An Act authorizing the Commonwealth to negotiate a loan of one million dollars to meet casual deficiencies in revenue during the biennial fiscal period ending the thirty-first day of May, one thousand nine hundred thirty-seven, in accordance with the provisions of section four of article nine of the Constitution; defining the powers and duties of the Governor, the Auditor General and State Treasurer; and providing for the repayment of such loan.

Mr. O'KEEFE, from the Committee on Ways and Means, re-reported as amended, House Bill No. 130, entitled:

An Act to further amend the act approved the first day of June one thousand eight hundred eighty-nine (Pamphlet Laws four hundred twenty) entitled "A further supplement to an act entitled 'An act to provide revenue by taxation' approved the seventh day of June Anno Domini one thousand eight hundred and seventy-nine" by increasing for a limited period of time the rate of tax imposed by the act upon the gross receipts of certain companies limited partnerships associatons joint-stock associations copartnerships and persons.

RECESS

The SPEAKER. If there are no objections the Chair will declare a recess until 11:00 o'clock this evening. Are there objections? The Chair hears none and declares a recess until 11:00 o'clock this evening.

AFTER RECESS

The House reconvened at 11:00 P. M.

The SPEAKER (Roy E. Furman) in the Chair.

SENATE MESSAGE

RESOLUTION CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives, as follows:

In the House of Representatives, July 30, 1936.

Resolved (if the Senate concur), That House Bill No. 69, Printer's No. 207, entitled "An Act authorizing and directing the Department of Forests and Waters to investigate survey and report on the location and availability for purchase of certain lands suitable for reforestation with flood control as the objective," be recalled from the Governor for the purpose of amendment.

SENATE MESSAGE

RESOLUTION CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives, as follows:

In the House of Representatives, July 30, 1936.

Resolved, (if the Senate concur), That the General Assembly hereby authorizes the Governor and the Fiscal Officers of the Commonwealth to transfer to the General Fund the sum of two million dollars ($2,000,000) from the State Stores Fund, and the sum of one million dollars ($1,000,000) from the Liquid Fuels Tax Fund, and hereby makes available to the State Emergency Relief Board the aggregate sum of three million dollars ($3,000,000) for unemployment relief purposes; and

Resolved, That the General Assembly hereby pledges that it will pass at this session of the General Assembly appropriate legislation (1) validating the action of the Governor and the Fiscal Officers in making the transfers authorized by this resolution, (2) appropriating to the State Emergency Relief Board for unemployment relief purposes the sum of three million dollars ($3,000,000), and (3) providing revenue by taxation or otherwise to repay moneys transferred by authority of this resolution from the State Stores Fund and the Liquid Fuels Tax Fund.

COMMUNICATIONS FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE BILL No. 98

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 30, 1936.

To the Honorable, The House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 98, Printer's No. 198, entitled "An Act to create a State Planning Board prescribing its powers and duties imposing certain duties upon political subdivisions and making an appropriation."

GEORGE H. EARLE.

APPROVAL OF RESOLUTION TRANSFERRING FUNDS

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 30, 1936.

To the Honorable, The House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed a concurrent resolution authorizing the Governor and the fiscal officers of the Commonwealth to transfer to the General Fund the sum of two million dollars ($2,000,000) from the State Stores Fund, and one million dollars ($1,000,000) from the Liquid Fuels Tax Fund, making available to the State Emergency Relief Board the aggregate sum of three million dollars ($3,000,000) for unemployment relief purposes; and pledging the General Assembly to enact at this session appropriate legislation relating thereto.

GEORGE H. EARLE.

REQUEST TO MAKE STATEMENT

Mr. BLUMBERG. Mr. Speaker, I ask unanimous consent of the House to make a statement.

The SPEAKER. Will the House give its unanimous consent to the gentleman from Philadelphia to make a statement? Are there objections?

Mr. COHEN. Mr. Speaker, I object.

The SPEAKER. The Chair hears objection and consent is not granted.

BILLS ON FIRST READING

Mr. COHEN asked and obtained unanimous consent that all bills reported from committees as committed be read for the first time.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 167, entitled:

An Act to authorize counties of the second class and cities of the second class to sue out writs of scire facias on certain tax liens or to revive judgments on such liens where more than five years have elapsed since said liens were filed or such judgments were entered or revived and to reduce such liens to judgments or to revive such judgments and providing for the revival and collection of such judgments

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 168, entitled:

An Act transferring money from the State Insurance Fund to the General Fund and requiring the Department of Property and Supplies to liquidate the investments in such Fund in order to provide money for such transfer

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 169, entitled:

An Act to provide revenue for State purposes by imposing an excise tax for a limited period of time upon the privilege of distilling blending rectifying and manufacturing alcohol and spirituous liquors providing for the collection of the tax and the manner of making payment thereof conferring powers and imposing duties on certain State officers and departments and providing penalties

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 170, entitled:

An Act transferring money from the State School Fund to the General Fund and requiring the State Council of Education to liquidate such investments in the Sate School Fund as may be necessary to effectuate such transfer

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 171, entitled:

An Act ratifying, confirming and validating the transfer of money from the State Stores Fund and the Liquid Fuels Tax Fund to the General Fund

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 172, entitled:

An Act authorizing the Commonwealth to negotiate a loan of one million dollars to meet casual deficiencies in revenue during the biennial fiscal period ending the thirty-first day of May one thousand nine hundred thirty-seven in accordance with the provisions of section four of article nine of the Constitution defining the powers and duties of the Governor the Auditor General and State Treasurer and providing for the repayment of such loan

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

ADJOURNMENT

Mr. JAMES W. PATTERSON. Mr. Speaker, I move that this House do now adjourn until tomorrow at 12:01 A. M.

The motion was agreed to, and (at 11:50 P. M.) the House adjourned until Friday, July 31, 1936, at 12:01 A. M.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Extraordinary Session of 1936.

Vol. 19. HARRISBURG, PA., FRIDAY, JULY 31, 1936. No. 45.

HOUSE OF REPRESENTATIVES

FRIDAY, JULY 31, 1936.

The House met at 12:01 o'clock A. M.

The SPEAKER (Roy E. Furman) in the Chair.

PRAYER

Reverend O. F. R. TREDER, Rector of Saint James Church, Bedford, Pa., offered the following prayer:

Let us pray: for the members of the General Assembly striving honestly to solve the problems of this Commonwealth; and for those who, impatient of results, may be misguided or misled and prone to incorrect judgment.

Almighty and everlasting God, the Comfort of the sad, the Strength of sufferers, and the Help of all who flee to Thee for succour; let the prayers of those that cry out of any tribulation come unto Thee; let the clouds of fear and despair vanish before the rising winds of faith, hope and love, that this day may mark the beginning of a new era of ever growing understanding and co-operation. O God, grant that we may have eyes to see the dawning of a new day as the Sun of righteousness rises to bless His people with healing in His wings. Grant us all, grace to love and to understand, grace to live together in the unity of the Spirit and the bond of peace; and whatsoever for our unworthiness we dare not, and for our blindness we cannot ask, vouchsafe to give us, God and Maker of us all. Amen.

JOURNAL APPROVED

The SPEAKER. The Clerk will read the Journal of yesterday.

The Clerk proceeded to read the Journal of yesterday, when, on motion of Mr. MOOMAW, the further reading was dispensed with and the Journal approved.

RESOLUTION

CONGRATULATIONS ON BAND CONCERT

Messrs. MOUL, ALLEN, ALEXANDER and DECKER offered the following resolution which was twice read, considered and unanimously adopted:

In the House of Representatives, July 30, 1936.

Whereas, Some of the Members of the House of Representatives had the extreme pleasure this evening, at the invitation of Representative John A. Smith, of listening to and enjoying the massed Band Concert by the combined bands of Cumberland County, six hundred strong, at Stark Field, Carlisle Barracks, and

Whereas, The Members invited cannot leave pass this opportunity of calling the success of this event to the attention of the Members of this House, in the hope that similar concerts will be held elsewhere in the Commonwealth for the enjoyment and munical education of the people, therefore, be it

Resolved, That the efforts of General Shockley, Director Alexander Natafulasey, and Major Roland T. Fenton of the Medical Field Training School at Carlisle, in producing this concert by the combined bands of Cumberland County for the enjoyment and education of the people of their community and some of the Members of this House, be commended by the Members of this House, and the hope expressed that this movement may spread to other parts of this Commonwealth.

Resolved, That a copy of this resolution be transmitted to General Shockley, Director Natafulasey and Major Fenton by the Chief Clerk of this House.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 167, as follows:

An Act to authorize counties of the second class and cties of the second class to sue out writs of scire facias on certain tax liens or to revive judgments on such liens where more than five years have elapsed since said liens were filed or such judgments were entered or revived and to reduce such liens to judgment or to revive such judgments and providing for the revival and collection of such judgments

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That whenever any county of the second class or city of the second class has heretofore filed in the office of the prothonotary of the proper county any tax lien or tax liens and the county of the second class or city of the second class has not within the period of five years after the date on which any such tax lien was filed sued out a writ of scire facias to reduce the same to judgment or whenever any such tax lien or tax liens have been reduced to judgment and the county of the second class or city of the second class has not within the period of five years after the date on which such judgment or judgments were entered or within five years after the date on which such judgment or judgments were last revived filed a suggestion of non-payment and an averment of default or sued out a writ of scire facias to revive the same then in any such case any such county of the second class or city of the second class may within six months after the final enactment of this act issue its praecipe for a writ of scire facias on any such tax lien and proceed to judgment in the manner provided by law to obtain judgments upon tax liens or in case judgment has been entered either file a suggestion of non-payment and an averment of default or issue its praecipe for a writ of scire facias on any such judgment and proceed to judgment in the manner provided by law to obtain judgments of revival and such judgment so entered or revived shall be a valid judgment and be a lien upon the real estate upon which it was a lien at the time the lien was filed or the judgment was entered and said judgment may be revived or further revived and collected as other judgments upon tax liens are revived and collected Provided

however That the lien of any judgment shall not re-attach against any real estate transferred to any purchaser during the time when the lien of any such tax or judgment was lost nor shall the lien of any such judgment impair or affect the priority of the lien of any mortgage or other lien which gained priority because of the failure of the county of the second class or city of the second class to sue out the writ of scire facias or file a suggestion of non-payment and averment of default within the five year period or was entered of record during the time the lien of such tax lien or judgment was lost

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 168, as follows:

An Act transferring money from the State Insurance Fund to the General Fund and requiring the Department of Property and Supplies to liquidate the investments in such Fund in order to provide money for such transfer

Section 1 Be it enacted that the moneys and the proceeds derived from the liquidation hereinafter required of the investments held in the State Insurance Fund in the aggregate sum of one million dollars ($1,000,000) are hereby transferred to the General Fund

Upon the effective date of this act the Department of Property and Supplies shall proceed immediately to dispose of such investments in the State Insurance Fund for the best prices obtainable as may be necessary to effectuate the transfer authorized by this act

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 169, as follows:

An Act to provide revenue for State purposes by imposing an excise tax for a limited period of time upon the privilege of distilling blending rectifying and manufacturing alcohol and spirituous liquors providing for the collection of the tax and the manner of making payment thereof conferring powers and imposing duties on certain State officers and departments and providing penalties

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That a tax is hereby imposed upon the privilege of distilling blending rectifying and manufacturing alcohol and spirituous liquors during the calendar year one thousand nine hundred thirty-six at the rate of five cents a gallon upon the alcohol and spirituous liquor distilled blended rectified and manufactured during said year

Section 2 This tax shall be in addition to all other taxes imposed by the laws of the Commonwealth

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED

Mr. COHEN. Mr. Speaker, I move that this bill be recommitted to the Committee on Ways and Means for rectifying amendments.

The motion was agreed to.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 170, as follows:

An Act transferring money from the State School Fund to the General Fund and requiring the State Council of Education to liquidate such investments in the State School Fund as may be necessary to effectuate such transfer

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the moneys and the proceeds derived from the liquidation hereinafter required of the investments held in the State School Fund in the aggregate sum of one million five hundred thousand dollars ($1,500,000) are hereby transferred to the General Fund Upon the final enactment of this act the State Council of Education shall proceed immediately to dispose of such investments in the State School Fund for the best prices obtainable as may be necessary to effectuate the transfer authorized by this act

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 171, as follows:

An Act ratifying confirming and validating the transfer of money from the State Stores Fund and the Liqud Fuels Tax Fund to the General Fund

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the action of the Governor the Auditor General and State Treasurer in transferring to the General Fund the sum of two million dollars ($2,000,000) from the State Stores Fund and the sum of one million dollars ($1,000,000) from the Liquid Fuels Tax Fund in accordance with Concurrent Resolution Serial Number —— in order to make the same available for expenditure for unemployment relief by the State Emergency Relief Board is hereby ratified confirmed and validated

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 172, as follows:

An Act authorizing the Commonwealth to negotiate a loan of one million dollars to meet casual deficiencies in revenue during the biennial fiscal period ending the thrty-first day of May one thousand nine hundred thirty-seven in accordance with the provisions of section four of article nine of the Constitution defining the powers and duties of the Governor the Auditor General and State Treasurer and providing for the repayment of such loan

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the Governor the Auditor General and the State Treasurer on behalf of the Commonwealth are hereby authorized from time to time prior to

the thirty-first day of May one thousand nine hundred thirty-seven to borrow on the credit of the Commonwealth of Pennsylvania such sum or sums of money not to exceed one million dollars ($1,000.000) as may be necessary to meet casual deficiencies of revenue during the biennial fiscal period ending the thirty-first day of May one thousand nine hundred thirty-seven

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED

Mr. ACHTERMAN. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations for the purpose of amendment.

The motion was agreed to.

BILL ON THIRD READING

Mr. EROE. Mr. Speaker, I ask that House Bill No. 130, Printer's No. 218, on page 2, of today's calendar, bill on third reading be passed over.

ADJOURNMENT

Mr. JAMES W. PATTERSON. Mr. Speaker, I move that this House do now adjourn until Monday, August 3, 1936, at 9:00 P. M.

The motion was agreed to, and (at 12:28 A. M.) the House adjourned until Monday, August 3, 1936, at 9:00 P. M.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Extraordinary Session of 1936.

Vol. 19. HARRISBURG, PA., MONDAY, AUGUST 3, 1936. No. 46.

SENATE

MONDAY, AUGUST 3, 1936

The Senate met at 9 o'clock P. M.

The PRESIDENT (Pro Tempore John G. Homsher) in the Chair.

PRAYER

The Chaplain, Rev. William E. Howard, D. D., offered the following prayer:

O Lord, we live in a confused and perplexed age; an age of restlessness and impatience. Each individual seeks to attain his own goal; each group strives to achieve its particular end; each nation plans for its own aggrandizement and glory. Thus has all the world become a mass of frenzied activity, each unit self-centered and unconcerned regarding the universal weal.

In the midst of this confusion Thou dost move, striving to speak to us all. But the clash of opposing interests sounds so loudly that Thy voice is often unheard. Quicken our ears to hear the message "Be still and know that I am God; I will be exalted in the heavens; I will be exalted in the earth." We need the quietude of prayer. We need to hear the sound of Thy voice and feel the loving touch of Thy hand. Thou dost love us all with a love surpassing that of a mother for her child. Thine is a perfect love and perfect love casteth out fear.

No worthy enterprise can be led to successful consummation by hatred. But love will show the way to a solution of all our problems, for love leads us to God and "God is love." Help this Senate and help us all to trustfully place our hand in Thine and to honestly say, "Whithersoever Thou dost lead I will go." We ask it in the name of Him who is the perfect expression of Thy perfect love. Amen.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. SALUS, the further reading was dispensed with, and the Journal was approved.

LEAVE OF ABSENCE

Mr. HARVEY asked and obtained leave of absence for the Senator from Luzerne, Mr. Sordoni.

PETITIONS

OPPOSING AN INCREASE IN THE CIGARETTE TAX

The Chair cleared his table and laid before the Senate petitions from Yahn and McDonnell, Philadelphia, and Philadelphia Wholesale Drug Company, Philadelphia, protesting against a further tax on cigarettes.

PROTESTING AGAINST A FURTHER TAX ON DISTILLED LIQUOR

The Chair also laid before the Senate numerous telegrams from individuals and corporations thoroughout the State protesting against the contemplated tax on distilled liquor.

NOMINATIONS BY THE GOVERNOR

The Secretary to the Governor being introduced, presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows, and referred to the Committee on Executive Nominations.

NOTARIES PUBLIC

Commonwealth of Pennsylvania.
Governor's Office, Harrisburg, Aug. 3, 1936.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

BERKS COUNTY

Charles B. Ebling, Bernharts.

CARBON COUNTY

Samuel A. Lockwood, Tresckow.

DAUPHIN COUNTY

Miss Catharine H. Kell, Harrisburg.

FAYETTE COUNTY

Guido Gentile, Uniontown.

LYCOMING COUNTY

Miss A. Marie Ertel, Williamsport.

PHILADELPHIA COUNTY

Miss Ruth L. Wright, 635 Phila. Saving Fund Bldg., Philadelphia.

VENANGO COUNTY

Daniel J. Skelly, Oil City.

WARREN COUNTY

John G. Wasil, Sheffield.

GEORGE H. EARLE.

JUSTICES OF THE PEACE

Commonwealth of Pennsylvania.
Governor's Office, Harrisburg, Aug. 3, 1936.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following appointments:

Mrs. Anna May Bradley, 226 Church St., Lilly, Cambria County, as Justice of the Peace in the Borough of Lilly, Cambria County (to fill a vacancy), until the first Monday in January, 1938.

Victor M. Lea, of Susquehanna, Susquehanna County, as Justice of the Peace in the Borough of Susquehanna, Susquehanna County, vice Jerome Lannon, resigned, until the first Monday in January, 1938.

GEORGE H. EARLE.

REPORT FROM COMMITTEE

Mr. GELDER, from the Committee on Appropriations, reported as amended, Senate Bill No. 114 (House Bill No. 161), entitled:

An Act making an appropriation to the Water and Power Resources Board for payment into the Flood Control Fund for flood control purposes.

CONDOLENCES ON THE DEATH OF HONORABLE ROBERT SELLERS FRAZER

Mr. COYNE offered the following resolution which was twice read, considered and agreed to:

In the Senate, August 3, 1936.

Members of the Senate learn wth great sorrow of the passing of the Honorable Robert Sellers Frazer, until recently Chief Justice of the Supreme Court of Pennsylvania, and earlier President Judge of the Court of Common Pleas of Allegheny County and for two terms a member of the House of Representatives.

Justice Frazer was born in Fayette City, Pennsylvania, September 18, 1849, the son of Caleb T. and Sarah Baker Frazer. He was educated in the public schools and the Western University of Pennsylvania and was admitted to the Allegheny Bar in 1873. In 1877 Mr. Frazer was elected a member of the House of Representatives, serving until 1881. In 1896 he was elected a judge of the Common Pleas Court of Allegheny County, being chosen President Judge of that Court in 1900 and serving 14 years until elected associate justice of the Pennsylvania Supreme Court in 1914. In 1930 Justice Frazer became Chief Justice and retired early this year, as he stated, "to rest, read and relax."

Nothwithstanding his eminence Justice Frazer won universal regard by his modesty, his genial nature, his fairness, his sound judgment and his great consideration for the younger members of his profession. There was deep reverence for Justice Frazer in all walks of life and among all classes of his profession he earned an enviable reputation for his common sense, his high attainments and his uniform kindness to all with whom he came into contact. The career of Justice Frazer will remain imperishable in the annals of the Pennsylvania judiciary.

Members of the Senate wish to give expression to their high regard for Justice Frazer in this minute of respect and they extend to the family and friends their sincere sympathy.

It is hereby resolved that a copy of this minute be sent to the bereaved family.

FINAL ADJOURNMENT

Mr. BUCKMAN offered the following resolution, which was twice read, considered and agreed to:

In the Senate, August 3, 1936.

Resolved (if the House of Representatives concur), That this Extraordinary Session of the General Assembly adjourn sine die, Thursday, August sixth, at twelve o'clock noon, Eastern Standard Time.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

BILL RECOMMITTED

Mr. BUCKMAN. Mr. President, I move that Senate Bill No. 68 (House Bill No. 70), on third reading, entitled:

An Act relating to flood control prescribing the powers and duties of the Water and Power Resources Board of the Department of Forests and Waters in relation to the creation of flood control districts adoption of plans for flood control works and improvements carrying into effect of such plans assistance aid and cooperation with public and private agencies and the Federal Government in Federal flood control works and improvements and entering into compacts and agreements with other states for flood control works and improvements conferring the power of eminent domain providing for appeals and conferring certain powers on municipalities counties and townships and the Department of Highways

be recommitted to the Committee on Judiciary General.

Mr. RODGERS. Mr. President, I second the motion.

The motion was agreed to.

BILL OVER IN ORDER

Mr. GELDER. Mr. President, I ask unanimous consent that Senate Bill No. 107 (House Bill No. 156), on third reading, entitled:

An Act making an appropriation to the State Emergency Relief Board for direct relief and expenses defining the purposes for which such moneys may be expended creating public assistance boards in each county, and prescribing their powers and duties; imposing certain expenses on counties prescribing the powers and duties of the State Emergency Relief Board and certain State departments county officers, poor directors and courts of common pleas; prohibiting political activity by employes of the State Emergency Relief Board; and prescribing penalties

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

RECESS

Mr. GELDER. Mr. President, I move that the Senate do now take a recess for fifteen minutes.

Mr. WOODWARD. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS

The PRESIDENT. The time of recess having elapsed, the Senate will be in order.

REPORTS FROM COMMITTEES

Mr. GRAFF. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. GRAFF, from the Committee on Appropriations, reported as amended, Senate Bill No. 108 (House Bill No. 18), entitled:

An Act making an appropriation to the State Emergency Relief Board for direct relief work relief and expenses defining the purposes for which such moneys may be expended and prescribing the powers and duties of the State Emergency Relief Board and certain State Departments and ratifying confirming and validating the action of the Governor and the fiscal officers in making moneys available for unemployment relief prior to the adoption of this act

Mr. HARRIS. Mr. President, I ask unanimous consent to make a report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HARRIS, from the Committee on Appropriations, re-reported as amended, Senate Bill No. 40 (House Bill No. 50), entitled:

A Supplement to the act, approved the nineteenth day of July one thousand nine hundred thirty-five (Pamphlet Laws, one thousand three hundred fifty-one), entitled "An act making appropriations to carry into effect the provisions of an act, approved the tenth day of July, one thousand nine hundred and nineteen (Pamphlet Laws, eight hundred ninety-three), entitled 'An act providing for assistance to certain mothers; providing for the appointment of boards of trustees for the several counties of the Commonwealth, and for the appointment of a State Supervisor and assistants, and fixing the salaries of such State Supervisor and assistant; defining the powers and duties of boards of trustees, including the power of appointing assistants and investigators, and the distribution of funds at their disposal; providing for the apportionment of the State appropriation among the several counties, and requiring counties coming under the provisions of the act to appropriate certain moneys; and providing penalties,' as amended", making an appropriation for the payment of mothers' assistance to applicants in counties which do not have sufficient funds available to pay assistance to such applicants and suspending the provisions of this act in case Federal aid for dependent children shall fail for any reason

Mr. SCOTT. Mr. President, I ask unanimous consent to make a report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. SCOTT, from the Committee on Appropriations, re-reported as amended, Senate Bill No. 38 (House Bill No. 54), entitled:

A Supplement to Act No. 57-A, approved the nineteenth day of July, one thousand nine hundred thirty-five (Appropriation Act of 1935, Page 41), entitled "An act making an appropriation to the Department of Welfare for Old Age Assistance", making an appropriation for the payment of old age assistance to applicants in counties which do not have sufficient funds available to pay assistance to such applicants and suspending the provisions of this act in case Federal grants for old age assistance shall fail for any reason

Mr. FREY. Mr. President, I ask unanimous consent to make a report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. FREY, from the Committee on Appropriations, re-reported as committed, Senate Bill No. 58 (House Bill No. 75), entitled:

A Supplement to Act No. 56-A, approved the nineteenth day of July; one thousand nine hundred thirty-five (Appropriation Acts of 1935, Page 41), entitled "An act making an appropriation to the Department of Welfare for Pensions for the Blind," increasing the current appropriation for blind pensions in order to enable the Commonwealth to match sufficient funds from the Federal Government to provide pensions for all blind persons eligible to receive the same.

HOUSE MESSAGES

HOUSE BILLS FOR CONCURRENCE

The Clerk of the House of Representatives being introduced, presented for concurrence bills of the House of Representatives as follows:

House Bill No. 167 (Senate Bill No. 121), entitled:

An Act to authorize counties of the second class and cities of the second class to sue out writs of scire facias on certain tax liens, or to revive judgments on such liens, where more than five years have elapsed since said liens were filed or such judgments were entered or revived, and to reduce such liens to judgment or to revive such judgments, and providing for the revival and collection of such judgments.

Which was committed to the Committee on Municipal Government.

House Bill No. 168, (Senate Bill No. 122), entitled:

An Act transferring money from the State Insurance Fund to the General Fund; and requiring the Department of Property and Supplies to liquidate the investments in such Fund, in order to provide money for such transfer.

Which was committed to the Committee on Appropriations.

House Bill No. 170 (Senate Bill No. 123), entitled:

An Act transferring money from the State School Fund to the General Fund, and requiring the State Council of Education to liquidate such investments in the State School Fund as may be necessary to effectuate such transfer.

Which was committed to the Committee on Appropriations.

House Bill No. 171 (Senate Bill No. 124), entitled:

An Act ratifying, confirming and validating the transfer of money from the State Stores Fund and the Liquid Fuels Tax Fund to the General Fund.

Which was committed to the Committee on Appropriations.

House Bill No. 172 (Senate Bill No. 125), entitled:

An Act authorizing the Commonwealth to negotiate a loan of one million dollars to meet casual deficiencies in revenue during the biennial fiscal period ending the thirty-first day of May, one thousand nine hundred thirty-seven, in accordance with the provisions of section four of article nine of the Constitution; defining the powers and duties of the Governor, the Auditor General and State Treasurer; and providing for the repayment of such loan.

Which was committed to the Committee on Appropriations.

RECESS

Mr. HARRIS. Mr. President, I move that the Senate do now take a recess for thirty minutes while waiting for business from the House.

Mr. HOWELL. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS

The PRESIDENT. The time of recess having elapsed, the Senate will be in order.

HOUSE MESSAGES

HOUSE BILLS FOR CONCURRENCE

The Clerk of the House of Representatives, being introduced, presented for concurrence bills of the House of Representatives as follows:

House Bill No. 130 (Senate Bill No. 126), entitled:

An Act to further amend the act approved the first day of June one thousand eight hundred eighty-nine (Pamphlet Laws four hundred twenty) entitled "A further supplement to an act entitled 'An act to provide revenue by taxation' approved the seventh day of June Anno Domini one thousand eight hundred and seventy-nine" by increasing for a limited period of time the rate of tax imposed by the act upon the gross receipts of certain companies limited partnerships associations joint-stock associations, copartnerships, and persons and by adding a new section imposing a temporary emergency tax upon the gross receipts of certain companies, limited partnerships, associations, joint-stock associations, copartnerships and persons engaged in the water and natural or artificial gas business.

Which was committed to the Committee on Finance.

House Bill No. 169 (Senate Bill No. 127), entitled:

An Act to provide revenue for State purposes by imposing an excise tax, for a limited period of time, upon the privilege of distilling, blending, rectifying, and manufacturing alcohol and spirituous liquors; providing for the collection of the tax and the manner of making payment thereof; conferring powers and imposing duties on certain State officers and departments; and providing penalties.

Which was committed to the Committee on Finance.

REPORTS FROM COMMITTEES

Mr. GELDER. Mr. President, I ask unanimous consent to make a report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. GELDER, from the Committee on Appropriations, reported as amended, Senate Bill No. 122 (House Bill No. 168), entitled:

An Act transferring money from the State Insurance Fund to the General Fund and requiring the Department of Property and Supplies to liquidate the investments in such Fund in order to provide money for such transfer.

Also from the Committee on Appropriations, reported as committed, Senate Bill No. 123 (House Bill No. 170), entitled:

An Act transferring money from the State School Fund to the General Fund and requiring the State Council of Education to liquidate such investments in the State School Fund as may be necessary to effectuate such transfer.

Also from the Committee on Appropriations, reported as amended, Senate Bill No. 124 (House Bill No. 171), entitled:

An Act ratifying confirming and validating the transfer of money from the State Stores Fund and the Liquid Fuels Tax Fund to the General Fund and providing for the subsequent return from the General Fund of the transferred money.

Also from the Committee on Appropriations, reported as committed, Senate Bill No. 125 (House Bill No. 172), entitled:

An Act authorizing the Commonwealth to negotiate a loan of one million dollars to meet any casual deficiency in revenue during the biennial fiscal period ending the thirty-first day of May, one thousand nine hundred thirty-seven, in accordance with the provisions of section four of article nine of the Constitution of Pennsylvania; defining the powers and duties of the Governor, the Auditor General and State Treasurer in relation thereto; and providing for the payment of interest on and the repayment of such loan.

Mr. ARON. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. ARON, from the Committee on Finance, reported as committed, Senate Bill No. 127 (House Bill No. 169), entitled:

An Act to provide revenue for State purposes by imposing an excise tax for a limited period of time upon the delivery in this Commonwealth to the Pennsylvania Liquor Control Board of distilled rectified and blended spirits providing for the payment and collection of the tax and conferring powers and imposing duties on the Pennsylvania Liquor Control Board.

Mr. HOWELL. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HOWELL, from the Committee on Municipal Government, reported as committed, Senate Bill No. 121 (House Bill No. 167), entitled:

An Act to authorize counties of the second class and cities of the second class to sue out writs of scire facias on certain tax liens or to revive judgments on such liens where more than five years have elapsed since said liens were filed or such judgments were entered or revived and to reduce such liens to judgments or to revive such judgments and providing for the revival and collection of such judgments

Mr. OWLETT. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. OWLETT, from the Committee on Finance, reported as committed, Senate Bill No. 126 (House Bill No. 130), entitled:

An Act to further amend the act approved the first day of June one thousand eight hundred eighty-nine (Pamphlet Laws four hundred twenty) entitled "A further supplement to an act entitled 'An act to provide revenue by taxation' approved the seventh day of June Anno Domini one thousand eight hundred and seventy-nine" by increasing for a limited period of time the rate of tax imposed by the act upon the gross receipts of certain companies limited partnerships and associations joint-stock associations copartnerships and persons.

MOTION TO READ BILL THE FIRST TIME

Mr. BUCKMAN. Mr. President, I move that the bill reported from committee at today's session be read the first time.

Mr. GELDER. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON FIRST READING

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 114 (House Bill No. 161), entitled:

An Act making an appropriation to the Water and Power Resources Board for payment into the Flood Control Fund for flood control purposes.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 121 (House Bill No. 167), entitled:

An Act to authorize counties of the second class and cities of the second class to sue out writs of scire facias on certain tax liens or to revive judgments on such liens where more than five years have elapsed since said liens were filed or such judgments were entered or revived and to reduce such liens to judgment or to revive such judgments and providing for the revival and collection of such judgments.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 122 (House Bill No. 168), entitled:

An Act transferring money from the State Insurance Fund to the General Fund and requiring the Department of Property and Supplies to liquidate the investments in such Fund in order to provide money for such transfer.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 123 (House Bill No. 170), entitled:

An Act transferring money from the State School Fund to the General Fund and requiring the State Council of Education to liquidate such investments in the State School Fund as may be necessary to effectuate such transfer.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 124 (House Bill No. 171), entitled:

An Act ratifying confirming and validating the transfer of money from the State Stores Fund and the Liquid Fuels Tax Fund to the General Fund and providing for the subsequent return from the General Fund of the transferred money.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 125 (House Bill No. 172), entitled:

An Act authorizing the Commonwealth to negotiate a loan of one million dollars to meet any casual deficiency in revenue during the biennial fiscal period ending the thirty-first day of May one thousand nine hundred thirty-seven in accordance with the provisions of section four of article nine of the Constitution of Pennsylvania defining the powers and duties of the Governor the Auditor General and State Treasurer in relation thereto and providing for the payment of interest on and the repayment of such loan.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 126 (House Bill No. 130), entitled:

An Act to further amend the act approved the first day of June one thousand eight hundred eighty-nine (Pamphlet Laws four hundred twenty) entitled "A further supplement to an act entitled 'An act to provide revenue by taxation' approved the seventh day of June Anno Domini one thousand eight hundred and seventy-nine" by increasing for a limited period of time the rate of tax imposed by the act upon the gross receipts of certain companies limited partnerships associations joint-stock associations copartnerships and persons.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 127 (House Bill No. 169), entitled:

An Act to provide revenue for State purposes by imposing an excise tax for a limited period of time upon the delivery in this Commonwealth to the Pennsylvania Liquor Control Board of distilled rectified and blended spirits providing for the payment and collection of the tax and conferring powers and imposing duties on the Pennsylvania Liquor Control Board.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

ADJOURNMENT

Mr. HARRIS. Mr. President, I move that the Senate do now adjourn until tomorrow afternoon at 2:00 o'clock.

Mr. GELDER. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 11:59 P. M. until Tuesday, August 4, at 2:00 o'clock.

HOUSE OF REPRESENTATIVES

MONDAY, AUGUST 3, 1936

The House met at 9:00 P. M.

The SPEAKER (Roy E. Furman) in the Chair.

PRAYER

The Reverend MARSHALL L. SHEPARD, a member of the House, offered the following prayer:

Like a father pitieth his children, so the Lord pitieth them that fear Him. We thank Thee for the truth of Thy word, that the fear of the Lord is the beginning of wisdom.

May we in the proceedings of this House worship and adore Thy name and so honor Thee in all of our works, that we shall be abundantly supplied by Thy wisdom and be led into a greater knowledge of Thy truth.

Bless the Governor of this Commonwealth, the Speaker of this House, and every member according to his or her various needs. Guide us, we pray, and let Thy face shine upon us, and grant unto us the peace of God that passeth the understanding of men. In His name and for His sake. Amen.

JOURNAL APPROVED

The SPEAKER. The Clerk will read the Journal of Friday, July 31, 1936.

The Clerk proceeded to read the Journal of Friday, July 31, 1936, when, on motion of Mr. REISING the further reading was dispensed with and the Journal was approved.

RECESS

Mr. WITKIN. Mr. Speaker, I ask that this House do now take a recess for fifteen minutes. I desire to make the announcement that the Republican membership of

the House will meet in the Senate caucus room for the purpose of holding a Republican caucus.

The SPEAKER. If there are no objections the Chair will now declare a recess for fifteen minutes for the purpose of permitting the Republican members to hold a caucus in the Senate caucus room. Are there objections? The Chair hears none and declares a recess for fifteen minutes.

AFTER RECESS

The SPEAKER (Roy E. Furman) in the Chair.

The time of recess having expired the House will be in order.

COMMITTEES GRANTED PERMISSION TO MEET DURING SESSION

Mr. COHEN asked and obtained permission for the Committee on Appropriations to meet during the session of the House.

RECESS

The SPEAKER. If there are no objections the Chair will declare a recess for fifteen minutes. Are there objections? The Chair hears none and declares a recess for fifteen minutes.

AFTER RECESS

The SPEAKER (Roy E. Furman) in the Chair.

The time of recess having expired the House will be in order.

LEAVES OF ABSENCE

Mr. Stewart asked and obtained leave of absence for Mr. SLOAN for tonight and tomorrow's session on account of death in the family.

Mr. Duffort asked and obtained leave of absence for Mr. ROBERT BOYD due to illness.

Mr. Sarraf asked and obtained leave of absence for Mr. MOONEY on account of illness.

REPORT FROM COMMITTEE

Mr. BALDI, from the Committee on Appropriations, re-reported as amended, House Bill No. 172, entitled:

An Act authorizing the Commonwealth to negotiate a loan of one million dollars to meet casual deficiencies in revenue during the biennial fiscal period ending the thirty-first day of May, one thousand nine hundred thirty-seven, in accordance with the provisions of section four of article nine of the Constitution of Pennsylvania defining the powers and duties of the Governor the Auditor General and State Treasurer in relation thereto and providing for the payment of interest on and the repayment of such loan.

BILL PASSED IN ORDER

Mr. EROE. Mr. Speaker, I ask that House Bill No. 130, Printer's No. 218, be passed over in its order.

BILLS ON THIRD READING

Agreably to order,

The House proceeded to the third reading and consideration of House Bill No. 167, entitled:

An Act to authorize counties of the second class and cities of the second class to sue out writs of scire facias on certain tax liens, or to revive judgments on such liens, where more than five years have elapsed since said liens were filed or such judgments were entered or revived, and to reduce such liens to judgments or to revive such judgments, and providing for the revival and collection of such judgments.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—200

Achterman,	Eberharter,	Mason,	Shaw,
Alexander,	Eroe,	McCreary,	Shepard,
Allen,	Falkenstein,	McDermott,	Shortz,
Altenburg,	Ferko,	McDevitt,	Shreiner,
Andrews,	Finnerty,	McElroy,	Shugarts,
Anthony,	Fitch,	McHenry,	Siegel,
Arnold,	Flanagan,	McKinney,	Simon,
Atkins,	Flinchbaugh,	Melchiorre,	Simpson,
Aukerman,	Flynn,	Mentzer,	Sinwell,
Baine,	Forrest,	Merrell,	Smith, J. A.,
Baker, F. T.,	Gates,	Moomaw,	Smith, W. G.,
Baker, J J.,	Gerard,	Moore,	Snyder, F. E.,
Baldi,	Gillette,	Moran,	Snyder, J. L.,
Barber,	Greenstein,	Moul,	Sowers,
Barnhardt,	Habbyshaw,	Muir,	Sproul,
Beadman,	Haberlen,	Munley,	Stank,
Bernhard,	Hagerty,	Murrin,	Stevens,
Blumberg,	Haluska,	Nagel,	Stewart,
Boose,	Hamilton, F. P.,	Nothnagle,	Stockham,
Boyer,	Hamilton, R. S.,	O'Keefe,	Stone,
Bradley,	Harkins,	Ominsky,	Stott,
Brancato,	Harmuth,	O'Neill,	Sumney,
Brennan,	Hartman,	Panton,	Surface,
Brown, H. S.,	Hermansen,	Parks,	Sweeney,
Brown, J. E.,	Hetrick,	Patterson, C.,	Tahl,
Brownfield,	Hindman,	Patterson, J. W.,	Terry,
Brumbaugh,	Hirsch,	Pearson,	Tronzo,
Burke,	Hoffner,	Perry,	Trout,
Cannon,	Holland,	Peters,	Tumelty,
Caputo,	Holstrom,	Pfaff,	Turner,
Carr,	Hoopes,	Phillips,	VanAllsburg,
Carson,	Horst,	Piole,	VanSickle,
Castor,	Jackson,	Powers,	Wall,
Chervenak,	Jones,	Reising,	Wasserman,
Coakley,	Kane,	Reynolds,	Weidemann,
Cochran,	Kelder,	Rhys,	Weiss,
Cohen,	Kelso,	Rinn,	Welliver,
Coleman,	Kenney,	Roan,	Welsh,
Condon,	Kilroy,	Robinson,	Westrick,
Coolahan,	Kinney,	Rooney,	White,
Cooper,	Klingler,	Root,	Wickersham,
Cordier,	Kobelak,	Royer,	Winner,
Davies,	LaRue,	Ruffennach,	Witkin,
Decker,	Linderman,	Sarraff,	Wood,
Dent,	Long,	Scanlon,	Woodside,
Diehl,	Longaker,	Schaeffer,	Yeakel,
Dilley,	Lovett,	Schrock,	Yourishin,
Downey, G. E.,	Lynch,	Schrope,	Zappala,
Downey, J. J.,	Male,	Schwab,	Zimmerman,
Duffort,	Mallen,	Serrill,	Furman,

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 168, entitled:

An Act transferring money from the State Insurance Fund to the General Fund and requiring the Department of Property and Supplies to liquidate the investments in such Fund in order to provide money for such transfer

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—200

Achterman,	Eberharter,	Mason,	Shaw,
Alexander,	Eroe,	McCreary,	Shepard,
Allen,	Falkenstein,	McDermott,	Shortz,
Altenburg,	Ferko,	McDevitt,	Shreiner,
Andrews,	Finnerty,	McElroy,	Shugarts,
Anthony,	Fitch,	McHenry,	Siegel,
Arnold,	Flanagan,	McKinney,	Simon,
Atkins,	Flinchbaugh,	Melchiorre,	Simpson,
Aukerman,	Flynn,	Mentzer,	Sinwell,
Baine,	Forrest,	Merrell,	Smith, J. A.,
Baker, F. T.,	Gates,	Moomaw,	Smith, W. G.,
Baker, J. J.,	Gerard,	Moore,	Snyder, F. E.,
Baldi,	Gillette,	Moran,	Snyder, J. L.,
Barber,	Greenstein,	Moul,	Sowers,
Barnhardt,	Habbyshaw,	Muir,	Sproul,
Beadman,	Haberlen,	Munley,	Stank,
Bernhard,	Hagerty,	Murrin,	Stevens,
Blumberg,	Haluska,	Nagel,	Stewart,
Boose,	Hamilton, F. P.,	Nothnagle,	Stockham,
Boyer,	Hamilton, R. S.,	O'Keefe,	Stone,
Bradley,	Harkins,	Ominsky,	Stott,
Brancato,	Harmuth,	O'Neill,	Sumney,
Brennan,	Hartman,	Panton,	Surface,
Brown, H. S.,	Hermansen,	Parks,	Sweeney,
Brown, J. E.,	Hetrick,	Patterson, C.,	Tahl,
Brownfield,	Hindman,	Patterson, J. W.,	Terry,
Brumbaugh,	Hirsch,	Pearson,	Tronzo,
Burke,	Hoffner,	Perry,	Trout,
Cannon,	Holland,	Peters,	Tumelty,
Caputo,	Holstrom,	Pfaff,	Turner,
Carr,	Hoopes,	Phillips,	Van Allsburg,
Carson,	Horst,	Piole,	Van Sickle,
Castor,	Jackson,	Powers,	Wall,
Chervenak,	Jones,	Reising,	Wasserman,
Coakley,	Kane,	Reynolds,	Weidemann,
Cochran,	Kelder,	Rhys,	Weiss,
Cohen,	Kelso,	Rinn,	Welliver,
Coleman,	Kenney,	Roan,	Welsh,
Condon,	Kilroy,	Robinson,	Westrick,
Coolahan,	Kinney,	Rooney,	White,
Cooper,	Klingler,	Root,	Wickersham,
Cordier,	Kobelak,	Royer,	Winner,
Davies,	LaRue,	Ruffennach,	Witkin,
Decker,	Linderman,	Sarraf,	Wood,
Dent,	Long,	Scanlon,	Woodside,
Diehl,	Longaker,	Schaeffer,	Yeakel,
Dilley,	Lovett,	Schrock,	Yourishin,
Downey, G. E.,	Lynch,	Schrope,	Zappala,
Downey, J. J.,	Male,	Schwab,	Zimmerman,
Duffort,	Mallen,	Serrill,	Furman,

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

BILL PASSED IN ORDER

Mr. FLINCHBAUGH. Mr. Speaker, I ask that House Bill No. 169, Printer's No. 220, be passed over in its order.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 170, entitled:

An Act transferring money from the State School Fund to the General Fund and requiring the State Council of Education to liquidate such investments in the State School Fund as may be necessary to effectuate such transfer

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—200

Achterman,	Eberharter,	Mason,	Shaw,
Alexander,	Eroe,	McCreary,	Shepard,
Allen,	Falkenstein,	McDermott,	Shortz,
Altenburg,	Ferko,	McDevitt	Shreiner,
Andrews,	Finnerty,	McElroy,	Shugarts,
Anthony,	Fitch,	McHenry,	Siegel,
Arnold,	Flanagan,	McKinney,	Simon,
Atkins,	Flinchbaugh,	Melchiorre,	Simpson,
Aukerman,	Flynn,	Mentzer,	Sinwell,
Baine,	Forrest,	Merrell,	Smith, J. A.,
Baker, F. T.,	Gates,	Moomaw,	Smith, W. G.,
Baker, J. J.,	Gerard,	Moore,	Snyder, F. E.,
Baldi,	Gillette,	Moran,	Snyder, J. L.,
Barber,	Greenstein,	Moul,	Sowers,
Barnhardt,	Habbyshaw,	Muir,	Sproul,
Beadman,	Haberlen,	Munley,	Stank,
Bernhard,	Hagerty,	Murrin,	Stevens,
Blumberg,	Haluska,	Nagel,	Stewart,
Boose,	Hamilton, F. P.,	Nothnagle,	Stockham,
Boyer,	Hamilton, R. S.	O'Keefe,	Stone,
Bradley,	Harkins,	Ominsky,	Stott,
Brancato,	Harmuth,	O'Neill,	Sumney,
Brennan,	Hartman,	Panton,	Surface,
Brown, H. S.,	Hermansen,	Parks,	Sweeney,
Brown, J. E.,	Hetrick,	Patterson, C.,	Tahl,
Brownfield,	Hindman,	Patterson, J. W.,	Terry,
Brumbaugh,	Hirsch,	Pearson,	Tronzo,
Burke,	Hoffner,	Perry,	Trout,
Cannon,	Holland,	Peters,	Tumelty,
Caputo,	Holstrom,	Pfaff,	Turner,
Carr,	Hoopes,	Phillips,	VanAllsburg,
Carson,	Horst,	Piole,	VanSickle,
Castor,	Jackson,	Powers,	Wall,
Chervenak,	Jones,	Reising,	Wasserman,
Coakley,	Kane,	Reynolds,	Weidemann,
Cochran,	Kelder,	Rhys,	Weiss,
Cohen,	Kelso,	Rinn,	Welliver,
Coleman,	Kenney,	Roan,	Welsh,
Condon,	Kilroy,	Robinson,	Westrick,
Coolahan,	Kinney,	Rooney,	White,
Cooper,	Klinger,	Root,	Wickersham,
Cordier,	Kobelak,	Royer,	Winner,
Davies,	LaRue,	Ruffennach,	Witkin,
Decker,	Linderman,	Sarraf,	Wood,
Dent,	Long,	Scanlon,	Woodside,
Diehl,	Longaker,	Schaeffer,	Yeakel,
Dilley,	Lovett,	Schrock,	Yourishin,
Downey, G. E.,	Lynch,	Schrope,	Zappala,
Downey, J. J.,	Male,	Schwab,	Zimmerman,
Duffort,	Mallen,	Serrill,	Furman,

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 171, entitled:

An Act ratifying, confirming and validating the transfer of money from the State Stores Fund and the Liquid Fuels Tax Fund to the General Fund

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—190

Achterman,	Duffort,	Mallen,	Serrill,
Alexander,	Eberharter,	Mason,	Shaw,
Allen,	Eroe,	McCreary,	Shepard,
Andrews,	Falkenstein,	McDermott,	Shortz,
Anthony,	Ferko,	McDevitt	Shreiner,
Arnold,	Finnerty,	McElroy,	Shugarts,
Atkins,	Fitch,	McHenry,	Siegel,
Aukerman,	Flanagan,	Melchiorre,	Simon,
Baine,	Flinchbaugh,	Mentzer,	Simpson,
Baker, F. T.,	Flynn,	Merrell,	Sinwell,
Baker, J. J.,	Forrest,	Moomaw,	Smith, J. A.,
Baldi,	Gerard,	Moore,	Smith, W. G.,
Barber,	Gillette,	Moran,	Snyder, F. E.,
Barnhardt,	Greenstein,	Moul,	Snyder, J. L.,
Beadman,	Habbyshaw,	Munley,	Sowers,
Bernhard,	Haberlen,	Murrin,	Sproul,
Blumberg,	Hagerty,	Nagel,	Stank,
Boose,	Haluska,	Nothnagle,	Stevens,
Boyer,	Hamilton, F. P.,	O'Keefe,	Stewart,
Bradley,	Hamilton, R. S.,	Ominsky,	Stockham,
Brancato,	Harkins,	O'Neill,	Stone,
Brennan,	Harmuth,	Panton,	Stott,
Brown, H. S.,	Hartman,	Parks,	Sumney,
Brown, J. E.,	Hermansen,	Patterson, Cliff,	Surface,
Brownfield,	Hetrick,	Patterson, J. W.,	Sweeney,
Brumbaugh,	Hindman,	Pearson,	Tahl,
Burke,	Hirsch,	Perry,	Terry,
Cannon,	Hoffner,	Peters,	Tronzo,
Caputo,	Holland,	Pfaff,	Tumelty,
Carr,	Holstrom,	Phillips,	Turner,
Carson,	Hoopes,	Piole,	VanAllsburg,
Castor,	Horst,	Powers,	VanSickle,
Chervenak,	Jackson,	Reising,	Wasserman,
Coakley,	Jones,	Reynolds,	Weidemann,
Cochran,	Kelder,	Rhys,	Weiss,
Cohen,	Kelso,	Rinn,	Welliver,
Coleman,	Kenney,	Robinson,	Welsh,
Condon,	Kilroy,	Rooney,	Westrick,
Coolahan,	Kinney,	Root,	Winner,
Cooper,	Klingler,	Royer,	Witkin,
Cordier,	Kobelak,	Ruffennach,	Wood,
Davies,	LaRue,	Sarraf,	Woodside,
Decker,	Linderman,	Scanlon,	Yeakel,
Dent,	Long,	Schaeffer,	Yourishin,
Diehl,	Longaker,	Schrock,	Zappala,
Dilley,	Lovett,	Schrope,	Zimmerman,
Downey, G. E.,	Lynch,	Schwab,	Furman,
Downey, J. J.,	Male,		

NAYS—10

Altenburg,	McKinney,	Trout,	White,
Gates,	Muir,	Wall,	Wickersham,
Kane,	Roan,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 172, as follows:

An Act authorizing the Commonwealth to negotiate a loan of one million dollars to meet any casual deficiency in revenue during the biennial fiscal period ending the thirty-first day of May one thousand nine hundred thirty-seven in accordance with the provisions of section four of article nine of the Constitution of Pennsylvania defining the powers and duties of the Governor the Auditor General and State Treasurer in relation thereto and providing for the payment of interest on and the repayment of such loan

Whereas section four article nine of the Constitution of Pennsylvania provides

"No debt shall be created by or on behalf of the State except to supply casual deficiencies of revenue repel invasion suppress insurrection defend the State in war or to pay existing debt and the debt created to supply deficiencies in revenue shall never exceed in the aggregate at any one time one million dollars Provided however That the General Assembly irrespective of any debt may authorize the State to issue bonds to the amount of one hundred millions of dollars for the purpose of improving and rebuilding the highways of the Commonwealth" and

Whereas the present Special Session of the General Assembly has or is about to appropriate the sum of fifty million five hundred thousand dollars ($50,500,000) for unemployment relief and other purposes and has provided certain new revenues of the Commonwealth to meet such appropriations and

Whereas in order that funds may be supplied to meet the aforesaid appropriations in the event that a casual deficiency in revenue shall occur it is necessary to provide a method for the creation of a debt on behalf of the Commonwealth within the limitations of section four article nine of the Constitution aforesaid

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the Governor the Auditor General and the State Treasurer on behalf of the Commonwealth are hereby authorized from time to time prior to the thirty-first day of May one thousand nine hundred thirty-seven to borrow on the credit of the Commonwealth of Pennsylvania such sum or sums of money not to exceed one million dollars ($1,000.000) as may be necessary to meet casual deficiencies of revenue during the biennial fiscal period ending the thirty-first day of May one thousand nine hundred thirty-seven

Section 2 (a) Such loan shall be evidenced by written obligations of the Commonwealth maturing not later than the thirty-first day of May one thousand nine hundred thirty-nine Such obligations shall be issued from time to time for such total amount (not in excess of one million dollars ($1,000,000) in such sums in such form and subject to such terms and conditions rates of interest (not in excess of four and one-half percentum (4½%) per annum) and time of payment of interest as the Governor the Auditor General and the State Treasurer shall determine

(b) All obligations issued under the authority of this act shall bear the signatures of the Governor the Auditor General and the State Treasurer and the Great Seal of the Commonwealth

(c) All obligations and the interest thereon issued under the authority of this act shall be payable in lawful money of the United States

(d) All obligations issued under the authority of this act shall be exempt from taxation for State and local purposes

Section 3 The proceeds derived from the negotiation of loans under the provisions of this act shall be paid into the General Fund of the State Treasury and shall be available for the payment of any appropriation made from such fund

Section 4 Whenever in this act any action is to be taken or decision made by the Governor the Auditor General and the State Treasurer and the three officers shall not be able unanimously to agree the action or decision of the Governor and either the Auditor General or State Treasurer shall be binding and final

Section 5 The Governor shall in the budget to be submitted to the General Assembly of the Session of 1937 make provision for the payment of principal and interest of the loans negotiated under the provisions of this act

Section 6 The provisions of this act are severable and if any of its provisions shall be held to be unconstitutional the decision of the court shall not affect or impair any of the remaining provisions of this act. It is hereby declared to be the legislative intent that this act would have been adopted had such unconstitutional provisions not been included herein

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—196

Achterman,	Duffort,	Mallen,	Shepard,
Alexander,	Eberharter,	Mason,	Shortz,
Allen,	Eroe,	McCreary,	Shreiner,
Altenburg,	Falkenstein,	McDermott,	Shugarts,
Andrews,	Ferko,	McDevitt,	Siegel,
Anthony,	Finnerty,	McElroy,	Simon,
Arnold,	Fitch,	McHenry,	Simpson,
Atkins,	Flanagan,	Melchiorre,	Sinwell,
Aukerman,	Flinchbaugh,	Mentzer,	Smith, J. A.,
Baine,	Flynn,	Merrell,	Smith, W. G.,
Baker, F. T.,	Forrest,	Moomaw,	Snyder, F. E.,
Baker, J J.,	Gates,	Moore,	Snyder, J. L.,
Baldi,	Gerard,	Moran,	Sowers,
Barber,	Gillette,	Moul,	Sproul,
Barnhardt,	Greenstein,	Munley,	Stank,
Beadman,	Habbyshaw,	Murrin,	Stevens,
Bernhard,	Haberlen,	Nagel,	Stewart,
Blumberg,	Hagerty,	Nothnagle,	Stockham,
Boose,	Haluska,	O'Keefe,	Stone,
Boyer,	Hamilton, F. P.,	Ominsky,	Stott,
Bradley,	Hamilton, R. S.,	O'Neill,	Sumney,
Brancato,	Harkins,	Panton,	Surface,
Brennan,	Harmuth,	Parks,	Sweeney,
Brown, H. S.,	Hartman,	Patterson, Cliff,	Tahl,
Brown, J. E.,	Hermansen,	Patterson, J. W.	Terry,
Brownfield,	Hetrick,	Pearson,	Tronzo,
Brumbaugh,	Hindman,	Perry,	Trout,
Burke,	Hirsch,	Peters,	Tumelty,
Cannon,	Hoffner,	Pfaff,	Turner,
Caputo,	Holland,	Phillips,	VanAllsburg,
Carr,	Holstrom,	Piole,	Van Sickle,
Carson,	Hoopes,	Powers,	Wall,
Castor,	Horst,	Reising,	Wasserman,
Chervenak,	Jackson,	Reynolds,	Weidemann,
Coakley,	Jones,	Rhys,	Weiss,
Cochran,	Kelder,	Rinn,	Welliver,
Cohen,	Kelso,	Roan,	Welsh,
Coleman,	Kenney,	Robinson,	Westrick,
Condon,	Kilroy,	Rooney,	White,
Coolahan,	Kinney,	Root,	Wickersham,
Cooper	Klingler,	Royer,	Winner,
Cooper,	Kobelak,	Ruffennach,	Witkin,
Davies,	LaRue,	Sarraf,	Wood,
Decker,	Longaker,	Scanlon,	Woodside,
Dent,	Long,	Schaeffer,	Yeakel,
Diehl,	Longaker,	Schrope,	Yourishin,
Dilley,	Lovett,	Schwab,	Zappala,
Downey, G. E.,	Lynch,	Serrill,	Zimmerman,
Downey, J. J.,	Male,	Shaw,	Furman,

NAYS—4

Kane,	McKinney,	Muir,	Schrock,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

RECESS

The SPEAKER. If there are no objections the Chair will declare a recess for thirty minutes. Are there objections? The Chair hears none and declares a recess for thirty minutes.

AFTER RECESS

The SPEAKER (Roy E. Furman) in the Chair.

The time of recess having expired the House will be in order.

Mr. WITKIN. Mr. Speaker, may I ask that the House be at ease in order that the Republican members may meet in the House caucus room immediately for the purpose of holding a Republican caucus.

The SPEAKER. The House will be at ease while the Republican members caucus in the House Caucus Room.

SENATE MESSAGE

ADJOURNMENT SINE DIE

The Clerk of the Senate being introduced presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, August 3, 1936.

Resolved (if the House of Representatives concur), That this Extraordinary Session of the General Assembly adjourn sine die, Thursday, August sixth, at twelve o'clock noon, Eastern Standard Time.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

Referred to the Committee on Rules.

REPORT FROM COMMITTEE

Mr. SOWERS, from the Committee on Ways and Means, re-reported as amended, House Bill No. 169, entitled:

An Act to provide revenue for State purposes by imposing an excise tax, for a limited period of time, upon the privilege of distilling, blending, rectifying, and manufacturing alcohol and spirituous liquors; providing for the collection of the tax and the manner of making payment thereof; conferring powers and imposing duties on certain State officers and departments; and providing penalties.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. It is necessary for us to wait some time longer in the Monday session in order to pass some legislation that will probably save a legislative day. There is nothing more to come before the House now. If there are no objections the Chair will declare a recess for one hour and urges all members to be back in their seats at that time, because there are bills we will have to pass tonight and send to the Senate, and by so doing we will probably save a legislative day. The Senate is now in session awaiting messages from the House.

RECESS

The SPEAKER. If there are no objections the Chair will declare a recess for one hour. Are there objections? The Chair hears none and declares a recess for one hour.

AFTER RECESS

The SPEAKER (Roy E. Furman) in the Chair.

The time of recess having expired the House will be in order.

BILLS ON THIRD READING

Mr. FLINCHBAUGH Mr Speaker. I desire to call up at this time House Bill No 169, Printer's No. 220, on page 1 of today's calendar, bills on third reading, which was passed over.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 169, as follows:

An Act to provide revenue for State purposes by imposing an excise tax for a limited period of time upon the delivery in this Commonwealth to the Pennsylvania Liquor Control Board of distilled rectified and blended spirits providing for the payment and collection of the tax and conferring powers and imposing duties on the Pennsylvania Liquor Control Board

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the following words terms and phrases when used in this act shall have the meanings ascribed to them in this section except in those in-

stances where the context clearly indicates a different meaning.

"Association" A partnership limited partnership or any other form of unincorporated enterprise owned by two or more persons.

"Board" The Pennsylvania Liquor Control Board

"Corporation" A corporation or joint-stock association organized under the laws of this Commonwealth the United States or any other state territory or foreign country or dependency.

"Department" The Department of Revenue of this Commonwealth

"Distilled Spirits" Any alcohol other than denatured alcohol unfit for beverage purposes and any liquid usable for beverage purposes which contains more than twenty-four per cent of alcohol by volume obtained by distillation or any process of evaporation mixed with water and other substances in solution including brandy rum whiskey gin and any other alcoholic beverage obtained as aforesaid by whatever name such beverage may be called

"Person" Every natural person association or corporation

"Rectified or Blended Spirits' Any beverage containing more than twenty-four per cent of alcohol by volume obtained either by rectification redistillation refining or purifying of distilled spirits by any process other than by original and continuous distillation from mash wort or wash through continuous closed vessels and pipes until the manufacture thereof is completed or by mixing distilled spirits or other liquor with any materials or with any other distilled spirits or other liquor thereby producing any spurious imitation blended or compounded alcoholic liquor

The singular shall include the plural and the masculine shall include the feminine and neuter

Section 2 An excise tax is hereby imposed upon the delivery of all distilled rectified and blended spirits to the board for sale in this Commonwealth at the rate of four per cent (4%) upon the purchase price payable therefor by the board as evidenced by invoices therefor rendered to the board by the vendor thereof The tax imposed by this section shall be paid by persons delivering such distilled rectified and blended spirits in this Commonwealth to the board at the time of delivery thereof unless the person liable for the payment of the tax shall agree with the board that said tax shall be deducted by the board from the amount payable on the invoice rendered and paid over as hereinafter provided

Section 3 This tax shall be in addition to all other taxes imposed by the laws of the Commonwealth

Section 4 It shall be the duty of the board to transmit to the department on or before the fifth day of each calendar month the taxes collected during the preceding calendar month and such other information as may be necessary to effectuate the provisions of this act at which time it shall also be the duty of the board to pay to the State Treasurer through the department the tax imposed upon such liquor by the provisions of this act for said month

Section 5 This act shall become effective the fifteenth day of August one thousand nine hundred thirty-six and shall remain in effect until and including the thirty-first day of May one thousand nine hundred thirty-seven.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—158

Achterman,	Eroe,	Mallen,	Schrope,
Alexander,	Falkenstein,	Mason,	Schwab,
Allen,	Ferko,	McCreary,	Serrill,
Andrews,	Finnerty,	McDermott,	Shaw,
Anthony,	Fitch,	McDevitt,	Shepard,
Atkins,	Flanagan,	McElroy,	Shortz,
Baine,	Flinchbaugh,	McHenry,	Shugarts,
Baker, F. T.,	Flynn,	McKinney,	Siegel,
Baker, J. J.,	Gates,	Melchiorre,	Simon,
Baldi,	Gerard,	Mentzer,	Simpson,
Beadman,	Greenstein,	Merrell,	Sinwell,
Blumberg,	Haberlen,	Moomaw,	Sloan,
Boose,	Hagerty,	Moore,	Smith, J. A.,
Boyer,	Haluska,	Moran,	Smith, W. G.,
Bradley,	Hamilton, F. P.,	Moul,	Snyder, F. E.,
Brennan,	Harkins,	Muir,	Sowers,
Brown, H. S.,	Harmuth,	Munley,	Stank,
Brown, J. E.,	Hartman,	Nagel,	Stevens,
Brumbaugh,	Hermansen,	O'Keefe,	Stewart,
Burke,	Hindman,	O'Neill,	Stockham,
Cannon,	Hirsch,	Panton,	Sumney,
Caputo,	Hoffner,	Parks,	Surface,
Carson,	Holland,	Patterson C.,	Sweeney,
Castor,	Holstrom,	Patterson, J. W.,	Tahl,
Chervenak,	Hoopes,	Pearson,	Terry,
Coakley,	Horst,	Perry,	Tronzo,
Cochran,	Jackson,	Peters,	Tumelty,
Cohen,	Jones,	Pfaff,	VanAllsburg,
Coleman,	Kane,	Phillips,	VanSickle,
Condon,	Kelso,	Piole,	Wall,
Coolahan,	Kenney,	Powers,	Wasserman,
Cooper,	Kilroy,	Reising,	Weiss,
Decker,	Kinney,	Reynolds,	Welliver,
Denning,	Kobelak,	Roan,	Welsh,
Dent,	LaRue,	Robinson,	Westrick,
Diehl,	Long,	Root,	Winner,
Dilley	Longaker,	Sarraf,	Witkin,
Downey, G. E.,	Lovett,	Scanlon,	Yourishin,
Duffort,	Lynch,	Schaeffer,	Zappala,
Eberharter,	Male,	Schrock,	Zimmerman,

NAYS—13

Bernhard,	Royer,	Trout,	White,
Cordier,	Shreiner,	Turner,	Wood,
Habbyshaw,	Sproul,	Weidemann,	Woodside,
Nothnagle,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Mr. EROE. Mr. Speaker, I desire to call up at this time House Bill No. 130, Printer's No. 218, on page 1 of today's calendar, bills on third reading, which was passed over.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 130, as follows:

An Act to further amend the act approved the first day of June one thousand eight hundred eighty-nine (Pamphlet Laws four hundred twenty) entitled "A further supplement to an act entitled 'An act to provide revenue by taxation' approved the seventh day of June Anno Domini one thousand eight hundred and seventy-nine" by increasing for a limited period of time the rate of tax imposed by the act upon the gross receipts of certain companies limited partnerships associations joint-stock associations copartnerships and persons

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section twenty-three of the act approved the first day of June one thousand eight hundred eighty-nine (Pamphlet Laws four hundred twenty) entitled "A further supplement to an act entitled 'An act to provide revenue by taxation' approved the seventh day of June Anno Domini one housand eight hundred and seventy-nine" as last amended by the act approved the sixteenth day of May one thousand nine hundred thirty-five (Pamphlet Laws two hundred) is hereby further amended to read as follows

Section 23 That every railroad company pipe line company conduit company steamboat company canal company slack water navigation company transportation company and every other company association joint-stock association or limited partnership now or hereafter incor-

porated or organized by or under any law of this Commonwealth or now or hereafter organized or incorporated by any other State or by the United States or any foreign government and doing business in this Commonwealth and every copartnership person or persons owning operating or leasing to or from another corporation company association joint-stock association limited partnership copartnership person or persons any railroad pipe line conduit steamboat canal slack water navigation or other device for the transportation of freight passengers baggage or oil except taxicabs motor buses and motor omnibuses and every limited partnership association joint-stock association corporation or company engaged in or hereafter engaged in the transportation of freight or oil within this State and every telephone company telegraph company express company electric light company water-power company hydro-electric company palace car company and sleeping car company now or hereafter incorporated or organized by or under any law of this Commonwealth or now or hereafter organized or incorporated by any other State or by the United States or any foreign government and doing business in this Commonwealth and every limited partnership association joint-stock association copartnership person or persons engaged in telephone telegraph express electric light and power water-power hydro-electric palace car or sleeping car business in this Commonwealth shall pay to the State Treasurer through the Department of Revenue a tax of fourteen mills for the [years one thousand nine hundred and thirty-five and one thousand nine hundred and thirty-six] six months' periods ending June thirtieth one thousand nine hundred thirty-five December thirty-first one thousand nine hundred thirty-five and June thirtieth one thousand nine hundred thirty-six and twenty mills for the six months' period ending December thirty-first one thousand nine hundred thirty-six and eight mills thereafter upon the dollar of the gross receipts of said corporation company or association limited partnership joint-stock association copartnership person or persons recived from passengers baggage and freight transported wholly within this State from telegraph or telephone messages transmitted wholly within the State from express palace car or sleeping car business done wholly within this State or from electric light and power water-power and hydro-electric business and from the transportation of oil done wholly within the State. The said tax shall be paid within the time prescribed by law for the payment of taxes settled by the Department of Revenue and for the purpose of ascertaining the amount of the same it shall be the duty of the treasurer or other proper officer of the said company copartnership limited partnership association joint-stock association or corporation or person or persons to transmit to the Department of Revenue on or before the first days of February and August of each year a statement under oath or affirmation of the amount of gross receipts of the said companies copartnerships corporations associations joint-stock associations limited partnerships person or persons derived from all sources and of gross receipts from business done wholly within the State during the period of six months immediately preceding the first days of January and July of each year The time for filing reports may be extended estimated settlements may be made by the Department of Revenue if reports are not filed and the penalties for failing to file reports and pay the tax shall be as prescribed by the laws defining the powers and duties of the Department of Revenue Provided That in any case where the works of any corporation company copartnership association joint-stock association limited partnership person or persons are operated by another corporation company copartnership association joint-stock association limited partnership person or persons the taxes imposed by this section shall be apportioned between the said corporations companies copartnerships associations joint-stock associations limited partnerships person or persons in accordance with the terms of their respective leases or agreements but for the payment of the said taxes the Commonwealth shall first look to the corporation company copartnership association joint-stock association limited partnership person or persons operating the works and upon payment by the said company corporation co-partnership association joint-stock association limited partnership person or persons of a tax upon the receipts as herein provided derived from the operation thereof no other corporation company copartnership association joint-stock association limited partnership person or persons shall be held liable under this section for any tax upon the proportion of said receipts received by said corporation company copartnership association joint-stock association limited partnership person or persons for the use of said works

This act shall be construed to apply to municipalities and to impose a tax upon the gross receipts derived from any municipally owned and operated public utility or from any public utility service furnished by any municipality to the extent of such gross receipts as are derived from business done outside the limits of the municipality operating the public utility service.

Section 2 This act shall become effective immediately upon its final enactment

On the question,

Will the House agree to the bill on third reading?

It was agreed to

On the question,

Shall the bill pass finally?

Mr. YOURISHIN. Mr. Speaker and members of the House I just want to give my reasons for intending to vote "no" on this bill. This is the gross receipts bill and exempts natural gas companies, and there are other exemptions. Sometime ago this House passed a fuel oil tax bill and sent it over to the Senate, and inasmuch as fuel oil and natural gas come in direct competition with anthracite coal, I intend to vote "no" on this bill.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken.

Mr. GATES. Mr. Speaker, I ask for a verification of the roll.

The SPEAKER. Does the gentleman insist upon having the roll verified?

Mr. GATES. Mr. Speaker, I withdraw my request for a verification of the roll.

Mr. BAINE. Mr. Speaker, I ask for a verification of the roll.

The SPEAKER. Does the gentleman insist on the roll being verified?

Mr. BAINE. No, Mr. Speaker.

Mr. JOHN E. BROWN. Mr. Speaker, I ask for a verification of the roll.

The SPEAKER. Does the gentleman insist on a verification?

Mr. JOHN E. BROWN. No, Mr. Speaker.

QUESTION OF PARLIAMENTARY INQUIRY

Mr. GATES. Mr. Speaker, I rise to a question of parliamentary inquiry.

The SPEAKER. The gentleman will state his question of parliamentary inquiry.

Mr. GATES. Mr. Speaker, the vote has been recorded, why not count it?

The SPEAKER. The vote will be reported to the House as soon as the Clerk has tallied it and reports it to the Chair.

Mr. MASON. I might call the attention of the Speaker to the fact that it has been quite some considerable time since the roll was called. Under the circumstances and in the confusion I think that the roll should be called again, and I so suggest.

The SPEAKER. The roll has been called in the regular manner and the Chair is awaiting the report of the Clerk.

YEAS—106

Achterman,	Dilley,	Klingler,	Sarraf,
Alexander,	Downey, G. E.,	Kobelak,	Scanlon,
Allen,	Eberharter,	LaRue,	Schaeffer,
Andrews,	Eroe,	Long,	Schrope,
Anthony,	Falkenstein,	Lovett,	Schwab,
Arnold,	Ferko,	Male,	Shaw,
Aukerman,	Finnerty,	McDermott,	Shepard,
Baine,	Fitch,	McElroy,	Shreiner,
Baker, J J.,	Flanagan,	Melchiorre,	Shugarts,
Boyer,	Flinchbaugh,	Mentzer,	Siegel,
Bradley,	Flynn,	Moomaw,	Simon,
Brown, H. S.,	Gerard,	Moran,	Sinwell,
Brown, J. E.,	Haberlen,	Moul,	Smith, J. A.,
Brownfield,	Hagerty,	Munley,	Smith, W. G.,
Burke,	Hamilton, F. P.	Nagel,	Stank,
Cannon,	Harkins,	O'Keefe,	Stevens,
Caputo,	Harmuth,	O'Neill,	Tronzo,
Carson,	Hartman,	Patterson, C.,	Tumelty,
Cochran,	Hindman,	Patterson, J. W.,	Van Sickle
Cohen,	Hirsch,	Pearson,	Weiss,
Coleman,	Holland,	Pfaff,	Welliver,
Condon,	Holstrom,	Piole,	Welsh,
Coolahan,	Hoopes,	Powers,	Wickersham,
Cooper	Jackson,	Reising,	Witkin,
Decker,	Kelso,	Reynolds,	Zappala,
Dent,	Kilroy,	Robinson,	Furman,
Diehl,	Kinney,		

NAYS—61

Altenburg,	Hoffner,	Panton,	Surface,
Atkins,	Horst,	Perry,	Sweeney,
Baker, F. T.,	Jones,	Peters,	Terry,
Baldi,	Kane,	Phillips,	Trout,
Bernhard,	Longaker,	Roan,	Turner,
Blumberg,	Mallen,	Royer,	VanAllsburg,
Boose,	Mason,	Schrock,	Wall,
Brennan,	McCreary,	Shortz,	Wasserman,
Chervenak,	McDevitt,	Simpson,	Weidemann,
Cordier,	McHenry,	Snyder, F. E.,	Westrick,
Duffort,	McKinney,	Sowers,	White,
Forrest,	Merrell,	Sproul,	Wood,
Gates,	Moore,	Stewart,	Woodside,
Haluska,	Muir,	Stockham,	Yeakel,
Hamilton, R. S.,	Nothnagle,	Stott,	Yourishin,
Hermansen,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

ADJOURNMENT

Mr. JAMES W. PATTERSON. Mr. Speaker, I move that this House do now adjourn until tomorrow at 5:00 P. M.

The motion was agreed to, and (at 11:59 P. M.) the House adjourned until Tuesday, August 4, 1936, at 5:00 P. M.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Extraordinary Session of 1936.

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SENATE

TUESDAY, AUGUST 4, 1936

The Senate met at 2 o'clock P. M.

The PRESIDENT PRO TEMPORE (Mr. John G. Homsher) in the Chair.

PRAYER

The Chaplain, Rev. William E. Howard, D. D., offered the following prayer:

Holy Writ teaches us, O God, that we are "shapen in iniquity"; and that "in sin did our mothers conceive us." We bear Thy image and also the image of the world; and the world is at enmity with Thee. The spark of divinity burns in all our breasts but is often so covered by the debris of sin as to be almost extinguished. Breathe upon the feeble embers, O Lord, until they glow and burst into flame, transforming each of us into a beacon-light revealing the way of eternal life unto ourselves and those about us. May the faith we profess and the lives we live be consistent. May our aim and effort be to please Thee rather than ourselves or our fellowmen.

Direct the deliberations of this body of legislators during this hour to the glory of Thy name and the betterment of our Commonwealth. In the name of our Savior we ask it. Amen.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. WOODWARD, the further reading was dispensed with, and the Journal was approved.

QUESTION OF PERSONAL PRIVILEGE

Mr. HARRIS. Mr. President, I rise to a question of personal privilege.

The PRESIDENT. The Senator from Allegheny, Mr. Harris, will state his question of personal privilege.

Mr. HARRIS. Mr. President, as I understand, both the major parties have agreed on the amount for relief and also the taxes to be levied for that purpose, and the final adjournment of this session is only delayed because of a difference of opinion on three other matters. The resolution presented last night, fixing Thursday as the day for final adjournment, can only be prevented by the disagreement on these three points, namely, the question whether or not the law shall be changed in the manner of appointing trustees of the Mothers' Assistance Board; secondly, the question of whether or not relief, and the administration thereof, shall be returned to the local communities; and, thirdly, the question as to how the Unemployment Insurance Bill shall be administered.

I admit that these things are vitally important, very important; that it is highly necessary that Mothers' Assistance be taken out of politics, and that members of these boards should not be removed for political purposes. We have shown by figures—and they have not been contradicted by the report from the Department of Welfare—that 152 women have been removed during this Administration before their terms expired. We have shown that 125 whose terms did expire were removed. We have shown that in 13 years previous, before the law was changed giving the Governor the right to remove and appoint, that only two removals had been made. That has not been contradicted on this floor, and there is on the table a resolution providing for an investigation in this matter.

Then we have the matter of relief by the local communities. Many Senators here believe that it can be better, more efficiently and economically administered by local relief.

And, thirdly, we have, as I said, the question of the administration of unemployment insurance.

Now, I believe that all of these things are important; but here is what is going to result: Since we have agreed on the tax program, since we have agreed on the amount necessary for relief, I say again this session can only be continued, and our failure to end this session on Thursday will be, because of this disagreement.

Now, I want to make my position clear. I am perfectly willing to recede on all of these points. If the Democrats want the appointment of the trustees of Mothers' Assistance for the next few months, let us give it to them; if they want the appointment of the administrators of the Unemployment Insurance Fund, let us give them the patronage that goes with it; if they still want to administer relief from a central place here, through SERB, at a great expense to the taxpayers, let us let them have it rather than let this program fall. If we do this, if the Republican members give in to the Democrats, it means only one thing: It means the Republicans have ended this session; it means if there is a breakdown in relief the Republicans cannot be charged with it. If we recede from these things, I tell you it does not mean a sacrifice of principle, it is only postponing the fight on these things for which we stand; and I, for one, in the November Election, am going to fight for the taking of Mothers' Assistance out of politics; I am going to fight for the taking of Unemployment Insurance out of politics; I am going to fight for the return of the administration of relief to the communities, where it can be better and more efficiently administered.

I say, on all of these things I will recede without sacrificing one iota of principle; and I believe the Republican Party is big enough and strong enough to say, "We be-

lieve in these things, but because we believe this session should end—because it is costing the taxpayers thousands of dollars a day—we are not going to be stubborn and fight over patronage." Whatever patronage goes to the Democrats over these things, let them have it; but let the people decide in November whether the Republican Party was right in their policy, or the Democratic Party.

REPORT FROM COMMITTEE

Mr. STAUDENMEIER, from the Committee on State Government, reported as committed, Senate Bill No. 119, entitled:

An Act relieving real and personal property of recipients of mothers' and old age assistance from liability for assistance received.

RECESS

Mr. BUCKMAN. Mr. President, I move that the Senate do now take a recess for forty-five minutes, in order that the Committee on Finance may hold a meeting.

Mr. SONES. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS

The PRESIDENT. The time of recess having elapsed, the Senate will be in order.

NOMINATIONS BY THE GOVERNOR

The Secretary to the Governor being introduced, presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows, and referred to the Committee on Executive Nominations:

NOTARIES PUBLIC

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, August 4, 1936.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following person for reappointment as a Notary Public, for a term of four years to compute from the date set opposite her name:

LANCASTER COUNTY

Miss Anna M. Hensel, Quarryville, August 19, 1936.

GEORGE H. EARLE.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, August 4, 1936.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

ALLEGHENY COUNTY

Mrs. Helen McGinnis, 201 S. Highland Ave., Pittsburgh.

DAUPHIN COUNTY

Mrs. Beulah M. Kocher, Berrysburg.

DELAWARE COUNTY

William J. Langton, Prospect Park.

MONTGOMERY COUNTY

Miss E. E. Donaldson, Ardmore.

PHILADELPHIA COUNTY

Miss Celia Balaity, 4100 Girard Ave., Philadelphia.
Nathan Rigberg, 2412 N. 29th St., Philadelphia.

SUSQUEHANNA COUNTY

Mark C. James, New Milford.

GEORGE H. EARLE.

BILLS OVER IN ORDER

Mr. HARRIS. Mr. President, I ask unanimous consent that Senate Bill No. 38 (House Bill No. 54), on third reading, entitled:

A Supplement to Act No. 57-A, approved the nineteenth day of July, one thousand nine hundred thirty-five (Appropriation Act of 1935, Page 41), entitled "An act making an appropriation to the Department of Welfare for Old Age Assistance," making an appropriation for the payment of old age assistance to applicants in counties which do not have sufficient funds available to pay assistance to such applicants and suspending the provisions of this act in case Federal grants for old age assistance shall fail for any reason

go over in its order.

The PRESIDENT. Is there objection?

Mr. HARRIS. Mr. President, before acting on this bill, Senate Bill No. 38, House Bill No. 54, the Old Age Pension, I must confess that I am confused as to what this bill will really do. We have information from the State Administrator that $1,750,000 is not necessary to take advantage of the Act of Congress. We are told that the money is not necessary, that sufficient money will be on hand to clean up the waiting list of old age and mothers' assistance, and I would ask that this go over in order for the purpose of finding out just what this bill will do.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HARRIS. Mr. President, I ask unanimous consent that Senate Bill No. 40 (House Bill No. 50), on third reading, entitled:

A Supplement to the act, approved the nineteenth day of July, one thousand nine hundred thirty-five (Pamphlet Laws, one thousand three hundred fifty-one), entitled "An Act making appropriations to carry into effect the provisions of an act, approved the tenth day of July, one thousand nine hundred and nineteen (Pamphlet Laws, eight hundred ninety-three), entitled 'An act providing for assistance to certain mothers; providing for the appointment of boards of trustees for the several counties of the Commonwealth, and for the appointment of a State Supervisor and assistants, and fixing the salaries of such State Supervisor and assistants; defining the powers and duties of board of trustees, including the power of appointing assistants and investigators, and the distribution of funds at their disposal; providing for the apportionment of the State appropriation among the several counties, and requiring counties coming under the provisions of the act to appropriate certain moneys; and providing penalties,' as amended," making an appropriation for the payment of mothers' assistance to applicants in counties which do not have sufficient funds available to pay assistance to such applicants and suspending the provisions of this act in case Federal aid for dependent children shall fail for any reason

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consid-ration of Senate Bill No. 58 (House Bill No. 75), entitled:

A Supplement to Act No. 56-A, approved the nineteenth y of July, one thousand nine hundred thirty-five (Ap-propriation Acts of 1935, Page 41), entitled "An act making appropriation to the Department of Welfare for Pen-ons for the Blind," increasing the current appropriation r blind pensions in order to enable the Commonwealth match sufficient funds from the Federal Government provide pensions for all blind persons eligible to receive e same.

And said bill having been read at length the third time, d agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provi-ons of the Constitution, and were as follows, viz:

YEAS—42

ron,	Huffman,	Rankin,	Scott,
atchelor,	Lanius,	Reed,	Shapiro,
aumer,	Law,	(Dauphin)	Sones,
ean,	Mallery,	Reed,	Staudenmeier,
uckman,	McClure,	(Washington)	Thompson,
oyne,	McCreesh,	Rice,	(Westmoreland)
aly,	McGinnis,	Roberts,	Trainer,
rey,	Miller,	Rodgers,	Woodward,
elder,	Owlett,	Rupp,	Ziesenheim,
raff,	Pierson,	Ruth,	Homsher,
arris,	Prince,	Salus,	Pres. Pro. Tem.
arvey,	Pytko,		

NAYS—0

A majority of all the Senators having voted "aye" the uestion was determined in the affirmative.

Ordered, That the Clerk return said bill to the House Representatives with information that the Senate has ssed the same without amendments.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee the Whole being in this case dispensed with,

he Senate proceeded to the second reading and con-deration of Senate Bill No. 127 (House Bill No. 169), titled:

n Act to provide revenue for State purposes by imposing an excise tax for a limited period of time upon the delivery in this Commonwealth to the Pennsylvania Liquor Control Board of distilled rectified and blended spirits providing for the payment and collection of the tax and conferring powers and imposing duties on the Pennsylvania Liquor Control Board

The first section of the bill was read as follows:

Section 1 Be it enacted by the Senate and House of epresentatives of the Commonwealth of Pennsylvania General Assembly met and it is hereby enacted by e authority of the same That the following words terms d phrases when used in this act shall have the mean-gs ascribed to them in this section except in those in-ances where the context clearly indicates a different eaning

"Association" A partnership limited partnership or any her form of unincorporated enterprise owned by two or ore persons

"Board" The Pennsylvania Liquor Control Board

"Corporation" A corporation or joint-stock association organized under the laws of this Commonwealth the United States or any other state territory or foreign country or dependency

"Department" The Department of Revenue of this Commonwealth

"Distilled Spirits" Any alcohol other than denatured alcohol unfit for beverage purposes and any liquid usable for beverage purposes which contains more than twenty-four per cent of alcohol by volume obtained by distillation or any process of evaporation mixed with water and other substances in solution including brandy rum whiskey gin and any other alcohol beverage obtained as aforesaid by whatever name such beverage may be called

"Person" Every natural person association or corporation

"Rectified or Blended Spirits" Any beverage containing more than twenty-four per cent of alcohol by volume obtained either by rectification redistillation refining or purifying of distilled by any process other than by original and continuous distillation from mash wort or wash through continuous closed vessels and pipes until the manufacture thereof is completed or by mixing distilled spirits or other liquor with any materials or with any other distilled spirits or other liquor thereby producing any spurious imitation blended or compounded alcoholic liquor

The singular shall include the plural and the masculine shall include the feminine and neuter

On the question,

Will the Senate agree to the section?

Mr. McCLURE. Mr. President, I move to amend section 1, page 2 by inserting between lines 9 and 10, the following: "'Alcohol and Alcoholic Liquids.' Alcohol and all distilled, redistilled, recovered liquids or substances and any compound or admixture thereof which contain any alcohol by volume and are capable of being used for beverage purposes after manufacture, production, distillation, redistillation, rectification, blending or recovery;" also page 2, line 13, by striking out all of said line; also page 2, line 22, by striking out the word "twenty-four" and insert in lieu thereof "one-half of one"; also page 2, by inserting between lines 27 and 28, the following paragraph: "'Manufacturer.' Any person, association or corporation engaged in the manufacturing, producing, distilling, redistilling, rectifying, blending or recovering of alcohol, alcoholic liquids, distilled spirits, or rectified or blended spirits in this Commonwealth."; also page 2, line 28, by inserting after the word "corporation" the following: "Whenever used in a clause prescribing or imposing a fine or imprisonment, or both, the term "person" as applied to "association" shall mean the partners or members thereof, and as applied to "corporation" shall mean the officers thereof.

"'Proof Gallon.' A gallon of liquid which contains one-half (½) of its volume of alcohol of a specific gravity of seven thousand nine hundred thirty-nine ten thousandths ($7939) at sixty degrees (60°) Fahrenheit; also page 3, line 2, by striking out the word "twenty-four" and insert in lieu thereof "one-half of one"; also page 3, by inserting between lines 10 and 11, the following paragraph: "'Spirituous Liquors.' Alcohol, alcoholic liquids, distilled spirits and rectified or blended spirits as defined in this section." Amend bill, page 3, by striking out all of lines 13 to 29, inclusive

Mr. HARVEY. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

Mr. McCLURE. Mr. President, I desire to explain the purpose of the amendments offered. On July 30th, last

week, at a meeting with the Governor, Attorney General Margiotti, the Secretary of Revenue, John B. Kelly, Judge Harry A. Kalodner, of Philadelphia, the Secretary to the Governor, Robert L. Myers, Jr., the Budget Secretary, Guy H. Swope, State Treasurer, Charles H. Waters, Senators Warren R. Roberts, Harvey Huffman, John J. McClure, Theodore L. Bean and G. Mason Owlett, an agreement was entered into and a program submitted to the Democratic and Republican caucuses. This agreement called for a tax of five cents a gallon on all liquor distilled in Pennsylvania to be paid by the distillers.

This bill, as it comes to us, is for four percent. (4%) on all liquors sold in Pennsylvania, and is imposed upon the seller, and will be absorbed by either the Liquor Control Board or the consumer.

It does not seem to me that any part of the agreement entered into can be so wilfully broken. I cannot see much difference between this tax placed on distillers and other taxes which we have levied in this Session. It has been said that this is a tax on industry in Pennsylvania. I would like to ask the members of this body what we have been doing here, if we have not been taxing industries in Pennsylvania. I can foresee the future, if we continue our present policies, when Pennsylvania will be a typical "prairie" state and industries will go to some other place, and I would like to know what fear the distillers of Pennsylvania have, what their arguments are, that they should avoid these taxes when other corporations are taxed.

Let me read for a minute this tax program: We levied this personal property tax, the 3-mill property tax, to be paid by the people of Pennsylvania. The 3-mill increase in the corporate loan tax, to be paid by corporations of Pennsylvania, the tax on joint inheritance to be paid by the people of Pennsylvania, the 10% liquor tax to be paid by the people of Pennsylvania, which will already have the effect of increasing the price 15% to the consumer, and I might say, in passing, that this bill in its present form now before the Senate increases it another 4%; taxes on shares of banks and trust companies of Pennsylvania, corporate net income tax from 6% to 10%; increased taxes on gross receipts of utilities, for six months, from fourteen to twenty mills; the gross receipts tax is paid by these corporations, and yet the distillers, and there are twenty-five distillers, this powerful group—that can come here and dictate to the members of the House of Representatives that this bill shall be changed.

It would be very interesting to know who is going to pay this tax. I have been told that some people of Pennsylvania in a very high position will be affected by this tax—probably they can answer this question better than I can.

Mr. President, I ask for the adoption of the amendments.

Mr. WOODWARD. Mr. President, I understand that all the distillers in Pennsylvania belong to the Democratic Party. They are all very generous contributors to the Democratic Campaign Committee, so I submit that this change is to what might be called the "still small voice" of the Pennsylvania distillers. That is all.

Mr. HUFFMAN. Mr. President, every time a tax is proposed against the distillers, or against the liquor interests of Pennsylvania, there is trouble about it. It is true that at the conference last week all of us agreed on a tax against distillers of five cents a gallon. The proposal was an attempt to find some method to raise about $1,500,000 additional necessary to carry out the $45,000,000 program. It was suggested that this tax be imposed; it was agreed upon and very little consideration was given to it. Since that time it has developed that a five-cent per gallon tax upon distillers in Pennsylvania would be an unnecessary hardship, for the reason that they will not be able to compete with outside distillers in selling their product outside of Pennsylvania; therefore, a more equitable tax was proposed, and that is, that the liquor interests be taxed the amount of 4% ad valorem, on the value of their product. That is to say, a seller going to the Pennsylvania Liquor Stores will have to pay 4% of the value of his product as a tax that applies to a Pennsylvania owner or seller as well as to the outside people.

The tax proposed last week would only have penalized the distillers in Pennsylvania. The change we made last night will impose the tax on all people who sell in Pennsylvania, and the most of us think it is a more equitable tax than the other one proposed.

Now, then, with respect to the agreement: I wish to say that before this change was made in the House last night, the Democratic caucus suggested that the Democratic side of the Senate who had sat in last week, interviewed and talked over the change with the Republican members who were at the same interview. Mr. McClure, Mr. Owlett and Mr. Bean were invited to sit in the caucus. Mr. McClure did not appear, the other members did, and it was unanimously agreed upon among us that the change should be made, and after that agreement was effected by the conferees, the change was made in the House.

This tax is designed to be paid by the man who sells the liquor to the liquor store, and it is not designed that the Liquor Control Board should absorb the tax; that is to say, it will not interfere with the business of the liquor stores and it will not diminish their profits. When a man comes into a liquor store and wants to sell, for instance, $10,000 worth of liquor to the liquor store, he will be advised that the tax on that which he sells to the liquor store will be 4%, or $400.00, which he pays, and not the liquor stores.

Mr. THOMPSON (Centre). Mr. President, the Senator from Philadelphia, Mr. Woodward, a few moments ago spoke about the "still small voice." I want to read a telegram from the "still small voice" that the Senators listen to so readily. This telegram is from the Mayor of Philadelphia, the Honorable S. Davis Wilson. It reads:

"Proposed tax of five cents per gallon on whiskey and gin manufactured in Pennsylvania will result in a loss of millions of dollars in real estate and other taxes received from Pennsylvania distillers and deprive the Pennsylvania farmers of ready local market for their grain about ninety per cent of whiskey and gin manufactured in Pennsylvania is sold in bulk to rectifiers and bottlers in other states Philadelphia furnishes the greater part of Pennsyvania's production if Philadelphia distilleries can not remain competitive it will result in shutting down of the plants discharge of thousands of employees in distilling industry and in all industries furnishing supplies barrels bottles cartons printing etc. I therefore protest against passage of proposed legislation.

S. Davis Wilson, Mayor of Philadelphia"

I respectfully request the Senator to heed the "still small voice" of authority from the City of Philadelphia and follow the request of the Mayor, S. Davis Wilson.

Mr. COYNE. Mr. President, I desire to interrogate the Senator from Delaware, Mr. McClure.

The PRESIDENT. Will the Senator from Delaware, Mr. McClure, permit himself to be interrogated?

Mr. McCLURE. Mr. President, I will.

Mr. COYNE. Mr. President, did the Senator from Delaware, Mr. McClure, in conversation with the Governor, mention when this tax was proposed?

Mr. McCLURE. Mr. President, I did.

Mr. COYNE. Mr. President, was that tax on liquor proposed by the Republican side or the Democratic side?

Mr. McCLURE. Mr. President, it was proposed by Honorable Herbert B. Cohen, the leader of the Democratic party in the House of Representatives; and it was called after him a good tax.

Mr. COYNE. Mr. President, the reason I ask that question—I am glad that it was not proposed by a Republican member—is because I think it is a very bad tax, and I think the amendment to this bill is a very good amendment. I know something about what they are doing, and how they are getting their money, in this State, from liquor. I do not know if there is any other State in the union getting as much profit from liquor as the State of Pennsylvania. There are some products sold by the liquor stores of Pennsylvania from which they are getting $8.00 profit on one case, beside the tax imposed upon them. I think it is a very fair tax. I do not care what they are making whiskey out of, whether sugar, potatoes or molasses; but I know that the people who are making the whiskey in the State can make new whiskey, at a cost of 35¢ a gallon. The Michigan distillers sell their whisky, a day old, at 36¢ a gallon. And if you propose a tax of 5¢ a gallon on the product of the Continental Distilling Company, they would have to close their place, and about 0 people would be thrown out of employment. The amendment is good because it is for four per cent., and everybody pays it. I am talking about the amendment of the House. The amendment in the House is a good amendment and will give the people in this State who are making whiskey a chance; and if you impose a five-cent tax on those making whiskey in Pennsylvania and do not impose anything on those making whiskey outside of Pennsylvania and selling it in this State, it will mean that those employes I have spoken of, of Pennsylvania distillers, will be out of work. I am opposed to this amendment of Senator McClure's because it would create that condition. Now, simply because somebody, some official, in this state is interested in a product that is sold to the manufacturer of whiskey—that is no reason why we should impose a hardship on the rest of the people of this State; and I hope this amendment of Senator McClure's will be voted down.

Mr. BUCKMAN. Mr. President, I do not usually take a great deal of interest in liquor legislation, but it seems to me there may be a conflict of the different Mayors of the State. It seems to me the Mayor of Philadelphia is for this bill as it came from the House. It has occurred to me that it might be well to ascertain how Mayor McNair of Pittsburgh feels about it, what his position is on this proposition. It might also be well to get the opinion of the ex-Mayor of Johnstown, Honorable Eddie McCloskey, so as to make a comparison of the positions of the different Mayors on this tax.

Mr. REED (Washington). Mr. President, I desire to interrogate the Senator from Monroe, Mr. Huffman.

The PRESIDENT. Will the Senator from Monroe, Mr. Huffman, permit himself to be interrogated?

Mr. HUFFMAN. Mr. President, I will.

Mr. REED (Washington). Mr. President, was this tax, of five cents a gallon, a part of the agreement entered into by the joint committee last week?

Mr. HUFFMAN. Mr. President, it was.

Mr. TRAINER. Mr. President, on the question of five cents a gallon, to be paid by the distillers, and Section II of the Act, that puts a tax of four per cent. on the article, the situation would be that if the State of Pennsylvania buys a case of whiskey from some rectifier or distiller for $8.00, the tax would be $4.32, or 32¢ additional. As there are three gallons in a case, it is a matter of pretty near 11¢ a gallon in place of 5¢ a gallon under this bill as the bill reads.

Mr. SHAPIRO. Mr. President, I am not interested in any distillery and I do not drink much liquor; and I am not interested in what Mayor McNair thinks about this bill; but I think there is some misunderstanding as to the purpose of the amendment.

I think it was pointed out—the Senator from Delaware will correct me if I am wrong—at the conference at the Executive Mansion, it was pointed out by the Governor and some of the other gentlemen on the Democratic side, that this would be an unfair tax in its original form, and that is why it was changed, and that is why I am opposed to it, and I wanted to explain that. I have read the bill in its original form. It imposed a tax of five cents on all liquor distilled in Pennsylvania, irrespective of where it was sold. If the price of liquor, as I have been informed, and as it has been pointed out here today, as it was in 1930, is an average of 35 cents a gallon, a profit of three cents a gallon, it would be impossible for Pennsylvania liquor manufacturers to continue to manufacture liquor and sell it in other states. The present tax, while it is 32 cents, is immaterial, because, as I understand it, the liquor dealers are not opposed to a tax on liquor sold in Pennsylvania; what they are opposed to is a tax on liquor manufactured for use in Pennsylvania, but the viciousness of the tax in its original form, was that it imposed a discriminatory burden on Pennsylvania manufacturers when they go into other states, and that the amendment puts this in a more equitable form.

I should like to point out to the Senator from Delaware, Mr. McClure, I do not know what lobby was working on this bill to have it changed, but I noticed that there was a powerful lobby working against what I think was a more equitable tax on the chain stores. They employed the highest paid lawyer in Philadelphia to point out that that tax would be unconstitutional. It seems to me everybody, both Republicans and Democrats, agree if this bill were considered over the week-end, that it would be a vicious and discriminatory tax. I am not holding a brief for the Mayor of Philadelphia, but am interested in Philadelphia industries, and I would like to point out that in Philadelphia we have one of the largest distilleries in the state, and it would be a great loss to the manufacturers in Pennsylvania, because if the tax in its original form were passed, they would be compelled to shut down every distillery for the next year. It seems to me on that basis there is no sense in passing such a tax. They pay ten mills capital stock tax, twenty-five thousand dollars license fee to the state, and pay a government tax on liquors. It seems to me they are not getting any courtesy than any other taxpayer in the State of Pennsylvania.

Mr. McCLURE. Mr. President, I am glad to learn from Senator Huffman and Senator Shapiro that this is an equitable tax. We have been here fifteen weeks talking about

equitable taxes, and at last we have found one; but this tax is only equitable because, in its present form, it does not tax the distiller—the twenty-five distilling companies in Pennsylvania—but it spreads that tax over the number of 10,000,000 of our population who drink liquor. In other words, this tax, in its present form, is nothing more or less than a sales tax.

The Governor of Pennsylvania has, time and time again, stated that he wanted to tax on ability to pay. These distillers seem to have a great deal of money, and I cannot understand why they cannot pay a cent and a quarter a quart, I cannot understand why they cannot pay a cent and a quarter a quart, on whiskey, to the State of Pennsylvania. But now they take the position that this must be an equitable tax, this must be a sales tax, and this tax must be spread over all the people of Pennsylvania.

Mr. Huffman also referred to the conference which was held last night. I was aware that there was a meeting last night, and I happened to be in the adjoining room; but I want to say to the Senator from Monroe that I had no notice of the meeting, I was not invited to the meeting; otherwise I would have gone in and would have said in the meeting what I have said on the floor of this Senate.

And, in conclusion, I want to make my position clear to everyone here—that if this agreement is to be broken, I then feel free to use my discretion in voting on the other tax measures and other legislation which is coming before this session, which was part of the agreement in the Governor's mansion. I hold that right if this amendment is not adopted.

Mr. WOODWARD. Mr. President, in reply to the Senator from Centre, Mr. Thompson, I would like to say that I have found this telegram, which was evidently mislaid: It says, "My dear George: House Bill No. 169 cuts quite a hole in the income of the Earle Estate. I respectfully suggest that you shift this tax on to the consumer. Yours, Pennsylvania Sugar Company."

Mr. HUFFMAN. Mr. President, I stated a moment ago that Senator McClure, Senator Owlett and Senator Bean were in a conference in Room 249. I sent a boy from the adjoining room, to the three men, to come out to a meeting with Mr. Roberts and myself. Two of them came out. It is not possible for me to believe that Mr. McClure did not get that notice. The other two gentlemen came out immediately. They said he had notice. I heard nothing of this until this morning. So much for that.

Mr. McClure now says he feels free, because there was an agreement broken, to vote against all the other taxes, and do as he pleases. Why did he not suggest some better tax, if he does not like this? Why did he not suggest, in the fifteen weeks we have been here, some taxes that he thought would be satisfactory? Why does he at this moment, right at the close of this session, after he has agreed to put through a liquor tax—he agreed to it just as much as Mr. Cohen did; he was very glad last week, I think, to grab at anything to make up the $45,000,000 he felt was reasonable; I believe he felt that tax was reasonable, and I believe everybody else in the room except Senator McClure believes now that the change in that liquor tax is a more equitable tax and a more satisfactory tax than the one proposed last week—why should he fuss about it?

I want to say this about the inuendoes as to the Pennsylvania Sugar Company. Senator McClure is guilty of it, and Senator Woodward is. The Pennsylvania Sugar Company is referred to because it is said that Governor Earle has an interest in it. The implication is that by changing the character of the tax from the way it was agreed upon last week to the present form, as it is now in in the bill, the Governor will profit by it. Allow me to tell you how much he will profit. The Pennsylvania Sugar Company has a capitalization of $5,000,000. Sugar companies have a by-product; this particular one has a by-product, and from that they manufacture rum, a small quantity of rum. They have a capitalization of $5,000,000; the Earle Estate, of which the Governor is a member, owns $10,000 worth of the $5,000,000 capitalization; the Governor himself owns $3,500 worth of stock in the same company; therefore, his direct and indirect interest in the Pennsylvania Sugar Company, as shown by the percentage that $3,500 is of the $5,000,00 capitalization, I would say his interest would amount to about fifteen cents. The amount of the by-product last year ran into $250,000, on their total business of $40,000,000. You may figure out for yourselves the amount that would mean to one having holdings of $3,500 out of a capitalization of $5,000,000. As a matter of fact, when we come to calculate the tax on the sale of this rum by-product of the Pennsylvania Sugar Company, under this proposed tax that we are discussing now, we find it will cost this company more money than the tax that you now are trying to re-establish, as we agreed upon last week.

Mr. REED (Dauphin). Mr. President, I desire to interrogate the Senator from Monroe, Mr. Huffman.

The PRESIDENT. Will the Senator from Monroe, Mr. Huffman, permit himself to be interrogated?

Mr. HUFFMAN. Mr. President, I will.

Mr. REED (Dauphin). Mr. President, I desire to ask the Senator from whom he secured the figures as to Governor Earle's holdings, from which he has just read.

Mr. HUFFMAN. Mr. President, direct from the sugar company.

Mr. REED (Dauphin). Mr. President, the Senator from Monroe did not, then, receive them from the Governor?

Mr. HUFFMAN. Mr. President, I did not, no, sir; I did not even talk to him.

Mr. REED (Dauphin). Mr. President, does the Senator from Monroe have the holdings in the various other companies in Pennsylvania which the Governor has?

Mr. HUFFMAN. Mr. President, I have not, no.

Mr. REED (Dauphin). Mr. President, may I further ask the Senator what was the purpose of securing these figures from the sugar company, to give to the Senate?

Mr. HUFFMAN. Mr. President, because I had heard it rumored, early this morning, that this statement was going to be made.

Mr. OWLETT. Mr. President, I desire to interrogate the Senator from Monroe, Mr. Huffman.

The PRESIDENT. Will the Senator from Monroe, Mr. Huffman, permit himself to be interrogated?

Mr. HUFFMAN. Mr. President, I will.

Mr. OWLETT. Mr. President, I would like to ask the Senator from Monroe, Mr. Huffman, whether or not, to a company engaged in the sugar business the manufacture of rum is of an economic proposition.

Mr. HUFFMAN. Mr. President, that is a question the Senator from Tioga, Mr. Owlett, will have to decide for himself, I think.

Mr. McCLURE. Mr. President, I again want to state, in view of the remarks of the Senator from Monroe, Mr. Huffman, that I had no notice of any meeting last night.

I understand, when he came over to Room 249, the office of the Secretary of the Senate, there was a Republican caucus in session, and the Republicans were all present; and if any notice was to be given to me of that meeting, I feel sure that some of my Republican colleagues would have called my attention to the fact that I was wanted in the other room to attend the meeting.

Mr. TRAINER. Mr. President, in voting on this bill, being the president of a distilling company, in the judgment of the Senator from Fayette, am I entitled to vote on it?

I vote "present."

And the question recurring,

Will the Senate agree to the amendment?

The yeas and nays were required by Mr. GRAFF and Mr. McCLURE and were as follows, viz:

YEAS—13.

Buckman,	McClure,	Reed,	Staudenmeier,
Daly,	Owlett,	(Dauphin)	Ziegenheim,
Gelder,	Pierson,	Reed,	Homsher,
Law,	Prince,	(Washington)	Pres. Pro. Tem.

NAYS—31.

Aron,	Harvey,	Pytko,	Scott,
Batchelor,	Huffman,	Rankin,	Shapiro,
Baumer,	Kahle,	Rice,	Sones,
Bean,	Lanius,	Roberts,	Thompson,
Chapman,	Mallery,	Rodgers,	(Centre)
Coyne,	McCreesh,	Rupp,	Thompson,
Frey,	McGinnis,	Ruth,	(Westmoreland)
Graff,	Miller,	Salus,	Woodward,
Harris,			

So the question was determined in the negative.

And the question recurring,

Will the Senate agree to the section?

It was agreed to.

The second section of the bill was read as follows:

Section 2 An excise tax is hereby imposed upon the delivery of all distilled rectified and blended spirits to the board for sale in this Commonwealth at the rate of four per cent (4%) upon the purchase price payable therefor by the board as evidenced by invoices therefor rendered to the board by the vendor thereof The tax imposed by this section shall be paid by persons delivering such distilled rectified and blended spirits in this Commonwealth to the board at the time of delivery thereof unless the person liable for the payment of the tax shall agree with the board that said tax shall be deducted by the board from the amount payable on the invoice rendered and paid over as hereinafter provided

On the question,

Will the Senate agree to the section?

Mr. McCLURE. Mr. President, I move to strike out the entire section.

Mr. HARVEY. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was not agreed to.

And the question recurring,

Will the Senate agree to the section?

It was agreed to.

The third section of the bill was read as follows:

Section 3 This tax shall be in addition to all other taxes imposed by the laws of the Commonwealth

On the question,

Will the Senate agree to the section?

Mr. McCLURE. Mr. President, I move to strike out the entire section.

Mr. HARVEY. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was not agreed to.

And the question recurring,

Will the Senate agree to the section?

It was agreed to.

The fourth section of the bill was read as follows:

Section 4 It shall be the duty of the board to transmit to the department on or before the fifth day of each calendar month the taxes collected during the preceding calendar month and such other information as may be necessary to effectuate the provisions of this act at which time it shall also be the duty of the board to pay to the State Treasurer through the department the tax imposed upon such liquor by the provisions of this act for said month

On the question,

Will the Senate agree to the section?

Mr. McCLURE. Mr. President, I move to strike cut the entire section and insert in lieu thereof the following:

Section 2. A tax payable by manufacturers as defined in this act is hereby imposed upon the privilege of manufacturing, producing, distilling, redistilling, rectifying, blending or recovering alcohol, alcoholic liquids or spiritous liquors within this Commonwealth during the calendar year one thousand nine hundred and thirty-six, which tax shall be measured by the amount of alcohol, alcoholic liquids or spirituous liquors manufactured, produced, distilled, redistilled, rectified, blended or recovered during the said year, and shall be computed thereon at the rate of five cents (5c) per proof gallon; Provided, That where alcohol, alcoholic liquids or distilled spirits liable to tax under this act are used in this Commonwealth in the production or manufacture of rectified or blended spirits, a credit against the tax herein imposed shall be allowed to the manufacturer thereof to the extent of the tax imposed with regard to the alcohol, alcoholic liquid or distilled spirits so used. Double taxation is not intended, its being the legislative intent to impose tax but once with regard to alcohol, alcoholic liquids and distilled spirits manufactured within this Commonwealth.

Section 3. This tax shall be in addition to all other taxes imposed by the laws of the Commonwealth.

Section 4. No tax shall be imposed under the provisions of this act upon the privilege of manufacturing, producing, distilling, redistilling or recovering any alcohol, alcoholic liquids or distilled spirits for manufacturing pharmacists or chemists or other persons for use in the manufacture or compounding of preparations unfit for beverage purposes, or upon the privilege of manufacturing, producing, distilling, redistilling or recovering alcohol in the manufacture or production of denatured alcohol in accordance with the laws of the Congress of the United States and regulations issued pursuant thereto.

Section 5. For the purpose of ascertaining the amount of tax payable under this act it shall be the duty of every manufacturer liable to pay tax under this act on or before the fifteenth day of February, one thousand nine hundred and thirty-seven to transmit to the department upon a form prescribed, prepared and furnished by the department, a report under oath or affirmation of the amount of alcohol, alcoholic liquids and spirituous liquors manufactured, produced, distilled, redistilled, rectified, blended or recovered by him during the calendar year one thousand nine hundred and thirty-six. Such report shall also set forth—

(a) True copies of the manufacturer's returns of operations to the Federal Government in the calendar year one

thousand nine hundred thirty-six or such part or portions of said returns as the department may designate.

(b) Such other information as the department may require.

The failure of any manufacturer liable to pay tax under this act to procure or receive any report form shall not excuse him from making a report.

Every manufacturer at the time of making the report required herein shall pay to the department the tax due to the Commonwealth by him. The amount of all taxes imposed under the provisions of this act shall be due and payable at the time the report is required to be filed with the department under the provisions of this act and shall bear interest at the rate of twelve per centum per annum from the date they are due and payable until paid except that any taxes found due as the result of an appeal to the court of common pleas or any appellate court shall bear interest at the rate of six per centum per annum from the date such taxes are due and payable until paid. Provided, however, That any manufacturer may pay the full amount of such tax or any part thereof together with interest due to the date of payment without prejudice to his right to present and prosecute a petition for resettlement a petition for review or an appeal to the court if such payment is accompanied by a protest that the whole or any part of such payment is not justly or legally due. If it be thereafter determined that such taxes were overpaid the department shall enter a credit to the account of such manufacturer which may be used by it or assigned to any other person for use in the payment of any obligation to the Commonwealth.

If any manufacturer shall neglect or refuse to make any report as herein required or shall knowingly make any false report an additional ten per centum of the amount of the tax shall be added by the department to the tax determined to be due.

Section 6. (a) If the department is not satisfied with the report and payment of tax made by any manufacturer under the provisions of this act it is hereby authorized and empowered to make a determination of the tax due by such manufacturer based upon the facts contained in the report or upon any information within its possession or that shall come into its possession.

(b) Promptly after the date of any such determination the department shall send by registered mail a copy thereof to such manufacturer. Within thirty (30) days after the date of any such determination such manufacturer may file with the department a petition for redetermination of such tax. Every petition for redetermination shall state specifically the reasons which the petitioner believes entitle him to such redetermination and shall be supported by affidavit that it is not made for the purpose of delay and that the facts therein set forth are true. The department shall within ninety (90) days after the date of any determination dispose of any petition for redetermination. Notice of the action taken upon any petition for redetermination shall be given to the petitioner promptly after the date of redetermination by the department.

(c) Within thirty (30) days after notice by the department of the action taken on any petition for redetermination filed with it the manufacturer against which such determination was made may by petition request the Board of Finance and Revenue to review such action. Every petition for review filed hereunder shall state specifically the reason upon which the petitioner relies and shall be in such form as the Board of Finance and Revenue shall prescribe. The petition shall be supported by affidavit that it is not made for the purpose of delay and that the facts therein set forth are true. The Board of Finance and Revenue shall dispose of such petitions filed with it within ninety (90) days after they have been received and in the event of the failure of said board to dispose of any such petition within ninety (90) days the acton taken by the department upon the petition for redetermnation shall be deemed sustained. The Board of Finance and Revenue may sustain the action taken on the petition for redetermination or it may redetermine the tax due upon such basis as it shall deem according to law and equity. Notce of the action of the Board of Finance and Revenue shall be given by mail or otherwise to the department and to the petitioners.

(d) The department or any person aggrieved by the decision of the Board of Finance and Revenue or by the board's failure to act upon his petition for review within ninety (90) days may within sixty (60) days appeal to the Court of Common Pleas of Dauphin County from the decision of the Board of Finance and Revenue or from the decision of the department as the case may be in the manner now or hereafter provided by law for appeals in the case of tax settlements.

(e) If any manufacturer shall neglect or refuse to make any report and payment of tax required by this act the department shall estimate the tax and determine the amount due by him for tax penalties and interest thereon as prescribed herein from which determination there shall be no right of review or appeal.

Section 7. (a) The department is hereby charged with the enforcement of the provisions of this act and is hereby authorized and empowered to prescribe, adopt, promulgate, publish and enforce rules and regulations not inconsistent with this act relating to any matter or thing pertaining to the administration and enforcement of the provisions of this act and the collection of taxes, penalties and interest imposed by this act. Such rules and regulations shall have the same force and effect as law and violations thereof shall be punishable in the same fashion as violations of provisions of this act.

(b) The department or any agent appointed by it is hereby authorized at any time to examine the books, papers, invoices, other records and manufacturing equipment pertaining to and stock of alcohol, alcoholic liquids, distilled spirits and rectified or blended spirits in and upon any premises where the same are placed, stored or sold either by manufacturers or any other person to verify the accuracy of any report required to be made by this act or payment of or liability for the tax imposed by this act. Any person in possession of such beverages is hereby directed and required to give the Secretary of Revenue or his duly authorized representative the means, facilities and opportunity for such examinations.

The department is hereby authorized to furnish any information obtained by it in the exercise of its duties under the provisions of this act, concerning alcohol, alcoholic liquids, distilled spirits and rectified or blended spirits manufactured, produced, distilled, redistilled, rectified, blended or recovered in this Commonwealth to the proper authorities of this or of any other state territory or the United States and to obtain similar information from the proper authorities of any other state territory or the United States.

Any information gained by the department as a result of any returns, investigations or verifications required to be made by this act shall be confidential, except for the purposes herein set forth and any person divulging such information shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not less than one hundred dollars ($100.00) or more than one thousand dollars ($1,000.00) and costs of prosecution or to undergo imprisonment for not more than six (6) months or both, in the discretion of the court.

(c) Whenever any person acting for or on behalf of the department shall in good faith institute legal proceedings for any violations of the provisions of this act, and for any reason shall fail to recover costs of record, such costs shall be a charge upon the proper county as shall such costs in the event defendant is imprisoned for failure to pay fine or costs, or both, and shall be audited and paid as are costs of like character in said county.

(d) The powers conferred by this act upon the department relating to the administration or enforcement of this act shall be in addition to, but not exclusive of, any other powers hereofore or hereafter conferred upon the department by law.

Section 8. Each manufacturer shall maintain and keep for a period of two (2) years such record or records of its business within this Commonwealth and other pertinent papers as may be required by the department.

Any person violating any of the provisions of this section shall be guilty of a misdemeanor, and shall upon

conviction thereof be sentenced to pay a fine not exceeding one thousand dollars ($1,000.00) and costs of prosecution, or to undergo imprisonment for not more than six (6) months or both, in the discretion of the court.

Section 9. (a) Any person who shall wilfully and corruptly make a false and fraudulent report shall be guilty of wilful and corrupt perjury and upon conviction thereof shall be subject to punishment as provided by law. Such penalty shall be in addition to any other penalties imposed by this act.

(b) Any person who wilfully fails, neglects or refuses to make a report and to pay the tax as herein prescribed, or who shall refuse to permit the department to examine the books, papers and records of any manufacturer liable to pay tax under this act, or who shall violate any rule or regulation prescribed, adopted and promulgated by the department under the provisions of this act, shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding one thousand dollars ($1,000.00) and costs of prosecution or to undergo imprisonment not exceeding six (6) months or both, in the discretion of the court. Such penalty shall be in addition to any other penalties imposed by this act.

(c) Upon the conviction of any person of any of the misdemeanors described in this section, the Pennsylvania Liquor Control Board at the request of the department, may revoke any permit issued by it to such person.

Section 10. The provisions of this act are severable and if any of its provisions shall be held unconstitutional, the decision of the court shall not affect or impair any of the remaining provisions of this act. It is hereby declared to be the legislative intent that this act would have been adopted had such unconstitutional provisions not been included herein.

Mr. HARVEY. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was not agreed to.

And the question recurring,

Will the Senate agree to the section?

Mr. HUFFMAN. Mr. President, I move to amend sec-4, page 4, line 1 by inserting after the word "month" and before the word "the" the following: "a statement of"

Mr. RICE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The fifth section of the bill was read as follows and agreed to.

Section 5 This act shall become effective the fifteenth day of August one thousand nine hundred thirty-six and shall remain in effect until and including the thirty-first day of May one thousand nine hundred thirty-seven

The title of the bill was read as follows:

An Act to provide revenue for State purposes by imposing an excise tax for a limited period of time upon the delivery in this Commonwealth to the Pennsylvania Liquor Control Board of distilled rectified and blended spirits providing for the payment and collection of the tax and conferring powers and imposing duties on the Pennsylvania Liquor Control Board

On the question,

Will the Senate agree to the title?

Mr. McCLURE. Mr. President, I move to amend title, by striking out all the material included therein, except the words "An Act" and insert in lieu thereof "To provide revenue for State purposes by imposing an excise tax for the calendar year one thousand nine hundred and thirty-six upon the privilege of manufacturing, producing, distilling, redistilling, blending, rectifying and recovering certain alcohols and alcoholic liquids; providing for the payment and collection of the tax; conferring powers and imposing duties on persons, associations, corporations, and certain State and county officers, boards and departments; and providing penalties"

Mr. HARVEY. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was not agreed to.

And the question recurring,

Will the Senate agree to the title?

It was agreed to.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

CONSIDERATION OF SENATE RESOLUTION NO. 37

Mr. OWLETT. Mr. President, I move that the Senate do now proceed to the consideration of Senate Resolution No. 37, appearing on page 49, of the Senate History, which was reported from Committee on July 20th.

Mr. BEAN. Mr. President, I second the motion.

The motion was agreed to.

The resolution was read as follows:

APPOINTMENT OF SENATE COMMITTEE TO INVESTIGATE POLITICAL ACTIVITY OF WORKS PROGRESS ADMINISTRATION

In the Senate, July 10, 1936.

Whereas, On May 18, 1936, the Senate adopted a Resolution (known as Senate Resolution No. 1) authorizing the appointment of a Committee to make an investigation of the organization, administration and functioning of the Works Progress Administration in Pennsylvania; and

Whereas, Pursuant to said Resolution the President pro tempore of the Senate on May 18th appointed a Committee of five members of the Senate, which organized promptly and proceeded to perform its duties under said Resolution; and

Whereas, On June 3, 1936, while said Committee was conducting a hearing and examining witnesses who desired voluntarily to inform the Senate of certain abuses in the administration of the Works Progress Administration in Pennsylvania, there was served upon the Committee a Restraining Order issued by a judge of the District Court of the United States for the Middle District of Pennsylvania, enjoining the Committee from further proceeding in the performance of any of its duties under said Resolution; and

Whereas, After argument the District Court of the United States granted a temporary injunction further restraining the Committee from performing its duties under said Resolution; and

Whereas, The Committee is advised by its counsel, specially retained by it to represent it in the injunction proceedings, that counsel believe that the action of the District Court would be reversed upon appeal and the injunction vacated, but that an appeal would be futile because said Resolution requires the Committee to complete its duties and report to the present Special Session of the Senate, and the appeal could not be heard and disposed of prior to the adjournment of this Session; and

Whereas, The work of the Committee prior to the issuance of a Restraining Order as aforesaid had revealed gross abuses in the functioning of the Works Progress Administration in Pennsylvania, and particularly an effort by those controlling the Works Progress Administration unlawfully and unconstitutionally to interfere with the freedom of the electors of Pennsylvania to register and vote as they please, and to impose upon persons in need

of work relief, an unlawful and unconstitutional requirement that they register as members of a particular political party; and

Whereas, It is necessary in order that appropriate remedial legislation may be enacted, that the Senate obtain further information relating to these and other abuses now being perpetrated in Pennsylvania, in violation of the Constitution and laws of Pennsylvania, and in violation of the rights of the Commonwealth of Pennsylvania as a sovereign State.

Resolved, That the President pro tempore of the Senate is hereby authorized to appoint a Committee of five members of the Senate whose duty it shall be to conduct an investigation of the wide-spread reports that electoral freedom, guaranteed both by the Constitution of Pennsylvania and the Constitution of the United States, is being denied to the unemployed who require relief, and the further wide-spread reports that citizens of Pennsylvania are being compelled, in order to obtain relief or work-relief, to register as members of a particular political party, and that the elections of this Commonwealth are being corrupted by the granting of relief or work-relief to persons not in need thereof, as a consideration for partisan political activity;

Resolved, That the said Committee shall have power to issue subpoenas under the hand and seal of its Chairman, requesting and commanding any person or persons to appear before it and to answer any question touching matters properly being inquired into by the Committee and to produce such books, papers, records and documents as the Committee may deem necessary. Provided, That the Committee shall not have power to subpoena any Federal official or any records of the government of the United States. Such subpoenas may, except as herein otherwise provided, be served upon any person and shall have the force and effect of subpoenas issued out of the Courts of this Commonwealth. Each member of said Committee shall have the power to administer oaths and affirmations to witnesses appearing before the Committee. Any person who shall wilfully refuse or neglect to testify before such Committee and to produce any papers, books or documents, shall be subject to the penalties provided by the Laws of the Commonwealth in such cases;

Resolved, That the Committee shall hold hearings in Philadelphia and in Pittsburgh, and if it deems it necessary, in other cities of the Commonwealth in which the aforesaid abuses are believed to be current;

Resolved, That said Committee shall make a report to the Senate at its next Regular Session and that the powers hereby conferred shall be exercised by the Committee during the recess of the Senate, as well as during the Sessions thereof;

Resolved, That in the event that the power hereby conferred upon the said Committee to subpoena witnesses and enforce its subpoenas during the recess of the Senate shall be held by any Court to be unconstitutional, the said Committee shall nevertheless continue its work and take the testimony of such persons as shall voluntarily appear before it.

On the question,

Will the Senate agree to the resolution?

Mr. THOMPSON (Centre). Mr. President, I do not think that there is anything that has been done by this Senate in this fifteen weeks session that has been more open to ridicule than the attitude of this Senate, and this special committee on the question of the Works Progress Administration. We had one resolution offered to this Senate to appoint a committee to investigate the Works Progress Administration. The legitimacy of that resolution was full debated and the point of order was raised on the floor of this Senate that the resolution was a deliberate infringement of the exercise of the powers of the Federal Government, and was calculated not to benefit any federal program, but was to make loose, irresponsible political capital. At that time the Chair ruled that the resolution was not in order. The Senator from Bucks, the Republican floor leader, appealed from the decision of the Chair in this Senate, and the majority of the Senate voted in support of the resolution to investigate the Works Progress Administration. Since that has occurred we have seen what a dismal fiasco the first WPA investigating committee has turned out to be. The committee got under way, held a couple hearings, and an injunction was granted against the committee by the Federal Court of the Middle District. The committee still flaunted the Constitution, the laws and the courts of the United States, as well as public opinion, and proceeded, in spite of the injunction, to continue its hearing. Finally, after the Federal Court threatened to cite for contempt the members of this committee, the committee desisted from the further prosecution of its investigation. This resolution that is offered today is only another subterfuge to try to accomplish the same thing which we all know we are unable to do under the decision of the Federal Court of the Middle District of Pennsylvania. Why this committee, which was appointed under the former resolution, which had the same sponsor as this resolution, who also was the Chairman of this special committee—if this committee is so sure of its ground, why did they not appeal from the decision of the Court of the Middle District to the Circuit Court of the United States? Why must they come in here and vex this Senate in probably its closing week with a matter which we know, and which the Court of the United States has declared to be illegitimate and irresponsible.

But, Mr. President, apart from the legal aspect of the resolution, let us consider what was accomplished under the first investigating committee. I wonder if this committee intends to bring more witnesses before it like the star witness of the recent illegal investigation. I am referring to one witness by the name of Irwin A. Williamson. Mr. Williamson, who gave practically all the testimony during the hearing which Mr. Owlett held here in Harrisburg, in defiance of the Federal Court's restraining order. Mr. Williamson, who was dismissed seven months ago had a WPA supervisor's job. He was dismissed from this job as incompetent and inefficient, a general nuisance and a trouble maker. I might point out that the WPA inherited Mr. Williamson from a previous work relief program of the Pinchot administration. Mr. Williamson came into the WPA organization on a fraudulent application and statement of experience and previous employment. This just came to light recently. Mr. Williamson, the committee's star witness stated in his application that he had been associated with Admiral Byrd as secretary of personnel on the Admiral's Antarctic Expedition. Admiral Byrd's office never even heard of Mr. Williamson. He also stated that he had been employed by Sir Hubert Wilkins as a diver on his submarine Nautilus on its trip to the North Pole. Sir Hubert's office never heard of Mr. Williamson. He also stated that he had been employed by Harvey Firestone and by the New York Times. He stated that he was special correspondent for the Times on the Graff Zeppelin. Firestone's office never heard of Mr. Williamson, the New York Times heard of him not as an employe or correspondent, however, for he was never on the newspaper's payroll, at least, under his right name. The Times heard of him when he was arrested in Philadelphia on a mail fraud charge, for trying to promote an expedition to South America in a boat which,

a Federal Court Judge, who presided over one of the hearings in the case, declared he would "have difficulty in crossing the Delaware River." That is the same Mr. Williamson who, according to the Philadelphia Evening Ledger, disappeared when Federal marshals siezed his craft on which he proposed to explore the South American waters. It is the same Mr. Williamson who is in his WPA application asserted that he was a member of the Explorers' Club of New York City and the Press Club of America. The Explorers' Club of New York never heard of Mr. Williamson, and nobody has ever heard of the The Press Club of America. This Mr. Williamson, while still in the employ of the WPA, made charges that the WPA officials were fostering Communism. The following is a stenographic record of a conference State WPA Administrator Edward N. Jones granted Mr. Williamson to give Mr. Williamson an opportunity to present his evidence:

Mr. Jones: "I am going to ask Mr. Williamson a question."

"In your letter to Mr. Emerick, State Supervisor of Emergency Education, under date of January 31st, you make the following statement: 'Communism is developing fast and furious in our program. We are carefully selecting persons and workers in other fields who are well known Communists in the City of Philadelphia and have been associated for some time with the party.' I am asking you, Mr. Williamson, to name the persons you refer to in this paragraph as being well-known Communists in the City of Philadelphia."

Mr. Williamson: "I can only tell what Miss M———"

Mr. Jones: "You answer my question. You have made the statement that they have carefully selected well-known Communists from the education project in Philadelphia, and I am asking you to name such persons you had in mind when you wrote that letter."

Mr. Williamson: "I could not name them with Communistic attitudes."

Mr. Jones: "Answer my question, please. I am asking you again for the last time to name me any such persons."

Mr. Williamson: "Then I could not."

Mr. Jones: "I do not think there is any use going further."

That's the type of witness Mr. Owlett had in his first alleged investigation of WPA.

Is that the type he wants to bring in again?

Witnesses like this Mr. Irwin A. Williamson—a psychopathic case—a man with a police record.

Mr. OWLETT. Mr. President, in all the extravagant statements made by the Senator from Centre, Mr. Thompson, we are all interested when he tells us the deep concern with which this Earle-Guffey-Lawrence machine views the investigation.

Now, I want to say, Mr. President, this resolution has nothing to do with the former WPA investigation. I call the Senate's attention to the fact that this resolution recites what took place under the former investigation conducted by this Senate, and authorizes a new committee to be appointed by the President Pro Tempore of this Senate, of five members, whose duty it shall be to conduct an investigation—of what? Of the widespread reports that electoral freedom, guaranteed to them by the Constitution of Pennsylvania and the Constitution of the United States is being denied to the unemployed who require relief, and other widespread reports that citizens of Pennsylvania are being compelled, in order to obtain relief, or work relief, to register as members of a particular political party; and that the elections of this Commonwealth are being corrupted by the granting of relief, and work relief, to persons not in need thereof, as a consideration for partisan political activity.

Now, Mr. President and members of this Senate, if the sovereign State of Pennsylvania is to have no right to ascertain where and how its electorate is being debauched, if we have no right to find out what is being done with Federal moneys to control elections, it is about time we learn it, and learn it right away. This is a sovereign Commonwealth, the right of determining who shall vote, the right of determining free elections in this Commonwealth, we have never granted it to the Federal Government, and I pray God that we will never grant it to the Federal Government, and this investigation, Mr. President, is to determine and determine solely what is being done in this State and in its elections, and to compel the unfortunate people of Pennsylvania who need relief and need work relief, to walk up and register and vote as they are told, if they are going to get this relief.

Now we have heard much about playing politics with human misery. That has been the continual talk of the left side of this Senate all during this session, about cutting off relief, playing politics with human misery, and I say to you, Mr. President, that if we do not now have a right to find out from volunteer witnesses what is being done to debauch our electorate, we ought to know it, and that is all this does.

Now the Senator from Centre, Mr. Thompson, asks why we did not take an appeal from the decision of the Federal Court. I think you are all familiar with what happened. When this committee was discovered to have this witness, Mr. Williamson, that they talk so much about, and whose testimony, by the way, has never been denied by anybody; they talk a lot about who he is, but not one single person has come up to deny a single thing that he said, nor a single thing that was in the affidavits that were filed in the Federal Court. Now what happened when it was found that Mr. Williamson was ready to tell the whole SERB story, or what was happening in the WPA? They brought up from Washington Mr. Dickinson, the "big gun" who argued the Guffey coal case; they brought a whole retinue of lawyers who had two floors in the Penn Harris Hotel in this city; they brought this matter before the Federal Court and secured a restraining order. Now we have bowed to that restraining order. We say that it is apparent in this day of the New Deal that we are not going to be permitted to find out anything about what happens to the taxpayers' money that goes down to Washington. We all suspected that that was true a long time ago, but this investigation proves one thing, namely, that when money is paid to the Federal Government in the form of taxes and is turned over to the President of the United States and to Jim Farley to spend, they can spend it just as they please and nobody has a right to say anything about it. Now that fact we learned in this other investigation. Mr. President, we are going to find out, if this resolution is adopted, whether or not the electorate of Pennsylvania can be debauched with money, whether or not the sovereign state of Pennsylvania has a right to control, as it was never denied it had, the elections of this state, whether the sovereign state of Pennsylvania has a right to say that our citizens shall be free to register as they please, to enroll in whatever party they please, and

to vote as they please. That is the inalienable right of the citizens of this country, and we are going to find out whether it is going to be continued, and I ask the Senate to vote for this resolution.

Mr. THOMPSON (Centre). Mr. President, I cannot help but feel, listening to the remarks of the Senator from Tioga, that if one could believe all that he said, he would have the opinion that the State of Pennsylvania had seceded from the United States of America. Perhaps the Republican machine in this state has seceded from the United States of America, they seem to have seceded from everything that is progressive and constructive and everything that is American in public life.

It amuses me when the Senator from Tioga speaks about freedom of press, freedom of speech, and that nobody denies Mr. Williamson's statement. Mr. President, men stood down there at the door of the committee room, pounded on the door of that committee room, to testify in their own behalf and deny the slanderous and libelous statements that this witness had made against them, and they were refused admittance into that committee room, and I brought that up on the floor of the Senate two months ago, and that charge was never denied at that time. I say, Mr. President, it comes with poor grace to talk about such things when you have a committee, that is a packed jury, that only hears one side, and in all of this committee's investigation there was only one side of the investigation heard, and only one side of the case will be heard by this committee. Is that the sort of thing that is going to keep freedom of elections, freedom of the press, freedom of speech in Pennsylvania, or does that sound more like the machine of a generation ago in Philadelphia, where they toss the ballot boxes into the Schuylkill River and things of that sort? When the Republican National committeeman talks about the freedom of election, I wonder if he wants the kind of freedom of election that the Vare machine had in Philadelphia for generations. If that is the kind of freedom of elections he is pleading for, I say to you, Mr. President, this committee, in its investigation, will not add to the freedom of elections in this state, but will tend to do just what the other committee did, it will debauch the respectability of this parliamentary body and debauch freedom of elections, rather than help freedom of elections.

Now, if this resolution is only calculated to protect those that are on relief, why does it not say so? The State of Pennsylvania is raising by taxation all of the money that is being spent for direct relief in this state. We have a perfect legal right, the Senate and House, buy a concurrent resolution, to investigate, to go into it in any form, and find out whether this relief is being used to interfere with the right of suffrage; why is not that brought up? Why do we not stick to the place where we can do something? If we want to be emissaries in the cause of clean elections, let us be emissaries where we can possibly do some emissary work, and not go out over the hill where we cannot do anything. The WPA cannot be investigated. Why do we not hear from our senior Senator in Pennsylvania at Washington? Why does he not start an investigation in the Senate of the United States? That is what he is down there for, if he thinks the WPA is not behaving right. We have a Republican Senator from this State, he has been down there for a year while the WPA has been in progress. We have had no investigating committee in Congress, no investigating committee sponsored by Senator Davis. That is his function. He is elected to go down to Washington to do that, that is not the function of the State of Pennsylvania. Mr. President, I say to you that this is just one more demonstration of what has occurred in our fifteen weeks of the session. There has been nothing but political jugglery and fumbling right from the start to the finish.

Mr. OWLETT. Mr. President, I do not want to let go unchallenged the statement of the Senator from Centre, Mr. Thompson, that Senator Davis, the senior Senator from Pennsylvania, has done nothing to investigate the WPA. I think everyone who is up on what has been going on at Washington knows that the resolution introduced in the Senate of the United States by Senator Davis to investigate the WPA in the United States, and how it is being used for political purposes, and what happened to the resolution? It was referred to a Senate Committee and there it died, and Senator Vandenberg and a number of other Senators urged that that resolution be passed, and that an investigation be made and the light of day be thrown on this WPA, and they never got any place with it, because Mr. Farley gave orders that it was to be kept in the dark. Now if we are going to have a discussion on this matter, let us stick to the facts as they are, let us not misrepresent the facts.

Mr. SHAPIRO. Mr. President, it is obvious to anybody that this proposition is a political one. Before November this Committee will act—and I suppose it will consist of four Republicans and one reluctant Democrat—and it will act to make fodder for the November election. But I am only interested in learning that the Republican Party has now decided that it is interested in seeing there will be no corrupt elections. The bad faith of that statement is obvious by our record last year. Anybody that claims this is an attempt on the part of the Republican Party to see that elections in Pennsylvania are not debauched and not corrupt may just look at the record of last year, when a bill was prepared—the Corrupt Practice Act—introduced in the Senate by a Republican Senator, and killed in the Senate Committee, the Republican Committee on Elections.

Mr. CAVALCANTE. Mr. President, I probably do not take the same attitude on this resolution as many members of this Senate do. I feel that if there is going on in this Commonwealth the practice enumerated by the Senator from Tioga, that that condition should be exposed. We all should be apprised of that condition, and I would not hesitate a moment to vote for a resolution that will expose that condition, and this resolution does not effect that particular purpose. The resolution through its entirety demonstrates that it is drawn up by an individual who either is trying to evade the real purpose deliberately or ignorantly. Now in order for us to investigate the conditions enumerated by the Senator from Tioga, it would be necessary to go to the very point where this condition starts, to the very point where the relief applicant is denied his relief unless he registers in the proper political party. This resolution appears in its entirety to be drawn up by an individual who is not familiar with the structure of this relief adminstration in this State of Pennsylvania. The man that drew up that resolution is not familiar with the WPA setup. Anybody that is familiar with the WPA setup knows that no person can get on WPA work unless his name comes through the National Re-employment Service, and that no name comes into the National Re-employment Service unless that name comes from the

SERB in the various counties, and that the names that come into the National Re-employment Service are those individuals who have shown an actual need and are found on the rolls of the SERB. Now I say again, and repeat, because I want to emphasize the fact, that the individual who drew up this resolution, is either ignorant of the system of WPA and National Re-employment Service and SERB, or else he has introduced this resolution absolutely in bad faith and is not sincere in what he is attempting to accomplish, for if he were sincere, and if he had drawn up this resolution with a full knowledge of the setup that we have, he would know that he should include in this resolution also the SERB, from the inception, the very place where the applicant starts in his application for relief, direct relief, and then he is certified over to the National Re-employment Service, and then by the National Re-employment Service assigned to WPA work. This resolution does not attempt, it does not have a word about investigating the point where an applicant first and makes contact to get on relief, and I would like to know from the Senator from Tioga why he has excluded the SERB from the investigation contemplated in this resolution.

Mr. OWLETT. Mr. President, the Senator from Fayette has stated the procedure as it is supposed to be conducted under WPA. The trouble is that he has forgotten to explain how it is actually run. Now it is true that the WPA was supposed to furnish work relief for those on the SERB rolls, but the investigation which was made by our committee, which was so peremptorily stopped by the Federal Government, showed us, even as far as we had gone, that instead of taking these people from the SERB rolls, and instead of putting on WPA people that were entitled to it, it was used solely for political purposes to the extent that was explained on the floor of this Senate, that a man was brought from New York State and given a $3600 job on WPA, so he would be here in Harrisburg to be near his friend, the Governor; and it was also told of a woman, a Democratic committeewoman in Montgomery County, who got a $6,000 job. The Senator from Allegheny says that it is only a $5,000 a year job. She was given supervision over some sewing circle, and so it goes all along the line, instead of taking people off SERB work, they are taken off the rolls of active political workers in each political precinct, and this 10% which they are allowed to take from outside the relief rolls, those people have been put on. The investigation showed that as soon as a project is approved and workers are supposed to take decent jobs in the place of this dole, they are left on the relief roll until the political sponsor has their names taken off.

Now those are the facts, and that is why this resolution was/is drawn in its present form, because it is not conducted as it is supposed to be conducted, and everybody knows that it is not.

Mr. BUCKMAN. Mr. President, while I do not represent the City of Philadelphia, nor the alleged Republican Mayor of that city, there has been a statement made on the floor of this Senate of which I doubt the truth, and I would like to interrogate the Senator from Centre, Mr. Thompson.

The PRESIDENT. Will the Senator from Centre, Mr. Thompson, permit himself to be interrogated?

Mr. THOMPSON (Centre). Mr. President, I will.

Mr. BUCKMAN. Mr. President, the Senator from Centre has stated that the ballot boxes in the City of Philadelphia were thrown into the Schuylkill River, and I would like to ask him when that took place, what facts he has to back it up.

Mr. THOMPSON (Centre). Mr. President, I cannot name the particular election, but it was given a lot of publicity in the Philadelphia newspapers. There was a magistrate by the name of Renshaw who was running for reelection, and as the papers carried it at that time, there were a great many of the controlled wards in Philadelphia where the election boards had received their orders to give Renshaw no votes at that election, and the election boards left and filled out the returns before they opened the ballot boxes on the morning of the election, the ballot boxes, with the ballots in them, it developed in the testimony, were thrown into the Schuylkill River, and fake election return sheets were returned, except in certain precincts, and when the orders came out about noon of that day, that there was to be this investigation, then the Republican City Committee gave orders to make out new return sheets, and some of them had made out new return sheets, and that is where the investigation started.

I think that ought to answer the question of the Senator from Bucks, and in connection with this, I might just add, the Senator from Bucks, Mr. Buckman's own newspaper organ, just a few weeks ago, I presented it here and read it on the floor of the Senate, spoke in most laudatory terms of the WPA work it is doing, and I called the attention of the Senate at that time to the fact that the ownership of this newspaper, which was so laudatory in its praise of the WPA,—the President of that newspaper was none other than former U. S. Senator Joseph Grundy.

Mr. BUCKMAN. Mr. President, the reply of the Senator from Centre is very complete; if true, I doubt the truth of it, however, and while, as I say, I do not represent the City of Philadelphia, I feel that he has made a very grave charge against the City of Philadelphia, and I think that some of the Senators who do represent that city should more fully answer. I merely raised the question because I visit Philadelphia almost daily in my business, and I never knew that Philadelphia was that corrupt, even under Republican control.

Mr. WOODWARD. Mr. President, someone must rise to defend the City of Brotherly Love. I simply want to state that the City spent thousands of dollars dredging the Schuylkill River and it has not yet recovered the ballot boxes.

Mr. SALUS. Mr. President, while this matter has been brought up, and I have sat here this session and have to my entertainment heard many political charges, one against the other, how corrupt the Republicans are, how corrupt the Democrats are, and if all these things be true, I do not know why someone did not get together and drive all Republicans and Democrats out of Pennsylvania and start a new government. Some people in their anxiety to make political speeches, suffer from hallucinations, they suffer from brainstorms, and sometimes, in the moment of debate, do not stop to think. Now, our friend, Senator Thompson if he had stopped to think, I do not believe would have made the statement that he did. If he read what he said he read, he must have read it in the nighttime, during a dream. There never was an event in the City of Philadelphia such as he spoke of, there never were any ballot boxes in the city of Philadelphia—in my time—and it runs back many years—thrown into the Schuylkill River. According to my recollection in politics in Phila-

delphia, there never was a time that a single ballot box was missing in any election held in the city of Philadelphia in the last thirty years, at least that I can recollect, and I think, in all fairness, in all honesty, and in all sincerity, without finding any fault at all with my friend down there, that he ought to have the manhood and the honesty and the courage to get up on this floor and at least say he was not quite familiar with the circumstances, and that maybe he made a mistake; I know he made a mistake, but maybe he did not know until now, and, as he has the facts before him, while it is not a very important thing, I think in the spirit of fairness he ought to do it.

And the question recurring,

Will the Senate agree to the resolution?

The yeas and nays were required by Mr. SHAPIRO and Mr. CAVALCANTE and were as follows, viz:

YEAS—25

Aron,	Gelder,	Pierson,	Thompson,
Batchelor,	Graff,	Prince,	(Westmoreland)
Bean,	Harris,	Reed,	Trainer,
Buckman,	Harvey,	(Dauphin)	Woodward,
Chapman,	Mallery,	Salus,	Ziesenheim,
Coyne,	McClure,	Scott,	Homsher,
Ealy,	Owlett,	Staudenmeier,	Pres. Pro. Tem.

NAYS—21

Baumer,	Law,	Reed,	Ruth,
Cavalcante	McCreesh,	(Washington)	Shapiro,
Frey,	McGinnis,	Rice,	Sones,
Huffman,	Miller,	Roberts,	Thompson,
Kahle,	Pytko,	Rodgers,	(Centre)
Lanius,	Rankin,	Rupp,	

So the question was determined in the affirmative.

LEAVE OF ABSENCE

Mr. REED (Dauphin) asked and obtained leave of absence for the Senator from Lackawanna, Mr. Howell.

RECONSIDERATION OF SENATE BILL NO. 107 (HOUSE BILL NO. 156)

Mr. HUFFMAN. Mr. President, I move to reconsider the vote by which Senate Bill No. 107 (House Bill No. 156), on third reading, entitled:

An Act making an appropriation to the State Emergency relief Board for direct relief and expenses defining the purposes for which such moneys may be expended creating public assistance boards in each county, and prescribing their powers and duties; imposing certain expenses on counties prescribing the powers and duties of the State Emergency Relief Board and certain State departments county officers, poor directors and courts of common pleas; prohibiting political activity by employes of the State Emergency Relief Board; and prescribing penalties.

passed second reading.

The PRESIDENT. How did the Senator vote?

Mr. HUFFMAN. Mr. President, I voted "aye."

Mr. RANKIN. Mr. President, I second the motion.

The PRESIDENT. How did the Senator vote?

Mr. RANKIN. Mr. President, I voted "aye."

On the question,

Will the Senate agree to the motion?

It was agreed to.

And the question recurring,

Will the Senate agree to the bill on second reading?

Mr. HUFFMAN. Mr. President, I move to reconsider the vote by which the title was agreed to.

Mr. RANKIN. Mr. President, I second the motion.

The motion was agreed to.

And the question recurring,

Will the Senate agree to the title?

Mr. HUFFMAN. Mr. President, I move to reconsider the vote by which the seventh section of the bill was agreed to.

Mr. RANKIN. Mr. President, I second the motion.

The motion was agreed to.

And the question recurring,

Will the Senate agree to the section?

Mr. HUFFMAN. Mr. President, I move to reconsider the vote by which the sixth section of the bill was agreed to.

Mr. RANKIN. Mr. President, I second the motion.

The motion was agreed to.

And the question recurring,

Will the Senate agree to the section?

Mr. HUFFMAN. Mr. President, I move to reconsider the vote by which the fifth section of the bill was agreed to.

Mr. RANKIN. Mr. President, I second the motion.

The motion was agreed to.

And the question recurring,

Will the Senate agree to the section?

Mr. HUFFMAN. Mr. President, I move to reconsider the vote by which the fourth section of the bill was agreed to.

Mr. RANKIN. Mr. President, I second the motion.

The motion was agreed to.

And the question recurring,

Will the Senate agree to the section?

Mr. HUFFMAN. Mr. President, I move to reconsider the vote by which the third section of the bill was agreed to.

Mr. RANKIN. Mr. President, I second the motion.

The motion was agreed to.

And the question recurring,

Will the Senate agree to the section?

Mr. HUFFMAN. Mr. President, I move to reconsider the vote by which the second section of the bill was agreed to.

Mr. RANKIN. Mr. President, I second the motion.

The motion was agreed to.

And the question recurring.

Will the Senate agree to the section?

Mr. HUFFMAN. Mr. President, I move to reconsider the vote by which the first section of the bill was agreed to.

Mr. RANKIN. Mr. President, I second the motion.

The motion was agreed to.

And the question recurring,

Will the Senate agree to the section?

The first section of the bill was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of twenty-two million two hundred eighty-three thousand seven hundred eighty-nine dollars ($22,283,789) is hereby specifically appropriated from the General Fund to the State Emergency Relief Board to provide direct relief only and for administrative expenses as hereinafter provided during the period ending January thirty-first one thousand nine hundred and thirty-seven but the moneys hereby appropriated may be used for the payment of bills contracted

by or with the authority of the State Emergency Relief Board for direct relief work relief or administrative expenses contracted prior to the effective date of this act Provided That not more than eight per centum of the money allocated for expenditure prior to December first one thousand nine hundred and thirty-six and not more than one per centum of the total balance of the amount hereby appropriated shall be used for administration expenses of the State Emergency Relief Board and not more than seven per centum of the total amount allocated to any county for expenditure subsequent to November thirtieth one thousand nine hundred and thirty-six shall be used for administrative expenses of the public assistance board hereinafter created of such county

On the question,

Will the Senate agree to the section?

Mr. HUFFMAN. Mr. President, I move to amend section 1, page 2, line 8 by striking out at the end of the line after the word "relief[" the word "[only]" and inserting in lieu thereof the following: "work relief"; also page 2, line 13 by striking out after the word "of" and before the word "State" the word: "[be]" and inserting in lieu thereof the word: "the"; also page 2, by striking out line 17; also page 3 by striking out lines 1 and 2; also page 3, line 3 by striking out at the beginning of the line before the word "of" the following: "[the total balance]"; also page 3, line 5 by striking out at the end of the line after the word "Board" the following: "[and not more than seven per]"; also page 3 by striking out lines 6 to 10, inclusive.

Mr. RANKIN. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

Mr. HUFFMAN. Mr. President, the amendment is to strike from the bill as it is on the calendar the amendment put in returning the Emergency Relief, in toto, over to the local communities.

On the question,

Will the Senate agree to the amendment?

Mr. OWLETT. Mr. President, I desire to interrogate the Senator from Monroe, Mr. Huffman.

The PRESIDENT. Will the Senator from Monroe, Mr. Huffman, permit himself to be interrogated?

Mr. HUFFMAN. Mr. President, I will.

Mr. OWLETT. Mr. President, I would like to ask the Senator from Monroe, Mr. Huffman, if it is not a fact that the Democratic members of the conference held last week insisted on the removal of these amendments to this bill before they would agree on the program for the $45,000,000 of relief, and for the winding up of this session.

Mr. HUFFMAN. Mr. President, yes sir.

Mr. EALY. Mr. President, my position in regard to this matter is well known. There is scarcely a member of this Senate, Democrat or Republican, that has not expressed his utter disgust with the way in which the Emergency Relief Board is conducting the administration of relief. To take out this amendment simply means that this wasteful, extravagant, inefficient bureaucratic system is to go ahead. The State of Pennsylvania has lost untold millions of dollars by the method in which relief is administered by the SERB; and these Senators, Democratic and Republican alike, ought to put themselves on record as being opposed to the continuance of this system. I ask for a roll call.

Mr. SHAPIRO. Mr. President, I have tried to find out something about this relief administration by the SERB and by the counties. I do not know which is the better method, but I do think it is very important that we should before we do anything, make up our minds as to which is the better method. In Philadelphia County what is being suggested may not be, and I do not think is, the best method. I am sure there are other counties in which return of relief to the localities would not be the better method. We have a system of government which provides legislation for counties according to their needs and to, at this time, right before the advent of a General Session, change a system which has been in operation for at least five years, to my mind is inadvisable.

Under the terms of this bill as it now reads this transfer would occur December 1, 1936; and a month after that the Legislature would meet. It would be impossible for anybody to determine, from a change which occurred a month before, which was the better method of procedure. I want to call the attention of the members of this Senate to this fact. If you will read the reports which I have taken, and have been digesting, of the Committee which investigated the administration of poor relief in Philadelphia—you talk about expenditures, and about abuse, by the State, it might be interesting to read the excerpts that I have taken from these reports, which appeared in the newspapers,—and I am not going to burden you by giving you many of them. Take the report of Herman J. Tahl, member of the Legislative Committee investigating Poor Boards, who charges first for extravagance in the administration of relief, and reveals through the Krekstein report that in addition to paying 35c and 25c eggs the Boards also paid 38c for 33c butter, 15c for 6¼c tomatoes, 35c for 27c coffee and 15c for 10c beans.

"Krekstein's report revealed that the Bristol Township Board dealt with 29 grocers in 1931 spending $74,600 and that 22 of these grocers got only $19,000 worth of business.

"In Byberry Township the Krekstein report revealed that Talbot Relief Funds were being handled from a private account and that the Roxborough Poor Board had in its almshouse 16 inmates and supported in addition a steward, a matron and two children and one "in law" who enjoyed de luxe living quarters with 5 bedrooms, bath, dining, living and reception rooms."

From the Philadelphia Record of December 22, 1932, comes this excerpt: "City Controller Hadley receives report from his auditors that Germantown Poor Board purchased 400 quarts of liquor and 4800 cigars in 1931. John Marsden, President of the Poor Board said he did not even know the liquor had been bought."

"Expenditures by the Oxford-Lower Dublin Board of an average of more than $2000 a year for its members in attendance as delegates to conventions."

"Cost of maintaining inmates in the almshouses of the three boards exceeds by more than 60 per cent similar expenditures in other counties."

"Purchases of large stocks of cigars, whiskey and ginger ale by the management of these institutions."

"Description of the Germantown almshouse at Rittenhouse Street and Pulaski Avenue as 'a magnificent estate' of five and one-half acres, with a laundry five times too big for an institution of its size and a $23,000 stable garage, used to house two cows, one horse and two automobiles—one of them useless."

"Members of the Germantown Board, informed by their

solicitor that they were not entitled to salaries under the law, voted themselves compensation of $1600 in 1931 for fulfilling the regular duties as secretary, treasurer and committee chairmen, rotating their services in these positions so that each of the nine managers received several hundred dollars during the year."

"The per capita cost, including capital expense of these three poor boards in Philadelphia for the care of inmates in their almshouses, according to Mr. Krekstein, was $586.97 in 1931."

"The per capita cost throughout the State, according to figures furnished by the State Department of Welfare is 96 cents a day or $351.86 a year."

"The Oxford-Lower Dublin Board spent $2000 for attendance at the annual convention of poor board directors in 1931 in Altoona Ten delegates were authorized to attend. Those who attended were the eight directors, a steward and the matron."

"The Germantown Poor Board spent $109,665 for major improvements to an institution housing 93 inmates in 1926. Included in these improvements were a boiler room for $35,000, a stable for $23,000, linoleum for the main building $63,000 and $95,000 for an enclosed front porch. They spent, in 1931, for landscaping and trimming hedges $533 of this amount $82 was paid at the rate of $7 a day for the services of a hedge trimmer despite the fact that a farmer is employed and one of the inmates acts as a gardener.

"In 1931 the Germantown Poor Board bought 20 cases of whiskey for $1000 which was an average of $11 worth of whiskey for each inmate. The audit report brought out that 58,000 cigars at 11c each were purchased and consumed by the managers of the institution."

There are at present in the Mt. Carmel Poor District, in Northumberland County, three law suits, filed by persons from whom clothing and things of that character were purchased; and it might be interesting for you to note some of the items from exhibits accompanying the Statements of Claim. These are some of the items and I have copies of these exhibits, which I have for the attention of the members who want them:

Three suits of clothes, furnished to one person, at a cost of $150.00. One coat, for a lady, $77.00. Two pairs of shoes, purchased in one day, for one man, $16.50. Sweater, $12.00. Waist, $6.85. Two pairs of ladies stockings $9.00. Two blankets, $25.96. Two pairs of shoes, one costing $11.65 and the other $14.47. One pair of shoes sold to an individual for $11.00, and the storekeeper added 10% tax. One dress, $27.00. One dress, $30.00. Some unmentionables at $4.80. Between March 7th and Sept. 4th, to one person, shoes, and so forth, totalling $140.00.

There are thousands of items—I have given you a sample of them from these copies. You can make comparison between the county boards. In the Mount Carmel district, on preliminary examination of the books of the Poor Board it was not possible to arrive at an exact amount due the Commonwealth of Pennsylvania for the several institutions in which they have inmates, due to the fact that no accounts payable control is kept in their ledgers, and from their books an account is not owing until such time as they see fit to set it up on their books. From their books the following amounts are institutions as of January 1, 1936:

Allentown	$191.16
Danville	49,589.73
Torrance	59.67
Selinsgrove	206.22
Pennhurst	1,800.65

It seems to me that an attempt at this time, in a Special Session, to upset a system, turn it from the State to the individual localities, with a record such as this as a background, is dangerous, and certainly not a careful way to legislate with regard to funds involving $60,000,000. I think this amendment to the bill, allowing this matter to stand for the time, is the wisest move this Senate could take.

Mind you, I do not take the position that the present system is the best system; but I do know that men of intelligence, integrity, honesty and ability are studying this question. There is to be issued a second report of the Goodrich Committee, a complete report. You may not agree with the Committee's suggestions, but certainly they should be considered, and not regarded lightly. And to turn this over at this time, particularly in Philadelphia County, would be dangerous.

I want to say to the Senator from Bucks, Mr. Buckman, in discussing this very problem and bringing in the other, that I listened to the Senator from Centre, and I want to say that I am ashamed to admit that many of the things he said were true. Everybody that lives in Philadelphia knew of the Zero Division Scandal in Philadelphia, and everybody in Philadelphia likewise knew of the Poor Board Scandal; and those who are here in the Senate should see to it that nothing occurs, again, nothing should be done that permits the situation in Philadelphia to go on.

Let me say further, to you in Philadelphia, that we have only five poor boards, that cover only five of the forty-eight wards; so, if you do return it to the poor boards in Philadelphia you leave a large section of the city uncovered, and any administration of relief in those wards not covered by the poor boards would have to be put in charge of the Welfare Department of the city.

Mr. CAVALCANTE. Mr. President, the enemies of this bill in its present form are visibly unfair and greatly agitated over the favorable results that will ensue to the people of this Commonwealth should the bill become law.

The bill does not place the administration of unemployment relief in the hands of Directors of the Poor, to be administered by them through the system they now use for the administration of their laws; the bill specifically creates a "Public Assistance Board" in each county of this Commonwealth, consisting of five members.

In the selection of these members the bill follows the opinion of all the people of this Commonwealth as well as the members of this Senate, that the problem of unemployment relief is the problem of Democrat and Republican alike. In counties where the people have elected to public office a Republican administration, the Democratic membership of this General Assembly has no just right to impose upon those people a Democrat administration of unemployment relief. And in counties where the people have elected Democrats to administer the County Government, the Republican membership has no just right to impose upon them a Republican administration of relief. The American principle of local self-government prevents such course. The Democratic membership of this House cannot with one breath admit that

relief is a bi-partisan problem and with a succeeding breath deny a bi-partisan administration of it. In the selection of the Board the bill recognizes all these inescapeable conclusions, and also the rights of the taxpayers of this Commonwealth to have a voice in the selection of persons who will be entrusted with the expenditure of millions upon millions of taxpayers' dollars. A fair study of the bill will show that the selection of the five members of the Board is made in a manner to positively insure a bi-partisan administration substantially responsible to the taxpayers of the several counties.

It is amazing indeed to listen to the arguments that politicians will resort to in order to confuse a main issue, when that issue deals with perfidy on the part of one party or another. The bill before us at this time does not place the administration of unemployment relief in the hands of the Directors of the Poor, and any intelligent man reading this bill from beginning to end cannot come to any other conclusion than that this bill does not send back the administration of unemployment relief to the poor boards, to be administered under the systems of the poor boards.

The bill is very specific in its terms, wherein it creates a Public Assistance Board in every county. And then the bill, in providing for the selection of the five members of the Public Assistance Board in the county, seeks to take advantage of the opinion that is prevalent in both major parties that we must soon come to the point where the lone municipality must be given some responsibility in the administration of Emergency Relief funds. In the selection of these members the bill follows the opinion of all the people of this Commonwealth, as well as of the members of the Senate, that the problem of unemployment relief is the problem of the Democrats and Republicans alike.

Now, Mr. President, I am in accord with the remarks of the Senator from Allegheny, Mr. Harris, when he said in order not to place any obstacles in the way of a peaceful and prompt conclusion of this session the Democrats and Republicans should get together, and the Democrats should recede from their stubborn position on the bill, and the Republicans should cooperate, as far as eliminating this same Emergency Relief Board in the interest of taking this relief problem back to the local communities. I am in full accord with any program that is harmonious, and I will expedite the work of this Special Session to the best of my ability.

Mr. President, throwing all partisanship aside, and merely in a frank and openminded manner, I should like to just point out certain things in this bill which in my opinion are absolutely serious. I am frank to admit that when this bill came out of committee, and was printed, and was put on my desk and I read over it, realizing that I had suggested an amendment to it in committee, it was pretty hard for me to recognize those amendments to that bill as my amendments in a certain part of it. One particular part of it was that amendment made to the bill which limits the administrative cost of relief to eight per cent. It is true that the amendment recommended by me to the committee did contain a provision limiting the administrative cost to eight per cent. of the relief appropriation, but in making that limitation we were mindful of the fact that that limitation applied to a system as provided in my amendment, where we would create a new board in each county, and there utilize the work of the three poor directors that get $1500 each a year, and some less than that,—to make them work for their money, and also throw some portion of that administrative cost upon the county; and with that taken into consideration, then the amendment to this bill, limiting the administrative cost to eight per cent., would be reasonable; but as this bill is now before us, it limits the administrative cost of the present system of relief to eight per cent., and that is not in the amendment made by me, or recommended by me to this committee. I say that amendment is a very bad amendment. That amendment may have within it the tendency, now, if it is passed, to disrupt the administration of direct relief in this State. If you cut down its administrative cost at this time limiting it to eight per cent., that may cause an interruption of this direct relief; and I say that is not my amendment, and that particular amendment is a very bad amendment, considering the fact, as I have stated, that the eight per cent. limitation was intended to apply to the system that would send the administration of relief back to the local counties.

Now then, there is another very bad feature to this bill, and this is a very serious defect in this amendment. Now, you may giggle, but this is a very serious defect in the amendment made by Senator Scott, and that is the "non-political" amendment to the bill. If you gentlemen will turn to the bill—

POINT OF ORDER

Mr. LAW. Mr. President, I rise to a point of order.

The PRESIDENT. The Senator from Mercer, Mr. Law, will state his point of order.

Mr. LAW. Mr. President, the Senator is not discussing the amendment.

Mr. CAVALCANTE. Mr. President, yes, the amendment to the bill.

The PRESIDENT. The Chair requests the Senator to confine himself to the amendment.

Mr. CAVALCANTE. Mr. President, the "non-political" amendment to the bill is what I was speaking on. I wish to confine myself, however, to the making of this amendment, and I am trying to show that under the present status of this bill—trying to show the relationship between the amendment that is being sought at this time and Section 6 of the bill, that they are related with each other, and that the two of them, that is, the amendment that Senator Huffman wants to strike out, and Section 6, cannot be in the same bill at the same time.

Mr. President, Section 6 of the bill, the "non-political" section, says no investigator, clerk or other employe of the State Emergency Relief Board shall be a member, and so forth, of a political party. Now, if you bear in mind that the way this bill now stands, with amendment recommended by me, it creates a board separate from the State Emergency Relief Board, so that you have both the State Emergency Relief Board and the Public Assistance Boards of the counties. Now, this Section 6, a "non-political" section, makes it a misdemeanor for the members of the State Emergency Relief Board to do certain things but does not cover members of the Public Assistance Boards.

Now, you examine this carefully—I am bringing this to the attention of the Senate because I feel, on the same principle that if you have one rotten apple in a barrel of good apples it will make all the other apples rotten. As

to this amendment I recommended, there is no Democratic argument of any kind that can induce me to believe that the amendment is not something desirable and something that ought to be done; but with these other two objectionable features in this bill, this amendment is absolutely inocuous. Section 6 makes it a misdemeanor for the members of the State Emergency Relief Board to engage in politics, yet leaves the Public Assistance Boards and their employes absolutely free to engage in all kinds of politics.

Now, Mr. President, I hope that I have made myself clear that my amendment on this bill, creating Public Assistance Boards, and Section 6 here—they cannot stand in the same bill together unless there is also an amendment to Section 6. But the only way that Section 6, the "non-political" section, can stand in this bill would be to remove my amendment; and I have great confidence in the members of this Senate that they do see the point that I am trying to make, and that I am trying to make in all sincerity.

Now, another thing that has happened here in connection with this bill is this, Mr. President: Both Republican members and Democratic members of this Senate have been trying to make of this amendment of mine, creating these Public Assistance Boards, a trading post,—to trade it off for anything else, the Republicans for one thing and the Democrats for another thing. The amendment suggested by me for this bill was not meant to be a trading post for either the Democrats or the Republicans; it was suggested by me in all sincerity. Now, I have all confidence that should the motion to strike my amendment from this bill be carried—I have implicit confidence in the integrity of His Excellency, the Governor of this State, that he will carry out the promise that he has publicly stated here to the press, that he will give such a system a trial in these twenty or thirty counties that he has named, I do not have their names now; I have confidence he will do that; I have confidence in his integrity; and I am not going to be stubborn in my insistence upon this amendment if it means delay in our final adjournment. We have quibbled too long in trivial matters, and now that we have come to something real serious, we are coming to the end of the session. But I sincerely feel that the sooner this Senate, this General Assembly, adjourns the better it is going to be for the people of this Commonwealth. I think we have heard them enough up to this time.

Mr. GELDER. Mr. President, I had not intended to talk on this bill, but after listening to the Senator from Fayette I am wondering whether he is trying to build up an alibi or talk for the particular amendments that he has been pressing for in season and out of season apparently during this special session of the legislature. We hear from all those who oppose this particular piece of legislation that they are all for it in theory, they are for it eventually; but if they are for it eventually, why not now? The Senator from Fayette has told us that the Governor has promised to try out this particular feature in about thirty counties of the Commonwealth. Thirty-seven counties of the Commonwealth have but 12,000 cases on relief out of the total of 169,869 cases on relief; for the week ending July 25th, thirty-seven of the sixty-seven counties had 12,000 cases, approximately, and the other more than 150,000 cases came from the other thirty counties in Pennsylvania.

Now, if we are going to try that experiment in those counties where it is not needed, then it is going to be a useless experiment. On the 13th day of July, when we first commenced to talk about compromise at a Republican caucus which was attended by the floor leader of the Democratic Party in this Senate, it was agreed, and this memorandum was written in long-hand at that time: "The Democratic and Republican members of the Senate have agreed, as a compromise, that the sum of $45,000,000 be appropriated for relief needs to the 31st day of January, 1937; this amount to include refundment of the amounts transferred from various special funds during this Special Session. The said sum to be allocated by the Board from month to month over that period."

Mr. President, I am very sure that unless some such amendment as that known here as the Cavalcante Amendment—although, personally, I would favor the amendment proposed by the Senator from Philadelphia, Mr. Woodward—but unless we have some amendment of that sort, we are never going to honestly meet the conditions set forth in this memorandum. We are spending, at the present time, $6,000,000 a month for relief. We cannot do it and stay within the amount that was agreed upon. The only way it can be done is to allocate to the various counties the amounts that are going to be paid by the Commonwealth and then tell those counties, "The rest of the responsibility is yours."

At the present time the rural counties of Pennsylvania are taking care of their unemployables very largely. Some of the other, larger counties of Pennsylvania—for instance, in particular, the county of Philadelphia—have most of their unemployables on the relief rolls, and we are asked to tax the people of the rest of Pennsylvania to take care of the unemployables in Philadelphia, while we are locally asking our property owners to also take care of the local unemployables at home. That is not going to long continue, and unless we can find some way of cutting this relief down, unless we can approach it on a practical business basis, in which the administrators of relief say, "We are not going to allow any man to suffer who is financially unable to support himself, nor are we going to allow those who are able to support themselves to come in on this relief program," we are going to endanger all relief in Pennsylvania, and we are going to eventually have the system break down, and those who are needy are going to go without relief from the State of Pennsylvania. We cannot put the taxes on for a system that will not work out.

Now, I simply want to call your attention to the fact that unless we have some sort of amendment such as this, placing part of the responsibility back locally, placing part of the cost of administration back locally, then we are simply going to be shipwrecked.

I have in my hands, Mr. President, a list of employes of the State Relief Agency here in Harrisburg. Page after page has been listed. On this first page there are salaries of $3,856. The highest salary on the list is $666.67 a month; the lowest salary on that list—and there is only one in the classification—is $85.00 per month. There were only four or five in the whole classification under $100.00. On page 2 there is over $3000 expended. The highest on this page is $375. There is another at $335, and another at $250. On the next page there is $2430 being spent for employes. The highest in classification are two at $200 a month. On the next page there is $3195 being spent, with the highest classification at $495 a month—a very

goodly salary, if you will ask me, in these times. Another of $250 a month, another of $200—two additional one at $200 a month, and many more at $125 a month. The next, another $3000 page has one salary of $550 a month, another salary of $250 a month—and so it goes.

Mr. President, I have only read you four pages, but here is five, six, seven, eight, nine—and the large salaries are not all in front, because on page 9 is a salary of $325 a month; on page 10 there are two salaries at $275 a month, another at $275, another at $285, three more at $375 a month. Here is page 11 with one that strikes my eye at $335 a month, several at $275 a month. Here are pages 12 and 13—here is one at $550 a month, another at $300 a month. Here are pages 14 and 15—a "secretary" at $300 a month strikes my eye; another at $300 a month strikes my eye; various others at $225 and $212 a month. And we go right on to page 16 and I find exactly the same thing, with, at the top, a salary of $375 a month. And then on page 17—we find on page 17, as usual, some high-class employes receiving $200 a month and upward. On page 18 the same story is told. On page 19 the same story is told; and on page 20, page 21, page 22, page 23, page 24, page 25 and page 26.

Mr. President, while we are compelled to have a list like this in Harrisburg, duplicated by another list, which I handed to one of the Philadelphia Senators, which I think is equally large, and has some equally large salaries included in it, a large part of the money that we are taxing from the people of Pennsylvania is not going to these people who are asking for relief. It is not a case, Mr. President, under our present condition, of taxing the rich to feed the poor, but a case of taxing the rich not only to feed the poor but to feed a whole lot of people in an agency of relief that is entirely too elaborate for any necessity of the case.

Mr. REED (Dauphin). Mr. President, I desire to interrogate the Senator from Fayette, Mr. Cavalcante.

The PRESIDENT. Will the Senator from Fayette, Mr. Cavalcante, permit himself to be interrogated?

Mr. CAVALCANTE. Mr. President, I will.

Mr. REED (Dauphin). Mr. President, I would like to ask the Senator whether it is his understanding that by striking out, or by the amendment offered by the Senator from Monroe, Mr. Huffman, that the Governor of Pennsylvania would have any opportunity of trying local relief out in any counties.

Mr. CAVALCANTE. Mr. President, I have no written agreement in the matter; I read it in the newspapers,—that is what the Governor has said.

Mr. REED (Dauphin). Mr. President, I would like to ask the Senator how it would be possible under the existing bill for any pending amendment to the bill for the Governor to make any trial of it.

Mr. CAVALCANTE. Mr. President, in answer to the Senator from Dauphin I may say that, in my opinion, I think the Governor has been in a position to do that very thing since the day of his inauguration. I do not think we need to pass any legislation to give him the power to do that; he has already had that power, has it even now, under the State Emergency Relief Board headed, or designated, by the Act of Assembly, on which the Democrats predominate. I think they have had that power.

Mr. REED (Dauphin). Then, Mr. President, it is the thought of the Senator that the Governor has sufficient power at the present time to go into Fayette County or Dauphin County or any other county he may choose and set up an agency to set up relief locally, without any additional authority being given him?

Mr. CAVALCANTE. Mr. President, provided the other members of the State Emergency Relief Board, or the majority of them, will go along with him on that; because I know of no Act of Assembly that prescribes the system of administration.

Mr. REED (Dauphin). Mr. President, I thank the Senator from Fayette.

I am not prepared, Mr. President, to ask you whether or not the position of the Senator from Fayette is correct, but I am, personally, unwilling to take the position that by any act or any vote of mine I am going to acquiesce in permitting this whole matter of relief, in any one of ten or twenty or thirty counties, to be up to the Governor. I think that we are a nation and a State which ought to abide by law, and it should distinctly be fixed in the law how relief is to be administered.

Personally, Mr. President, I was greatly impressed by the early part of the speech of the Senator from Fayette. I thought he presented an able and all-sufficient argument in favor of the amendment which the Committee on Appropriations wrote into this bill at his suggestion; and, believing that, I intend to vote against the present, pending amendment to rip the Cavalcante amendment out of this bill.

For the past several years in this Senate we have been debating this question. During the regular session of 1935, in the Committee on County Government and in the Committee on State Government, bills were introduced and Senators expressed themselves at that time without regard to party. In view of the proposition that the only way in which relief could be solved in this Commonwealth was to put it back into local agencies, the reason those bills did not pass was because of a difference of opinion as to method, some believing it should go back to the poor boards and some to the creation of agencies.

Now, the Senator from Fayette has introduced an amendment which has been wrttten into this bill, and which, so far as I can learn, has met with nothing but favor on the part of Senators. There may be some merit to the criticism of poor boards, which was uttered by the Senator from Philadelphia, Mr. Shapiro, but I call attention to the fact that the poor boards he was referring to are not even recognized in this bill. It may be of interest to the Senator from Philadelphia to cast reflections on elected officials, but I resent the imputation, in those remarks, that there are not honest and efficient poor boards in Pennsylvania. I challenge the Senator from Philadelphia, Mr. Shapiro, or any other Senator on this floor, to make any such charge against the Poor Board of Dauphin County, or to show that one dollar of public money was ever expended by that Board improperly, or not according to law.

But we are not turning this over to poor boards, we are creating special boards; and in counties, like Dauphin and Fayette—fifty counties, I believe—where the poor district is co-extensive with the county, we recognize the poor board, but have two members to be appointed by the State Emergency Relief director. We therefore create a new agency, and in Philadelphia and in other counties, where the districts administered by the poor boards are not co-extensive, we raise a new board; and I wonder if the Senator from Philadelphia is ready to say that the judges of his own county are incompetent and inefficient, so that they cannot appoint three members, three citizens of Phil-

adelphia as members on that board, to act with two others to be named by the State Emergency Relief director.

I say, Mr. President, the time has come when this Senate should act on this matter. Last year we passed in this Senate the Batchelor Bill to put it back into the poor boards, by a large majority. We passed a bill, which was introduced, as I recall, by the Senator from Philadelphia, Mr. Woodward, creating agencies something like this. It is time we stop fooling with this question, it is time we recognize the only way we are ever going to have honest and efficient relief in this Commonwealth is by putting it back where it belongs, in local agencies; and I hope, therefore, that the pending amendment, which would rip out the advance step which has been taken by the Senator from Fayette, in creating a system of local administration —I hope this amendment will be voted down.

Mr. SHAPIRO. Mr. President, I cast no reflections on the Poor Board of Dauphin County, because I do not know anything about their activities. I specifically confined my accusations to records. I do cast reflections upon the members of the Poor Board in the counties to which I referred, who were guilty of the practices I referred to.

I do say that the judges of the Courts of Common Pleas of Philadelphia are competent to appoint proper people. I also, with equal force, say that it is not unknown to me that even the judges of Common Pleas Courts have made political appointments, and it is not unknown to the rest of the members of this Senate—those of us who read the papers; I go no further than that. And I do say my objection to this—and I never said it went into the poor boards, I went into the question of referring this back to the localities long ago, and I pointed out one fact, and that is this: That in Philadelphia, even if the judges were to appoint non-political heads, when this Assistance Board, or whatever name you give it, while there would be a restriction upon the SERB, prohibiting them from being politically-minded, or making political appointments, there would be no restriction in Philadelphia or any other county upon the Board there making the appointments politically; they could go out and offer jobs to local workers, to workers on relief.

The Senator from Tioga, has just offered a resolution which he says is intended to take politics out of relief. The same Republican side has offered a resolution which puts into relief administration the political activity in local relief territories, because in one provision it says there shall be no politics in the State administration of relief, but since we say nothing about it with regard to the local administration, there may be and will be all the politics you want; and I say, to make that change stops any forward step, and any value that there is in the amendment offered by the Senator from Fayette. It does not announce —and I say it with all due respect to the judges—it is not announced that judges have made political appointments, and in view of that fact, and the condition in which this bill is, which enables this to be thrown into the hands of a political party in my county, whether you call it a poor board or an assistance board, I am opposed to this amendment.

Mr. RODGERS. Mr. President, there seems to be a question in the minds of some of the Senators as to whether the State Emergency Relief Board can create county assistance boards. If you will recall, gentlemen, under the second Talbot Act mechanics were set up at that time, when we created the State Emergency Relief Board, which is a Board having great powers. You are still operating, as I recall, under the second Talbot Act—the mechanics set up at that time; and the State Emergency Relief Board can set up in the various counties county assistance boards—and we did have county assistance boards at one time; and the power of those boards was gradually withdrawn, and centered more and more in Harrisburg, until many of the boards refused to act, and many of you gentlemen recall that circumstance.

Now, under the present Act, as I recall it, that is, the Act creating the State Emergency Relief Board, they have power to create these county boards, and I see no necessity for any amendment in this Committee on Appropriations.

Mr. OWLETT. Mr. President, in view of this prolonged discussion, and in view of the fact that I intend to vote for this amendment, I want to speak for the record, because I am in thorough accord with what was said by the Senator from Fayette, Mr. Cavalcante, and the Senator from Dauphin, Mr. Reed.

I am thoroughly convinced that we will never get rid of this tremendous overhead in the administration of relief until it is returned to the local districts. We are confronted by a condition and not a theory; it will never be accomplished by the Governor and the Democratic leaders of this State, they will not agree to a settling of this relief question, and to the final adjournment of this Senate and House, unless that amendment is taken out of this bill. No, they have the Governor and they have the House, and if it is not taken out nobody knows how long we will be here rehashing this over; and the only answer, as I see it, to this question is with the polls next November, when the Republican Party, and the members of this House and Senate come back here next year, with the control of both the House and the Senate, we will be in a position to put this back where it should be—in the hands of the local communities.

Mr. HUFFMAN. Mr. President, is not the attitude of the Democrats in the Legislature that this is a very commendable way to handle relief, or the best way? The position we are taking is not that, but that the amendment in this bill is not the best way, either. This amendment provides that it shall go into effect—the amendment now in the bill—the first of December. This experiment provided for by the so-called Cavalcante amendment would be in effect one month and one month only before the regular Session. We have said, on our side, publicly and frequently, that we are willing that a board be set up, a board that will be non-partisan and a board that will efficiently handle this large sum of money, believing that we do not have the best board or the best scheme at the present time; but I want to point this out: Speaking for myself, I am not in favor of the poor boards, now or any other time. I do not propose to go back two hundred years in development and allow the old English system to take effect in Pennsylvania, to handle this Emergency Relief money. I know too much about poor boards. There are some good ones, but the majority of them are political; and this amendment provides that the poor boards handle this money, because they are in the majority on the Board—the Emergency Relief Board appoints two, and there are more than two in every one of the counties where there would be a poor board, whether it be in the townships or in the county.

I say, that is not an improvement on the present sys-

tem, after all,—besides the matter of money involved here. Plenty of practicing lawyers sitting here on the floor today know how the old Poor Masters of the townships and boroughs handled their poor. Though I may not have had much experience here, I, after all, do want to mix, along with the economy, some humanity; and this amendment does not provide for it, and I think it should be cut out.

Mr. TRAINER. Mr. President, the Senator from Philadelphia, Mr. Shapiro, has referred to our Poor Boards in Philadelphia. I just simply want to state here to the assembly gathered, and to you Senators, that I have had the honor and the pleasure of living in the Byberry Township Poor District for the last 29 years, which is administered by a Philadelphia Board, and it has been my great pleasure to say that they are an honest Board; and in the 29 years I have not paid $25.00 in taxes.

And the question recurring,

Will the Senate agree to the amendment?

The yeas and nays were required by Mr. EALY and Mr. GELDER and were as follows, viz:

YEAS—29

Aron,	Law,	Rice,	Sones,
Baumer,	McCreesh,	Roberts,	Thompson,
Bean,	McGinnis,	Rodgers,	(Centre)
Frey,	Miller,	Rupp,	Thompson,
Harris,	Owlett,	Ruth,	(Westmoreland)
Huffman,	Prince,	Salus,	Trainer,
Kahle,	Pytko,	Scott,	Ziesenheim,
Lanius,	Rankin,	Shapiro,	

NAYS—17

Batchelor,	Ealy,	McClure,	Staudenmeier,
Buckman,	Gelder,	Pierson,	Woodward,
Cavalcante,	Graff,	Reed,	Homsher.
Chapman,	Harvey,	(Dauphin)	Pres. Pro. Tem.
Coyne,	Mallery,	Reed,	
		(Washington)	

So the question was determined in the affirmative.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

And the question recurring,

Will the Senate agree to the section?

Mr. SHAPIRO. Mr. President, I move to amend section 1, page 2, line 16 by striking out at the end of the line after the word "act" the following: "[Provided That not more than eight per centum]"; amend section 1, page 2, by striking out line 17; amend section 1, page 3 by striking out lines 1 to 10, inclusive.

Mr. CAVALCANTE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

The yeas and nays were required by Mr. OWLETT and Mr. GRAFF and were as follows, viz:

YEAS—20

Baumer,	Lanius,	Reed,	Ruth,
Cavalcante,	McCreesh,	(Washington)	Shapiro,
Frey,	McGinnis,	Rice,	Sones,
Harris,	Miller,	Roberts,	Thompson,
Huffman,	Pytko,	Rodgers,	(Centre)
Kahle,	Rankin,		

NAYS—26

Aron,	Gelder,	Pierson,	Staudenmeier,
Batchelor,	Graff,	Prince,	Thompson,
Bean,	Harvey,	Reed,	(Westmoreland)
Buckman,	Law,	(Dauphin)	Trainer,
Chapman,	Mallery,	Rupp,	Woodward,
Coyne,	McClure,	Salus,	Ziesenheim,
Ealy,	Owlett,	Scott,	Homsher,
			Pres. Pro. Tem.

So the question was determined in the negative.

And the question recurring,

Will the Senate agree to the section?

It was agreed to.

The second section of the bill was read as follows:

Section 2 The State Emergency Relief Board shall make allocations from time to time out of the moneys appropriated to it among the several counties of this Commonwealth for direct relief only on a ratio that the estimated total number of unemployed persons in a county bears to the estimated total number of unemployed persons in the entire Commonwealth as shown from time to time by the latest available tables compiled and issued by the Department of Labor and Industry The amounts so allocated to each county shall after December first one thousand nine hundred and thirty-six be paid over to the county treasurer under such system of requisitioning and accounting as the Governor Auditor General and State Treasurer shall determine

On the question,

Will the Senate agree to the section?

Mr. HUFFMAN. Mr. President, I move to amend section 2, page 3, line 15 by striking out at the end of the line after the word "made]" the following: "[direct relief only]"; also page 3 by striking out lines 16 to 22, inclusive; also page 3, line 23 by striking out at the beginning of the line before the word "under" the following: "[thirty-six be paid over to the county treasurer]" and inserting in lieu thereof the following: "work relief and direct relief on the basis of need and payments shall be made"

Mr. RANKIN. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendments?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The third section of the bill was read as follows:

Section 3 The money so allocated to a county shall be available for expenditure in that county for direct relief only for the unemployed who are without means of support Such money shall until December first one thousand nine hundred and thirty-six be expended through such agencies as shall be designated by the State Emergency Relief Board and under such rules and regulations as the board shall adopt After such date such moneys shall be expended in each county by a public assistance board consisting in counties where a poor district is coextensive with the county of the directors or guardians of the poor of such poor district and two additional members qualified electors of the county to be appointed by the Executive Director of the State Emergency Relief Board and in counties where a poor district is not coextensive with the county of five members qualified electors of the county three of whom shall be appointed by the court of common pleas of the county and two by the Executive Director of the State Emergency Relief Board The appointed members of public assistance boards shall receive such salaries as shall be fixed by the salary board of the county or by the county commissioners in counties where there is no salary board in either event with the approval of the court of common pleas Such salaries of

appointed members and the expenses of all the members of the public assistance board shall be paid by the county out of county moneys

The public assistance board in each county shall have full power to administer unemployment relief therein and to expend the money allocated to the county but shall be required to make monthly reports of expenditures to the State Emergency Relief Board in such form and detail as may be required by said board

Each county public assistance board shall have authority to employ and fix the compensation of a county executive director and such clerks stenographers investigators and employes as are deemed necessary to supervise and administer the distribution of direct relief in accordance with this act

The State Emergency Relief Board shall transfer to the public assistance boards of the several counties all motor vehicles furniture supplies and records now in the custody or possession of any county or district office or agency of the State Emergency Relief Board

The moneys allocated to a county and paid into the county treasury shall be paid out under such system of requisition and accounting as the public assistance board of the county and the county treasurer shall by agreement establish The county treasurer may with the consent of the public assistance board appoint one or more clerks to assist him in the performance of his duties in receiving and paying out moneys The compensation of such clerks or clerks shall be paid as part of the administrative expenses of the public assistance board

The funds allocated to the counties under the provisions of this act and expended by the public assistance board shall be audited by the Auditor General in the manner provided by law

On the question,

Will the Senate agree to the section?

Mr. HUFFMAN. Mr. President, I move to amend section 3, page 3, line 26 by striking out the bold-faced bracket before the word "over"; also page 3, line 28 by striking out the bold-faced bracket after the word "relief"; also page 3, line 29 by striking out after the word "relief" and before the word "for" the word: "[only]"; also page 4, line 1 by striking out at the end of the line after the word "support" the following: "[Such money]"; also page 4, by striking out line 2; also page 4, line 3 by striking out at the beginning of the line before the word "through" the following: "[thirty-six be expended]"; also page 4, line 5 by striking out at the end of the line after the word "adopt" the word: "[After]"; also page 4, by striking out lines 6 to 28, inclusive; also page 5, by striking out lines 1 to 27, inclusive.

Mr. RANKIN. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The fourth section of the bill was read as follows and agreed to:

Section 4 Out of the appropriation made by this act the State Emergency Relief Board shall from time to time allocate to the State Veterans' Commission an aggregate of one hundred seventy-six thousand two hundred and fifty dollars ($176,250) for the payment of traveling expenses and for other authorized disbursements of the State Veterans' Commission and to furnish funds to provide the necessities of life for and to assist otherwise such Pennsylvania veterans of any war or the widows and infant children or dependents of such veterans as are sick disabled or indigent and who are without means

The fifth section of the bill was read as follows:

Section 5 The State Emergency Relief Board may from time to time expend or authorize the expenditure of such sums as may be necessary out of the appropriation made by this act not exceeding the limitation hereinbefore prescribed for the payment of salaries wages or other compensation of the director and other employes or assistants for the payment of postage traveling expenses mileage charges to the Department of Property and Supplies for the use of automobiles telephone rentals telephone toll charges telegrams expenses of operating and maintaining automobiles and other motor equipment newspaper advertising and notices freight express cartage for the purchase of automobiles furniture furnishings and equipment for the purchase of supplies printing binding patent indices for the payment of premiums on surety bonds for such officers and employes as may be required by statute or otherwise to furnish them for the faithful performance of their official duties or to account for funds in their possession for the payment of a premium or premiums on a policy or policies of liability insurance covering all motor vehicles owned and operated by the board or transferred to county public assistance boards for their use which policy or policies shall protect both the Commonwealth and State officers or employes and members and employes of the county public assistance boards operating such motor vehicles against claims for damages for injury to person or property for the payment of a premium or premiums on a policy or policies of insurance insuring the Commonwealth against workmen's compensation liability to employes for injuries and to dependents of deceased employes of the board including employes of county public assistance boards for payment to the State Work Relief Compensation Fund of such moneys as may be necessary under the provisions of the act approved the third day of June one thousand nine hundred thirty-three (Pamphlet Laws one thousand five hundred fifteen) for the payment of rents for such buildings offices rooms storage space and lands as may be required for the accommodation or performance of the work of the board and for such other uses as the State Emergency Relief Board may in its discretion deem necessary to carry out the purposes for which the appropriation is made under this act

On the question,

Will the Senate agree to the section?

Mr. RANKIN. Mr. President, I move to amend section 5, page 7, line 2 by striking out at the end of the line after the word "board" the following: "[or transferred]"; also page 7, line 3 by striking out at the beginning of the line before the word "which" the following: "[to county public assistance boards for their use]"; also page 7, line 5 by striking out at the end of the line after the word "employes" the following: "[and members and employes of]"; also page 7, line 6 by striking out at the beginning of the line before the word "operating" the following: "[the county public assistance board]"; also page 7, line 11 by striking out at the end of the line after the word "board" the following: "[in-]"; also page 7, line 12 by striking out at the beginning of the line before the word "for" the following: "[cluding employes of county public assistance board]."

Mr. RANKIN. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

And the question recurring,

Will the Senate agree to the section?

Mr. SHAPIRO. Mr. President, I move to amend section

5, page 6, line 14 by striking out at the end of the line after the word "act" the following: "[not exceeding the limitation hereinbe-]"; also page 6, line 15 by striking out at the beginning of the line before the word "for" the following: "[fore prescribed]."

Mr. CAVALCANTE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was not agreed to.

And the question recurring,

Will the Senate agree to the section?

It was agreed to.

The sixth and seventh sections of the bill were read as follows and agreed to:

Section 6 No investigator clerk or other employe of the State Emergency Relief Board shall be a member of or delegate or alternate delegate to any political convention nor be present at any such convention nor serve as a member of or attend meetings of any committee of any political party or take any active part in political management or in political campaigns or use his position to influence political movements or influence the political action of any other person nor in any way or manner interfere with the conduct of any election or the preparation therefor at the polling place or with the election officers while the vote is being counted or the vote or ballot box is being returned save only for the purpose of marking and depositing his ballot nor be within fifty feet of any polling place during voting hours and the counting of the ballots except for the purpose of residence or travel Any person who shall violate any of the foregoing provisions shall be guilty of a misdemeanor and shall upon conviction thereof be punished by a fine not exceeding five hundred dollars ($500) and forefeit his position

Section 7 This act shall become effective immediately upon final enactment

The title of the bill was read as follows:

An Act making an appropriation to the State Emergency Relief Board for direct relief and expenses defining the purposes for which such moneys may be expended creating public assistance boards in each county and prescribing their powers and duties imposing certain expenses on counties prescribing the powers and duties of the State Emergency Relief Board and certain State departments county officers poor directors and courts of common pleas prohibiting political activity by employes of the State Emergency Relief Board and prescribing penalties

On the question,

Will the Senate agree to the title?

Mr. HUFFMAN. Mr. President, I move to amend page 1, line 2 of the title by inserting after the word "relief" and before the word "word" the following: "[work relief]"; also line 4 of the title by striking out at the end of the line after the word "and" the following "[creating public assistance boards in each]"; also by striking out line 5 of the title; also line 6 of the title by striking out at the beginning of the line before the word "prescribing" the following: "[certain expenses on counties]"; also line 8 of the title by striking out at the end of the line after the word "departments" the following: "[county officers poor directors and]"; also line 9 of the title by striking out at the beginning of the line before the word "prohibiting" the following: "[courts of common pleas]".

Mr. RANKIN. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the title as amended?

It was agreed to.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 108 (House Bill No. 18), as follows:

An Act making an appropriation to the State Emergency Relief Board for direct relief work relief and expenses defining the purposes for which such moneys may be expended and prescribing the powers and duties of the State Emergency Relief Board and certain State Departments and ratifying confirming and validating the action of the Governor and the fiscal officers in making moneys available for unemployment relief prior to the adoption of this act

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of ten million dollars ($10,000,000) is hereby specifically appropriated from the General Fund to the State Emergency Relief Board to provide direct relief work relief and for administrative expenses as hereinafter provided

Section 2 The State Emergency Relief Board shall make allocations from time to time out of the monies appropriated to it among the several counties of this Commonwealth for work relief and direct relief on the basis of need and payments shall be made under such system of requisitioning and accounting as the Governor Auditor General and State Treasurer shall determine

Section 3 The money so allocated to a county over and above the sum set aside by the State Emergency Relief Board for work relief shall be available for expenditure in that county for direct relief for the unemployed who are without means of support through such agencies as shall be designated by the State Emergency Relief Board and under such rules and regulations as the board shall adopt

Section 4 Out of the appropriation made by this act the State Emergency Relief Board shall from time to time allocate to the State Veterans' Commission an aggregate of Eighteen thousand seven hundred fifty dollars ($18,750) for the payment of traveling expenses and for other authorized disbursements of the State Veterans' Commission and to furnish funds to provide the necessities of life for and to assist otherwise such Pennsylvania veterans of any war or the widow and infant children or dependents of such veterans as are sick disabled or indigent and who are without means

Section 5 The State Emergency Relief Board may from time to time expend or authorize the expenditure of such sums as may be necessary out of the appropriation made by this act for the payment of salaries wages or other compensation of the director and other employes or assistants for the payment of postage traveling expenses mileage charges to the Department of Property and Supplies for the use of automobiles telephone rentals telephone toll charges telegrams expenses of operating and maintaining automobiles and other motor equipment newspaper advertising and notices freight express cartage for the purchase of automobiles furniture furnishings and equipment for the purchase of supplies printing binding patent indices for the payment of premiums on surety bonds for such officers and employes as may be required by statute or otherwise to furnish them for the faithful performance of their official duties or to account for funds in their possession for the payment of a premium or premiums on a policy or policies of liability insurance covering all motor vehicles owned and operated by the board which policy or policies shall protect both the Commonwealth and State officers or employes operating such motor

vehicles against claims for damages for injury to person or property for the payment of a premium or premiums on a policy or policies of insurance insuring the Commonwealth against workmen's compensation liability to employes for injuries and to dependents of deceased employes of the board for payment to the State Work Relief Compensation Fund of such monies as may be necessary under the provisions of the act approved the third day of June one thousand nine hundred thirty-three (Pamphlet Laws one thousand five hundred fifteen) for the payment of rents for such buildings offices rooms storage space and lands as may be required for the accommodation or performance of the work of the board and for such other uses as the State Emergency Relief Board may in its discretion deem necessary to carry out the purposes for which the appropriation is made under this act

Section 6 The action of the Governor the Auditor General and State Treasurer in making the sum of three million dollars ($3,000,000) of the appropriation made by section one of this act available for expenditure for unemployment relief by the State Emergency Relief Board prior to the effective date of this act in accordance with Concurrent Resolution Serial Number eighty-seven is hereby ratified confirmed and validated

Section 7 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to, and the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—44

Aron,	Harris,	Prince,	Salus,
Batchelor,	Huffman,	Pytko,	Scott,
Baumer,	Kahle,	Rankin,	Shapiro,
Bean,	Lanius,	Reed,	Sones,
Buckman,	Law,	(Dauphin)	Staudenmeier,
Cavalcante,	Mallery,	Reed,	Thompson,
Chapman,	McClure,	(Washington)	(Centre)
Coyne,	McCreesh,	Rice,	Thompson,
Ealy,	McGinnis,	Roberts,	(Westmoreland)
Frey,	Miller,	Rodgers,	Trainer,
Gelder,	Owlett,	Rupp,	Ziesenhelm,
Graff,	Pierson,	Ruth,	Homsher,
			Pres. Pro. Tem.

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

BILL ON THIRD READING

Mr. HARRIS. Mr. President, I move that the Senate do now proceed to the consideration of Senate Bill No. 38 (House Bill No. 54), on third reading, entitled:

A Supplement to Act Number fifty-seven-A approved the nineteenth day of July one thousand nine hundred and thirty-five (Appropriation Act of one thousand nine hundred thirty-five page forty-one) entitled "An act making an appropriation to the Department of Welfare for Old Age Assistance" making an appropriation for the payment of old age assistance to applicants in counties which do not have sufficient funds available to pay assistance to such applicants and suspending the provisions of this act in case Federal grants for old age assistance shall fail for any reason

Mr. GELDER. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 38 (House Bill No. 54), as follows:

A Supplement to act number fifty-seven-A approved the nineteenth day of July one thousand nine hundred thirty-five (Appropriation Act of one thousand nine hundred thirty-five Page forty-one) entitled "An act making an appropriation to the Department of Welfare for Old Age Assistance" making an appropriation for the payment of old age assistance to applicants in counties which do not have sufficient funds available to pay assistance to such applicants and suspending the provisions of this act in case Federal grants for old age assistance shall fail for any reason

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in addition to the current appropriation for old age assistance made to the Department of Welfare by the act to which this is a supplement the sum of one million seven hundred fifty thousand dollars ($1,750,000) or as much thereof as may be necessary is hereby specifically appropriated out of the General Fund to the Department of Welfare for expenditure during the biennium ending the thirty-first day of May one thousand nine hundred thirty-seven for old age assistance in the manner provided by law except as otherwise provided by this act The sum hereby appropriated shall be set aside as an emergency reserve fund to be distributed upon written requisition of the Secretary of Welfare to applicants who may be approved as eligible for assistance under existing law Provided That the application of each such applicant has been approved and presented to the Department of Welfare by the Board of Trustees of the Mothers' Assistance Fund of the county wherein the applicant resides and that the board certifies there are not available to such county out of moneys already appropriated and allocated to it sufficient moneys to provide old age assistance to such applicant

Section 2 The purpose of this act is to make sufficient State appropriations available to enable the Department of Welfare to grant assistance to all aged persons eligible to receive assistance under the Old Age Assistance Law of this Commonwealth and to receive Federal grants for old age assistance under Title one of the Social Security Act

In the event that Title one of the Social Security Act shall be held unconstitutional by the Supreme Court of the United States or shall be repealed and Federal grants for old age assistance shall fail for such or for any other reason whatever then so long as Federal grants for old age assistance shall not be available to this Commonwealth no moneys shall be distributed by the Secretary of Welfare from the appropriation made by this act to applicants who have been approved as eligible under the Old Age Assistance Law and the foregoing provisions of this act shall in such cases be suspended so long as Federal grants for old age assistance shall not be available to this Commonwealth

Section 3 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and the amendments made thereto having been printed as required by the Constitution,

On the question,

Will the Senate agree to the bill?

Mr. HARRIS. Mr. President, a short time ago I asked that this bill go over in its order for the purpose of securing information. The bill provides for an appropriation of $1,750,000. from two sources of the State administration. I find contrary opinions, one that the money is necessary and one that it is not, and the thing in which I am interested is that I want to know whether or not it will provide, in its present form, or in the form

to which it is intended to change it, Mr. President, will clear up the waiting list of those eligible for pensions. The same argument will apply, if you will pardon the digression, to the other bill which went over in order, the Mothers Assistance bill, and I desire to interrogate the Senator from Monroe, Mr. Huffman, as to whether or not he can supply me with the information.

The PRESIDENT. Will the Senator from Monroe, Mr. Huffman, permit himself to be interrogated?

Mr. HUFFMAN. Mr. President, I will. I understand it is from the Attorney General that the information comes that we do not need to make the appropriations at this time. I think the bill provides that the 5,000 people on the waiting list would be taken care of; however, I want that to be confirmed or amplified, and I would like these bills to go over in their order and take them up tomorrow morning.

Mr. HARRIS. Mr. President, I am perfectly satisfied to let them go over in order if I am assured that information will be given by the Attorney General's office or from other proper sources, that the elimination of this appropriation of $1,750,000 in the case of old age pensions, and the $300,000 in mothers' assistance if the elimination of these appropriations will still leave us in position to cover the waiting list in both cases. If the Senator from Monroe desires time, we will give it to him, but I want to state here and now that we must be assured that the elimination of these two appropriations will not cause a breakdown in the mothers' assistance and the old age pensions.

BILL OVER IN ORDER

The PRESIDENT. Will the Senator withdraw his request to take up the bill, and allow it to go over in its order?

Mr. HARRIS. Mr. President, yes.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. SHAPIRO. Mr. President, I am inclined to think that these bills require attention and that they be not allowed to go over in order. I think the Senator's request can be answered by reference to the Social Security Act of the Federal Government. The Federal Act provides that the Federal Government will match the State dollar for dollar for old age pensions, and I thought the Senator from Allegheny, Mr. Harris, might want to find this out, therefore, I might give him this information.

The PRESIDENT. The Chair desires to inform the Senator from Philadelphia, Mr. Shapiro, that there is nothing before the Senate at this time.

Mr. SHAPIRO. Mr. President, if the Federal Government matches the amount of money we are now spending —the appropriations that we made in 1935, rather in 1933, '35 and '36, the State of Pennsylvania will be enabled to take care of its old age cases, but it will need $1,750,000. It can accomplish it without appropriations in this Special Session to take care of these 55,000 cases by accelerating moneys which would be spent in April and spending them for this period of 1936; these moneys will be spent in April, May and June, so that no appropriation need be made now or at the next General Session, before the end of the biennium, otherwise all the money given by the Federal Government and all the money given by this Senate is expended, and we will find ourselves in April with not only 55,000 new cases on the list receiving no money, but all of the present old cases in the State receiving no money. I am sure that it is the opinion of the Attorney General, with whom I have discussed the matter today, that the Senate of Pennsylvania has one of two things to do; one of them is to appropriate the money now, that is, to provide the necessary legislation, or place itself on record that it is the sense of the Senate that the money shall be appropriaed at the next Session, and consent to the acceleration of the expenditures by the Welfare Department the moneys which would otherwise be spent in April and May for the months beginning now and ending in April, and if the Senator from Allegheny, Mr. Harris, does not expect action on this bill, I have prepared a resolution which will cover the situation, and I, therefore, offer the following resolution:

RESOLUTION RELATIVE TO APPROPRIATIONS FOR OLD AGE ASSISTANCE

Mr. SHAPIRO offered the following resolution which was twice read:

CONCURRENT RESOLUTION

In the Senate, August 4, 1936.

Whereas, there are at present waiting lists of approximately 55,000 residents of the Commonwealth entitled to Old Age Assistance; and

Whereas, the Commonwealh would have to expend the additional sum of $1,750,000 called for by House Bill No. 54 in order to procure sufficient Federal money which, together with the aforesaid sum of $1,750,000 would be sufficient to furnish Old Age Assistance to those persons on said waiting lists during the remainder of the current biennium; and

Whereas, it is the sense of the General Assembly not to provide this additional sum called for by House Bill No. 54 at this special session, but to do so at its forthcoming regular session in 1937; and

Whereas, it will, therefore, be necessary for the Department of Welfare, in order to take up such waiting lists at the present time, to accelerate payments from the existing appropriation for Old Age Assistance with the result that such appropriation will be exhausted by the first of April, one thousand nine hundred thirty-seven:

Resolved, (if the House of Representatives concur), That it is the sense of this Special Session of the General Assembly that the Department of Welfare accelerate payments from its current appropriation for Old Age Assistance in order to match sufficient Federal moneys which, together with the State appropriation, will enable the department to furnish in the manner provided by law, Old Age Assistance to all eligible applicants therefor, including those who are now on the waiting lists in the various counties because of insufficient State funds; and

Resolved further, That it is the sense of this General Assembly that the General Assembly at its forth-coming regular session in 1937 appropriate at least $1,750,000 to the Department of Welfare which, together with contributions received from the Federal Government to match this sum, will enable Old Age Assistance to be furnished to all eligible applicants therefor during the remainder of the 1935-1937 biennium.

Mr. GELDER. Mr. President, I am sure that we all have a very high opinion of the ability of the Senator from Philadelphia, Mr. Shapiro, and his general knowledge of the social welfare problems and others, and we are equally sure that the distinguished Attorney General is very capable in giving us his opinions, but in view of the fact that the Welfare Department, not the Attorney General's office, administrates his relief, and also in view of the fact that as late as July 29, 1936, the Secretary of

Welfare, Mr. John D. Pennington, wrote, apparently very much concerned:

Commonwealth of Pennsylvania,
Department of Welfare, Harrisburg, July 29, 1936.

Senator Frederick T. Gelder,
Chairman, Senate Appropriations Committee,
Senate of Pennsylvania,
The Capitol, Harrisburg.

Dear Senator Gelder:

I have been informed by a member of the Department of Welfare that the reason you have not reported out of the Appropriations Committee the so called Mothers' Assistance Bill and the Old Age Assistance Bill, which are respectively H. R. 50 and H. R. 54, is that you believe I am not deeply interested in these two social security measures because of the priority given to the correction of fire and other hazards to life and property in institutions within the Department of Welfare and also because of the immediate necessity to provide ample funds for those entitled to blind grants.

This alleged impression is absolutely erroneous it is my desire that the Mothers' Assistance and the Old Age Bills be enacted by this Extraordinary Session of the General Assembly to relieve the distress of eligible widowed mothers and their dependent children who number with their dependents approximately 21,000 persons, and to comfort the eligible aged women and men, totaling 55,000 who have virtually reached the end of their lives.

I am at a loss to understand how this fallacy has become a virtually accepted fact and I reiterate that the Mothers' Assistance and the Old Age Assistance Bills are extremely essential legislaton to relieve the distress of prospective beneficiaries by giving them this form of security which will afford the necessary relief and relieve the uncertainty which has distressed these residents of the Commonwealth of Pennsylvania and citizens of our Nation.

It is my earnest wish and desire that you report these two appropriation bills out of your committee so as to enable Pennsylvania to take advantage of the proffered Federal assistance and to relieve the mental anguish and the pressing distress which these two measures would alleviate.

Copies of this letter have been sent to each member of the Senate Appropriation Committee for their information.

Respectfully,

John D. Pennington,
Secretary of Welfare.

Now, Mr. President, the members of the Senate Appropriation Committee having received this letter, and feeling that they would not under any circumstances want the mothers' assistance to fall, or the old age assistance to fall, for want of these appropriations, have immediately reported these bills out. We understand that the Attorney General and His Excellency, the Governor, walked out on the Secretary of Welfare at about the time he was writing this letter, by saying that these appropriations were not necessary, and in view of the fact that the Secretary of Welfare has these Funds under his control, the Appropriation Committee would like to know from the Secretary of Welfare whether or not the facts as he stated them in his letter are correct, or whether the facts that we have read them in the newspaper, and given by the Attorney General, are correct, and in order to ascertain to a certainty that the resolution of the Senator from Philadelphia, Mr. Shapiro, asks is the information that we seek, I object to immediate consideration and ask that the resolution be be printed.

Mr. SHAPIRO. Mr. President, I do not ask for immediate consideration of this resolution, I ask that it lie over for printing. I have discussed the matter with the Secretary of Welfare.

MOTION TO PRINT RESOLUTION

Mr. GELDER. Mr. President, I move you that the resolution be referred to the Committee on Appropriations, and that it be printed for the information of the Senate.

Mr. BUCKMAN. Mr. President, I second the motion.

The motion was agreed to.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 114 (House Bill No. 161), as follows:

An Act making an appropriation to the Water and Power Resources Board for payment into the Flood Control Fund for flood control purposes

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of two hundred thousand dollars ($200,000) or so much thereof as is necessary is hereby specifically appropriated out of the General Fund to the Water and Power Resources Board for payment into the Flood Control Fund in the State Treasury for the purpose of making the same available for the purposes for which such Flood Control Fund is appropriated by law

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED

Mr. REED (Dauphin). Mr. President I move that Senate Bill No. 121 (House Bill No. 167), on second reading entitled:

An Act to authorize counties of the second class and cities of the second class to sue out writs of scire facias on certain tax liens or to revive judgments on such liens where more than five years have elapsed since said liens were filed or such judgments were entered or revived and to reduce such liens to judgment or to revive such judgments and providing for the revival and collection of such judgments

be recommitted to the Committee on Municipal Government.

Mr. GRAFF. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 122 (House Bill No. 168), as follows:

An Act transferring money from the State Insurance Fund to the General Fund and requiring the Department of Property and Supplies to liquidate the investments in such Fund in order to provide money for such transfer

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same that the moneys and the proceeds derived from the liquidation hereinafter required of the investments held in the State Insurance Fund in the

aggregate sum of one million dollars ($1,000,000) are hereby transferred to the General Fund

Upon the effective date of this act the Department of Property and Supplies shall proceed immediately to dispose of such investments in the State Insurance Fund for the best prices obtainable as may be necessary to effectuate the transfer authorized by this act

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 123 (House Bill No. 170), as follows:

An Act transferring money from the State School Fund to the General Fund and requiring the State Council of Education to liquidate such investments in the State School Fund as may be necessary to effectuate such transfer

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the moneys and the proceeds derived from the liquidation hereinafter required of the investments held in the State School Fund in the aggregate sum of one million five hundred thousand dollars ($1,500,000) are hereby transferred to the General Fund Upon the final enactment of this act the State Council of Education shall proceed immediately to dispose of such investments in the State School Fund for the best prices obtainable as may be necessary to effectuate the transfer authorized by this act

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 124 (House Bill No. 171), as follows:

An Act ratifying confirming and validating the transfer of money from the State Stores Fund and the Liqud Fuels Tax Fund to the General Fund

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the action of the Governor the Auditor General and State Treasurer in transferring to the General Fund the sum of two million dollars ($2,000,000) from the State Stores Fund and the sum of one million dollars ($1,000,000) from the Liquid Fuels Tax Fund in accordance with Concurrent Resolution Serial Number 87 in order to make the same available for expenditure for unemployment relief by the State Emergency Relief Board is hereby ratified confirmed and validated To the extent to which the aforesaid transfers made it necessary the use of the money transferred from the State Stores Fund and the Liquid Fuels Tax Fund for its ordinary purposes shall be postponed but not otherwise modified

Section 2 The amounts transferred under this act from the State Stores Fund and the Liquid Fuels Tax Fund shall be repaid to such funds out of the General Fund not later than May thirty-first one thousand nine hundred thirty-seven

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 125 (House Bill No. 172), as follows:

An Act authorizing the Commonwealth to negotiate a loan of one million dollars to meet any casual deficiency in revenue during the biennial fiscal period ending the thirty-first day of May one thousand nine hundred thirty-seven in accordance with the provisions of section four of article nine of the Constitution of Pennsylvania defining the powers and duties of the Governor the Auditor General and State Treasurer in relation thereto and providing for the payment of interest on and the repayment of such loan

Whereas section four article nine of the Constitution of Pennsylvania provides

"No debt shall be created by or on behalf of the State except to supply casual deficiencies of revenue repel invasion suppress insurrection defend the State in war or to pay existing debt and the debt created to supply deficiencies in revenue shall never exceed in the aggregate at any one time one million dollars Provided however That the General Assembly irrespective of any debt may authorize the State to issue bonds to the amount of one hundred millions of dollars for the purpose of improving and rebuilding the highways of the Commonwealth" and

Whereas the present Special Session of the General Assembly has or is about to appropriate the sum of fifty million five hundred thousand dollars ($50,500,000) for unemployment relief and other purposes and has provided certain new revenues of the Commonwealth to meet such appropriations and

Whereas in order that funds may be supplied to meet the aforesaid appropriations in the event that a casual deficiency in revenue shall occur it is necessary to provide a method for the creation of a debt on behalf of the Commonwealth within the limitations of section four article nine of the Commonwealth aforesaid

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the Governor the Auditor General and the State Treasurer on behalf of the Commonwealth are hereby authorized from time to time prior to the thirty-first day of May one thousand nine hundred thirty-seven to borrow on the credit of the Commonwealth of Pennsylvania such sum or sums of money not to exceed one million dollars ($1,000,000) as may be necessary to meet casual deficiencies of revenue during the biennial fiscal period ending the thirty-first day of May one thousand nine hundred thirty-seven

Section 2 (a) Such loan shall be evidenced by written obligations of the Commonwealth maturing not later than the thirty-first day of May one thousand nine hundred thirty-nine Such obligations shall be issued from time to time for such total amount (not in excess of one million dollars $1,000,000) in such sums in such form and subject to such terms and conditions rates of interest (not in excess of four and one-half percentum (4½%) per annum) and time of payment of interest as the Governor and Auditor General and the State Treasurer shall determine

(b) All obligations issued under the authority of this act shall bear the signatures of the Governor the Auditor General and the State Treasurer and the Great Seal of the Commonwealth

(c) All obligations and the interest thereon issued under the authority of this act shall be payable in lawful money of the United States

(d) All obligations issued under the authority of this act shall be exempt from taxation for State and local purposes

Section 3 The proceeds derived from the negotiation of loans under the provisions of this act shall be paid into the General Fund of the State Treasury and shall be

available for the payment of any appropriation made from such loan

Section 4 Whenever in this act any action is to be taken or decision made by the Governor the Auditor General and the State Treasurer and the three officers shall not be able unanimously to agree the action or decision of the Governor and either the Auditor General or State Treasurer shall be binding and final

Section 5 The Governor shall in the budget to be submitted to the General Assembly of the Session of 1937 make provision for the payment of principal and interest of the loans negotiated under the provisions of this act

Section 6 The provisions of this act are severable and if any of its provisions shall be held to be unconstitutional the decision of the court shall not affect or impair any of the remainnig provisions of this act It is hereby declared to be the legislative intent that this act would have been adopted had such unconstitutional provisions not been included herein

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 126 (House Bill No. 130), as follows:

An Act to further amend the act approved the first day of June one thousand eight hundred eighty-nine (Pamphlet Laws four hundred twenty) entitled "A further supplement to an act entitled 'An act to provide revenue by taxation' approved the seventh day of June Anno Domini one thousand eight hundred and seventy-nine" by increasing for a limited period of time the rate of tax imposed by the act upon the gross receipts of certain companies limited partnerships associations joint-stock associations copartnerships and persons

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section twenty-three of the act approved the first day of June one thousand eight hundred eighty-nine (Pamphlet Laws four hundred twenty) entitled "A further supplement to an act entitled 'An act to provide revenue by taxation' approved the seventh day of June Anno Domini one thousand eight hundred and seventy-nine" as last amended by the act approved the sixteenth day of May one thousand nine hundred thirty-five (Pamphlet Laws two hundred) is hereby further amended to read as follows

Section 23 That every railroad company pipe line company conduit company steamboat company canal company slack water navigation company transportation company and every other company association joint-stock association or limited partnership now or hereafter incorporated or organized by or under any law of this Commonwealth or now or hereafter organized or incorporated by any other State or by the United States or any foreign government and doing business in this Commonwealth and every copartnership person or persons owning operating or leasing to or from another corporation company association joint-stock association limited partnership copartnership person or persons any railroad pipe line conduit steamboat canal slack water navigation or other device for the transportation of freight passengers baggage or oil except taxicabs motor buses and motor omnibuses and every limited partnership association joint-stock association corporation or company engaged in or hereafter engaged in the transportation of freight or oil within this State and every telephone company telegraph company express company electric light company water-power company hydro-electric company palace car company and sleeping car company now or hereafter incorporated or organized by or under any law of this Commonwealth or now or hereafter organized or incorporated by any other State or by the United States or any foreign government and doing business in this Commonwealth and every limited partnership association joint-stock association copartnership person or persons engaged in telephone telegraph express electric light and power waterpower hydo-electric palace car or sleeping car business in this Commonwealth shall pay to the State Treasurer through the Department of Revenue a tax of fourteen mills for the [years one thousand nine hundred and thirty-five and one thousand nine hundred and thirty-six] six months' period ending June thirtieth one thousand nine hundred thirty-five December thirty-first one thousand nine hundred thirty-five and June thirtieth one thousand nine hundred thirty-six and twenty mills for the six months' period ending December thirty-first one thousand nine hundred thirty-six and eight mills thereafter upon the dollar of the gross receipts of said corporation company or association limited partnership joint-stock association copartnership person or persons received from passengers baggage and freight transported wholly within this State from telegraph or telephone messages transmitted wholly within the State from express palace car or sleeping car business done wholly within this State or from electric light and power water-power and hydro-electric business and from the transportation of oil done wholly within the State The said tax shall be paid within the time prescribed by law for the payment of taxes settled by the Department of Revenue and for the purpose of ascertaining the amount of the same it shall be the duty of the treasurer or other proper officer of the said company copartnership limited partnership association joint-stock association or coporation or person or persons to transmit to the Department of Revenue on or before the first days of February and August of each year a statement under oath or affirmation of the amount of gross receipts of the said companies copartnerships corporations associations joint-stock associations limited partnerships person or persons derived from all sources and of gross receipts from business done wholly within the State during the period of six months immediately preceding the first days of January and July of each year The time for filing reports may be extended estimated settlements may be made by the Department of Revenue if reports are not filed and the penalties for failing to file reports and pay the tax shall be as prescribed by the laws defining the powers and duties of the Department of Revenue Provided That in any case where the works of any corporation company copartnership association joint-stock association limited partnership person or persons are operated by another corporation company copartnership association joint-stock association limited partnership person or persons the taxes imposed by this section shall be apportioned between the said corporations companies copartnerships associations joint-stock associations limited partnerships person or persons in accordance with the terms of their respective leases or agreements but for the payment of the said taxes the Commonwealth shall first look to the corporation company copartnership association joint-stock association limited partnership person or persons operating the works and upon payment by the said company corporation copartnership association joint-stock association limited partnership person or persons of a tax upon the receipts as herein provided derived from the operation thereof no other corporation company copartnership association joint-stock association limited partnership person or persons shall be held liable under this section for any tax upon the proportion of said receipts received by said corporation company copartnership association joint-stock association limited partnership person or persons for the use of said works

This act shall be construed to apply to municipalities and to impose a tax upon the gross receipts derived from any municipally owned and operated public utility or from any public utility service furnished by any municipality to the extent of such gross receipts as are derived from business done outside the limits of the municipality operating the public utility service

Section 2 This act shall become effective immediately upon its final enactment

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

QUESTION OF PERSONAL PRIVILEGE

Mr. BATCHELOR. Mr. President, I rise to a question of personal privilege.

The PRESIDENT. The Senator from Beaver, Mr. Batchelor, will state his question of personal privilege.

Mr. BATCHELOR. Mr. President, on account of being called to the telephone, I was absent when Senate Bill No. 126 (House Bill No. 130), and Senate Bill No. 127 (House Bill No. 169) were considered. Had I been present I would have voted "no" on both bills.

HOUSE NON-CONCURS IN AMENDMENTS MADE BY THE SENATE TO HOUSE BILL No. 19

Mr. McCLURE. Mr. President, I move that the Senate do now proceed to the consideration of the non-concurrence by the House in the amendments made by the Senate to House Bill No. 19.

Mr. HARVEY. Mr. President, I second the motion.

The motion was agreed to.

SENATE INSISTS ON ITS AMENDMENTS TO HOUSE BILL No. 19

Mr. McCLURE. Mr. President, I move that the Senate insist upon its amendments to House Bill No. 19.

Mr. HARVEY. Mr. President, I second the motion.

The motion was agreed to.

Ordered, That the Clerk inform the House of Representatives accordingly.

RECONSIDERATION OF MOTION TO RECOMMIT SENATE BILL 121 (HOUSE BILL 167).

Mr. REED (Dauphin). Mr. President, I move to reconsider the vote by which Senate Bill No. 121 (House Bill No. 167), entitled:

An Act to authorize counties of the second class and cities of the second class to sue out writs of scire facias on certain tax liens or to revive judgments on such liens where more than five years have elapsed since said liens were filed or such judgments were entered or revived and to reduce such liens to judgment or to revive such judgments and providing for the revival and collection of such judgments

was recommitted to the Committee on Municipal Government.

Mr. McGINNIS. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. REED (Dauphin). Mr. President. I do not want to deprive this bill of a second reading before recommitting it, therefore I make this motion and will move to recommit the bill after it has been read the second time.

And the question recurring,

Will the Senate agree to the motion?

It was not agreed to.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 121 (House Bill No. 167), as follows:

An Act to authorize counties of the second class and cities of the second class to sue out writs of scire facias on certain tax liens or to revive judgments on such liens where more than five years have elapsed since said liens were filed or such judgments were entered or revived and to reduce such liens to judgment or to revive such judgments and providing for the revival and collection of such judgments

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That whenever any county of the second class or city of the second class has heretofore filed in the office of the prothonotary of the proper county any tax lien or tax liens and the county of the second class or city of the second class has not within the period of five years after the date on which any such tax lien was filed sued out a writ of scire facias to reduce the same to judgment or whenever any such tax lien or tax liens have been reduced to judgment and the county of the second class or city of the second class has not within the period of five years after the date on which such judgment or judgments were entered or within five years after the date on which such judgment or judgments were last revived filed a suggestion of nonpayment and an averment of default or sued out a writ of scire facias to revive the same then in any such case any such county of the second class or city of the second class may within six months after the final enactment of this act issue its praecipe for a writ of scire facias on any such tax lien and proceed to judgment in the manner provided by law to obtain judgments upon tax liens or in case judgment has been entered either file a suggestion of nonpayment and an averment of default or issue its praecipe for a writ of scire facias on any such judgment and proceed to judgment in the manner provided by law to obtain judgments of revival and such judgment so entered or revived shall be a valid judgment and be a lien upon the real estate upon which it was a lien at the time the lien was filed or the judgment was entered and said judgment may be revived or further revived and collected as other judgments upon tax liens are revived and collected Provided however That the lien of any judgment shall not reattach against any real estate transferred to any purchaser during the time when the lien of any such tax lien or judgment was lost nor shall the lien of any such judgment impair or affect the priority of the lien of any mortgage or other lien which gained priority because of the failure of the county of the second class or city of the second class to sue out the writ of scire facias or file a suggestion of nonpayment and averment of default within the five year period or was entered of record during the time the lien of such tax lien or judgment was lost

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED

Mr. REED (Dauphin). Mr. President, I move that Senate Bill No. 121 (House Bill No 167), the bill just read, be recommitted to the Committee on Municipal Government.

Mr. GRAFF. Mr. President, I second the motion.

The motion was agreed to.

REPORTS FROM COMMITTEE

Mr. COYNE. Mr. President, I ask unanimous consent to make a report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. COYNE, from the Committee on Executive Nominations reported with negative recommendation the following nominations made by His Excellency the Governor of the Commonwealth:

MEMBERS OF THE BOARD OF TRUSTEES OF MANSFIELD STATE TEACHERS COLLEGE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 4, 1936.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law I have the honor to nominate for the advice and consent of the Senate the following appointment to compute from the date of confirmation:

(Miss) Mary A. McInroy, Middlebury Center, from February 14, 1936, for the term of four years, and until her successor is qualified.

J. B. Matthews, Covington, from February 17, 1936, for the term of four years, and until his successor is qualified.

GEORGE H. EARLE.

Also from the Committee on Executive Nominations reported with favorable recommendation the following nominations made by His Excellency, the Governor of the Commonwealth:

MEMBERS OF THE BOARD OF TRUSTEES OF BLOSSBURG STATE HOSPITAL

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, Pa., May 4, 1936.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor to nominate for the advice and consent of the Senate, the following:

J. Raymond Stratton, Blossburg, from August 26, 1935, for the term of four years, and until his successor is qualified.

Lyle G. Seelye, Mansfield, from August 26, 1935, for the term of four years, and until his successor is qualified.

(Mrs.) Elizabeth H. Stull, Elkland, from August 26, 1935, for the term of four years, and until her successor is qualified.

Harry W. Howland, Gaines, from August 26, 1935, for the term of four years, and until his successor is qualified.

Peter Fischler, Wellsboro, from August 26, 1935, for the term of four years, and until his successor is qualified.

Theodore A. Schmidt, Morris Run, from September 3, 1935, for the term of four years, and until his successor is qualified.

Ransom I. Keeney, Blossburg, from September 4, 1935, for the term of four years, and until his successor is qualified.

Stanley J. Hudzinski, Morris Run, from September 4, 1935, for the term of four years, and until his successor is qualified.

Charles U. Maneval, Liberty, from September 4, 1935, for the term of four years, and until his successor is qualified.

MEMBERS OF THE BOARD OF TRUSTEES OF MANSFIELD STATE TEACHERS COLLEGE

Vine B. Hughes, Tioga, from February 13, 1936, for the term of four years, and until his successor is qualified.

W. A. MacCausland, Mansfield, from February 13, 1936, for the term of four years, and until his successor is qualified.

W. W. Beaman, Troy, from February 14, 1936, for the term of four years, and until his successor is qualified.

MEMBERS OF THE BOARDS OF TRUSTEES OF THE MOTHER'S ASSISTANCE FUND OF TIOGA COUNTY

(Mrs.) Christina Ward, Blossburg, from August 30, 1935, until June 1, 1941, and until her successor is duly appointed and qualified.

(Mrs.) Erna H. Meaker, Mansfield, from August 30, 1935, until June 1, 1941, and until her successor is duly appointed and qualified.

(Mrs.) Margaret Stagamen, Wellsboro, from September 4, 1935, until June 1, 1937, and until her successor is duly appointed and qualified.

(Miss) Mary F. Guiles, Lawrenceville, from September 4, 1935, until June 1, 1939, and until her successor is duly appointed and qualified.

(Miss) Reba C. Davis, Westfield, from September 4, 1935, until June 1, 1939, and until her successor is duly appointed and qualified.

(Mrs.) Rosa Hamilton, Wellsboro, from April 17, 1936, until June 1, 1941, and until her successor is duly appointed and qualified.

GEORGE H. EARLE.

NOTARIES PUBLIC

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, August 3, 1936.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

BERKS COUNTY

Charles B. Ebling, Bernharts.

CARBON COUNTY

Samuel A. Lockwood, Tresckow.

DAUPHIN COUNTY

Miss Catherine H. Kell, Harrisburg.

FAYETTE COUNTY

Guido Gentile, Uniontown.

LYCOMING COUNTY

Miss A. Marie Ertel, Williamsport.

PHILADELPHIA COUNTY

Miss Ruth L. Wright, 635 Phila. Savings Fund Bldg., Philadelphia.

VENANGO COUNTY

Daniel J. Skelly, Oil City.

WARREN COUNTY

John G. Wasil, Sheffield.

GEORGE H. EARLE.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 30, 1936.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

ALLEGHENY COUNTY

Miss Consuelo Cline, 1229 Park Bldg., Pittsburgh.
Miss Elizabeth M. Keaney, 609 Plaza Bldg., Pittsburgh.
Thomas J. Nichols, 430 Fourth Ave., Pittsburgh.
W. R. Shoup, Jr., 2117 Penn Av., Pittsburgh.

BUTLER COUNTY

Uber S. Adams, Prospect.

CAMBRIA COUNTY

John W. McCall, Summerhill.

DAUPHIN COUNTY

Paul E. Deimler, Hummelstown.

LUZERNE COUNTY

Miss Margaret A. Collins, Wilkes-Barre.
Peter Cotsack, Milnesville.

MONTGOMERY COUNTY

John P. Henrie, Glenside.

PHILADELPHIA COUNTY

Anthony T. Vincent, S. E. Cor. 13th and Christian Sts., Philadelphia.

VENANGO COUNTY

Miss Frances H. Blissell, Oil City.

GEORGE H. EARLE.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 30, 1936.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following person for reappointment as a Notary Public, for a term of four years to compute from the date set opposite her name:

MONTGOMERY COUNTY

Mrs. Marian R. Hand, Bryn Mawr, Aug. 16, 1936.

GEORGE H. EARLE.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 29, 1936.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

ALLEGHENY COUNTY

Miss Helen G. Arnold, McKees Rocks.

DAUPHIN COUNTY

George E. Bowman, Harrisburg.

DELAWARE COUNTY

Wm. E. Griffith, Glen Riddle.

WESTMORELAND COUNTY

Mrs. Lou K. Diffenderfer, Export.

GEORGE H. EARLE.

JUSTICES OF THE PEACE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 30, 1936.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following appointments to compute from the date of confirmation:

Charles E. Saupp, Jr., of Houtzdale, Clearfield County, as Justice of the Peace in the Borough of Houtzdale, Clearfield County (to fill a vacancy), until the first Monday in January, 1938.

J. Leishman Jamison, of Fredonia, Mercer County, as Justice of the Peace in the Borough of Fredonia, Mercer County, vice John N. McClure, deceased, until the first Monday in January, 1938.

GEORGE H. EARLE.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, August 3, 1936.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following appointments:

Mrs. Anna May Bradley, 226 Church St., Lilly, Cambria County, as Justice of the Peace in the Borough of Lilly, Cambria County (to fill a vacancy), until the first Monday in January, 1938.

Victor M. Lea, of Susquehanna, Susquehanna County, as Justice of the Peace in the Borough of Susquehanna, Susquehanna County, vice Jerome Lannon, resigned, until the first Monday in January, 1938.

GEORGE H. EARLE.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 27, 1936.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Ferdinand J. Biter, of Loretto, Cambria County, for appointment as Justice of the Peace in the Borough of Loretto, Cambria County (to fill a vacancy), until the first Monday in January, 1938.

GEORGE H. EARLE.

EXECUTIVE SESSION

By unanimous consent,

A motion was made by Mr. SONES,

That Rule 38, which requires nominations made by the Governor, to lie on the table one day be dispensed with, and the Senate do now resolve itself into Executive Session, for the purpose of acting upon all the nominations reported at today's session.

Which was agreed to.

Mr. BUCKMAN. Mr. President, inasmuch as the Senate is now in Executive Session, I move that we consider the nominations favorably reported from the Committee on Executive Nominations first and after that has been done that we take up the nominations reported with a negative recommendation from the Committee on Executive Nominations.

Mr. GELDER. Mr. President, I second the motion.

The motion was agreed to.

Whereupon,

A motion was made by Mr. SONES,

That the Senate do advise and consent to the nominations reported with from Committee with a favorable recommendation.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—45

Aron,	Harris,	Pierson,	Salus,
Batchelor,	Harvey,	Prince,	Scott,
Baumer,	Huffman,	Pytko,	Shapiro,
Bean,	Kahle,	Rankin,	Sones,
Buckman,	Lanius,	Reed,	Staudenmeier,
Cavalcante,	Law,	(Dauphin)	Thompson,
Chapman,	Mallery,	Reed,	(Centre)
Coyne,	McClure,	(Washington)	Thompson,
Ealy,	McCreesh,	Rice,	(Westmoreland)
Frey,	McGinnis,	Roberts,	Trainer,
Gelder,	Miller,	Rodgers,	Ziesenheim,
Graff,	Owlett,	Rupp,	Homsher,
		Ruth,	Pres. Pro. Tem.

NAYS—0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

The nominations reported from committee with a negative recommendation, were read as follows:

MEMBERS OF THE BOARD OF TRUSTEES OF MANSFIELD STATE TEACHERS COLLEGE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 4, 1936.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor to nominate for the advice and consent of the Senate the following appointment to compute from the date of confirmation:

(Miss) Mary A. McInroy, Middlebury Center, from February 14, 1936, for the term of four years, and until her successor is qualified.

J. B. Matthews, Covington, from February 17, 1936, for the term of four years, and until his successor is qualified.

GEORGE H. EARLE.

A motion was made by Mr. SONES,

That the Senate do advise and consent to the nominations reported from the Committee on Executive Nominations with a negative recommendation, notwithstanding the recommendation of the Committee.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—13

Baumer,	Pytko,	Roberts,	Ruth,
Frey,	Rankin,	Rodgers,	Shapiro,
McCreesh,	Rice,	Rupp,	Thompson, (Centre)
McGinnis,			

NAYS—21

Aron,	Ealy,	Owlett,	Thompson,
Batchelor,	Gelder,	Pierson,	(Westmoreland)
Bean,	Graff,	Reed,	Trainer,
Buckman,	Harris,	(Dauphin)	Ziesenheim,
Chapman,	Mallery,	Scott,	Homsher,
Coyne,	McClure,	Staudenmeier,	Pres. Pro. Tem.

Less than a majority of all the Senators having voted "aye" the question was determined in the negative.

Ordered, That the Governor be informed accordingly.

Mr. SONES. Mr. President, I move that the Executive Session do now rise.

Mr. RICE. Mr. President, I second the motion.

The motion was agreed to.

QUESTION OF PERSONAL PRIVILEGE

Mr. CHAPMAN. Mr. President, I rise to a question of personal privilege.

The PRESIDENT. The Senator from Warren, Mr. Chapman, will state his question of personal privilege.

Mr. CHAPMAN. Mr. President, I desire to present an editorial from the Oil City Derrick and ask unanimous consent that the same be inserted in the Journal.

The PRESIDENT. Is there objection? The Chair hears none.

MORE POWER TO THE STATE SENATE

Although it has been presented to the public in the shape of a compromise, the relief deadlock at Harrisburg was broken by Governor Earle's receding from his arbitrary and unwarranted stand. He agreed to accept a joint resolution transferring $3,000,000 from special funds for immediate relief needs.

The governor could have done this two or three weeks ago, but that would not serve his political ends. It would not have called for "hunger marchers." Communists would not have had the opportunity to camp in the Senate gallery and howl derision at the Republican members.

This was a sorry exhibition in the enlightened state of Pennsylvania. From all reports these so-called hungry marchers were recruited and transported to Harrisburg for this express purpose. While there they were fed by the state under orders from Governor Earle.

There is no reason why the legislature should not enact the necessary tax measures and adjourn early next week. About $45,000,000 will have to be provided for direct relief until February, when the next regular session will have to get down to raising more revenue for relief and again raising taxes. There does not appear to be any end to relief.

The governor has emerged from this controversy with some of his tail feathers plucked. When he called the special session he demanded $80,000,000, with $71,000,000 of this for relief. To this amount the Republican senate said "No." Then the governor came down to $55,000,000 and again the Republican senate sail "No."

At this stage the administration started to call out its political reserves. Professional agitators were told to get busy. The senate gallery was invaded by mobsters who demanded $100,000,000 for relief. Finally the governor came down to $45,000,000, and rather than prolong the agony the Republican senate agreed to this figure although it knew that $35,000,000 would have been sufficient.

As a matter of fact the Republican senate's figure provided for relief payments at the prevailing rate of $1,200,000 a week. This would furnish an average of $30 a month for each of the 171,000 families now on the relief rolls.

With $35,000,000 sufficient to take care of relief until next February, according to the state's own figures as to numbers and cost, why did Governor Earle insist on $71,000,000? The only possible answer to this is that this is a campaign year. There are a lot of votes among those 171,000 families. Then it was proposed to win a lot of sympathetic votes by placing the Republican senate in the light of denying food to the hungry.

Why should the Republican senate wish to starve the unemployed? Why should anyone wish to starve them? Until Earle was elected two years ago this state had gone 44 years without a Democratic governor. Under all those years of Republican rule did anyone ever go hungry in Pennsylvania?

The Republican members of the senate simply took the stand that adequate relief could be furnished without robbing the taxpayers. They have made a splendid fight in face of all the state and federal pressure the New Dealers could muster. Not for a minute did they allow themselves to be intimidated by that disgraceful display of mob rule in the galleries. To them the decent, taxpaying, law-abiding and forward-looking people of this great state owe a debt of appreciation and gratitude.

REPORT FROM COMMITTEE

Mr. REED (Dauphin), from the Committee on State Government, reported as committed, the following resolution:

SENATE COMMITTEE TO INVESTIGATE INDIANA STATE NORMAL SCHOOL

In the Senate, July 21, 1936.

Whereas, On June 29, 1936, the Senate adopted a resolution (known as Senate Resolution No. 3) authorizing the appointment of a Sub-Committee of five members of the Committee on Education to make an investigation of the attempts that are being made to interfere with the orderly management of educational institutions that are receiving financial assistance from the people of this Common-

wealth, notably the Indiana State Teachers' College, and to report as speedily as possible to the Senate now in Extraordinary Session the results of its inquiry; and

Whereas, Pursuant to said resolution the President pro tempore of the Senate on June 30, 1936, appointed a Sub-Committee of five members of the Committee on Education to conduct said investigation; and

Whereas, Since the appointment of said Sub-Committee the press of business of the Senate in conducting its legislative activities in this Extraordinary Session has been such as to render impossible a meeting of this Sub-Committee to conduct hearings in order to fulfill its commission; and

Whereas, One of the members of the Sub-Committee has been so ill that he has been unable to participate in its activities; and

Whereas, The Sub-Committee has received such information that it deems it wise to pursue said investigation, in order that the evils complained of may be uncovered and appropriate remedies therefor suggested; therefore be it

Resolved, That the Sub-Committee of the Committee on Education heretofore appointed by the President Pro Tempore of the Senate, under and by virtue of Senate Resolution No. 3, to conduct a searching investigation of the situation complained of in said Senate Resolution, be continued and that said Sub-Committee shall make a report to the Senate at its next regular session; and be it further

Resolved, That the said Sub-Committee shall have power to issue subpoenas under the hand and seal of its chairman, requesting and commanding any person or persons to appear before it and to answer any question touching matters properly being inquired into by the Sub-Committee, and to produce such books, papers, records and documents as the Sub-Committee may deem necessary. Such subpoenas may be served upon any person and shall have the force and effect of subpoenas issued out of the courts of this Commonwealth. Each member of said Sub-Committee shall have the power to administer oaths and affirmations to witnesses appearing before the Sub-Committee. Any person who shall wilfully refuse or neglect to testify before such Sub-Committee or to produce any books, papers, records or documents shall be subject to the penalties provided by the laws of the Commonwealth in such cases; and be it further

Resolved, That the powers hereby conferred shall be exercised by the Sub-Committee during the recess of the Senate as well as during the sessions thereof; and be it further

Resolved, That in the event that the power hereby conferred upon the said Sub-Committee to subpoena witnesses and enforce its subpoenas during the recess of the Senate shall be held by any court to be unconstitutional, said Sub-Committee shall, nevertheless, continue its work and take the testimony of such persons as shall voluntarily appear before it.

Mr. BATCHELOR. Mr. President, I ask unanimous consent that Rule 39 which requires concurrent resolutions reported from committee, to lie on the table be suspended and that the Senate do now proceed to the immediate consideration of the resolution just read.

The PRESIDENT. Is there objection?

Mr. THOMPSON (Centre). Mr. President, I object.

The PRESIDENT. The Chair hears objection. The resolution will lie over under the rules.

HOUSE MESSAGE

HOUSE INSISTS UPON ITS NON-CONCURRENCE IN AMENDMENTS MADE BY THE SENATE TO HOUSE BILL No. 19

The Clerk of the House of Representatives being introduced informed the Senate that the House insists upon its non-concurrence in the amendments made by the Senate to House Bill No. 19, entitled:

An Act to amend section three of the act, approved the sixteenth day of May, one thousand nine hundred thirty-five (Pamphlet Laws two hundred eight), entitled "Corporate Net Income Tax Act," by increasing the rate of tax for a limited period of time.

APPOINTMENT OF COMMITTEE OF CONFERENCE ON HOUSE BILL NO. 19

Mr. McCLURE. Mr. President, I move that a Committee of Conference be appointed to confer with a committee of the House of Representatives (if the House shall appoint such committee) to consider the differences existing between the two Houses in relation to House Bill No. 19, entitled:

An Act to amend section three of the act, approved the sixteenth day of May, one thousand nine hundred thirty-five (Pamphlet Laws two hundred eight), entitled "Corporate Net Income Tax Act," by increasing the rate of tax for a limited period of time.

Mr. EALY. Mr. President, I second the motion.

The motion was agreed to.

Ordered, That Messrs. McCLURE, OWLETT and FREY be said Committee on the part of the Senate, and that the Clerk inform the House of Representatives accordingly.

MOTION TO RECESS

Mr. RODGERS. Mr. President, I move that the Senate do now recess for fifteen minutes, and that a meeting be called of the Committee on Judiciary General for consideration of the Flood Control bill, House Bill No. 70.

Mr. RICE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

POINT OF ORDER

Mr. BUCKMAN. Mr. President, I rise to a point of order.

The PRESIDENT. The Senator from Bucks, Mr. Buckman, will state his point of order.

Mr. BUCKMAN. Mr. President, being Chairman of the Committee on Judiciary General, it has not been the custom for a meeting of that committee to be called by anyone except the Chairman, and I make the point of order for the reason that it contains two subjects, and after that has been disposed of, I desire to offer amendments.

Mr. RODGERS. Mr. President, almost everyone of the differences has been reconciled in this bill. There is no reason at all for anyone to object to it.

Mr. BUCKMAN. Mr. President, I raise the question that the point of order is not debatable.

The PRESIDENT. The Chair rules that the point of order is well taken.

ADJOURNMENT

Mr. BUCKMAN. Mr. President, I move to amend the motion made by the Senator from Allegheny, Mr. Rodgers, that the Senate do now take a recess for fifteen minutes, to make it read that the Senate do now adjourn until tomorrow a 1:00 o'clock P. M., in order that the Judiciary General Committee may hold a meeting at 12:00 o'clock noon.

Mr. CHAPMAN. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. RODGERS. Mr. President, there is a question in my mind whether this bill is not being jeopardized by the delay—

Mr. BUCKMAN. Mr. President, neither the motion nor the amendment to the motion is debatable.

The PRESIDENT. The point of order is well taken.

On the question,

Will the Senate agree to the motion as amended?

QUESTION OF PERSONAL PRIVILEGE

Mr. RODGERS. Mr. President, I rise to a question of personal privilege.

Mr. BUCKMAN. Mr. President, the question of personal privilege is not in order at this time. There is a motion to adjourn.

The PRESIDENT. The Chair informs the Senator from Allegheny, Mr. Rodgers, that the question of personal privilege is not in order at this time. The Chair understands the motion is to amend so as to read that the Senate do adjourn until tomorrow afternoon at one o'clock.

And the question recurring,

Will the Senate agree to the motions as amended?

The motion was agreed to.

Mr. BUCKMAN. Mr. President, for the purpose only of reading bills the first time, in order not to delay the ajournment of this session, I will withdraw my motion, or ask it be suspended. I do not intend to withdraw it to permit the question of personal privilege to be discussed at this time.

Mr. RODGERS. Mr. President, I desire to interrogate the Senator from Bucks Mr. Buckman.

The PRESIDENT. Will the Senator from Bucks, Mr. Buckman permit himself to be interrogated.

Mr. BUCKMAN. Mr. President, I will be very glad indeed.

Mr. RODGERS. Mr. President, I desire to ask the Senator from Bucks, Mr. Buckman, if he is not fearful that this bill may die for lack of time?

Mr. BUCKMAN. Mr. President, I am absolutely not fearful of any thing of the kind, or I would be in favor of staying here until midnight. I have no desire to delay the holding of this meeting. I had hoped to have an opportunity to have it this afternoon, but there was so much "hot air," by both Republicans and Democrats, on the floor of this Senate I could not even get to first base on it.

Mr. RODGERS. Mr. President, is it my understanding that there will be a meeting of the Judiciary General committee tomorrow?

Mr. BUCKMAN. Mr. President, that is absolutely right.

Mr. RODGERS. Mr. President, and that will not jeopardize the bill.

Mr. BUCKMAN. Mr. President, it certainly will not. The bill has already passed two readings and there will be ample time to print the bill, if necessary. If it comes out of committee it can pass with the proper amount of votes. I understand also there is a bill on the calendar carrying an appropriation covering this bill, that has already had two readings.

MOTION TO ADJOURN WITHDRAWN

Mr. BUCKMAN. Mr. President, I withdraw my motion to adjourn temporarily.

Mr. CHAPMAN. Mr. President, I withdraw my second to the motion.

Mr. RODGERS. Mr. President, I withdraw my motion for a recess.

Mr. RICE. Mr. President, I withdraw my second to the motion.

The PRESIDENT. The motions for adjournment and recess have been withdrawn.

MOTION TO READ BILL THE FIRST TIME

Mr. ARON. Mr. President, I move that the bill reported from committee at today's session be read the first time.

Mr. COYNE. Mr. President, I second the motion.

The motion was agreed to.

BILL ON FIRST READING

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 119, entitled:

An Act relieving real and personal property of recipients of mothers' and old age assistance from liability for assistance received.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

ERRATA

Pabe 82, column 2, strike out lines 5 to 19, both inclusive.

Page 85, column 2, after line 4 insert the following:

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 4, 1936.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named persons to be Commissioners of Deeds, for the term of five years to compute from the dates set opposite their names, respectively

Hamilton, Robert Willoughby, Dowra, Irish Free State, October 2, 1935.

Fazl, Abul, Kapurthala, India, from March 16, 1936.

Campbell, Miss Elizabeth B., Cape May, New Jersey, from March 27, 1936.

GEORGE H. EARLE.

ADJOURNMENT

Mr. BUCKMAN. Mr. President, I move that the Senate do now adjourn until tomorrow afternoon at 1 o'clock.

Mr. CHAPMAN. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 5:39 P. M. until tomorrow afternoon, Wednesday, August 5, 1936, at 1 o'clock.

HOUSE OF REPRESENTATIVES

TUESDAY AUGUST 4, 1936

The House met at 5:00 o'clock P. M.
The SPEAKER (Roy E. Furman) in the Chair.

PRAYER

The Reverend OSCAR F. R. TREDER, Rector Saint James Church, Bedford, Pa., offered the following prayer:

O Father of all, Whose spirit ever strives in the souls of men, we thank Thee that Thou hast made us heirs of all the ages of Thy creative effort, and called us to share some part of Thy burden of redemption. Glory be to Thee O Lord, for Thy divine compassion which carest for us despite our weaknesses, cowardice, and self-love; for the discipline of life, for the endurance which is learned through drudgery; for the work which is its own reward; and for the difficulties which are the material of victory; because through the turmoil of life, we find Thy peace; because for the adventure of life, we need Thy strength; and because in the supreme adventure of death, we have Thy blessed hope.

And now, O Lord, we beseech Thee, that Thou wilt give men skill and enterprise in husbanding the resources of the earth, that all Thy children may have meat enough; that the condition of men's daily toil may not starve the souls whom Thou hast made for Thyself; that Thou wilt give us all a deeper sense of our membership of one another, so that the bonds of our economic life may be the expression of our fellowship in Thee. And that these, our just legislators and faithful counsellors, may gravely, soberly, and with a godly spirit, enact always things just, and things wise, and things which pertain to the general good, we beseech Thee to hear us, good Lord. Amen.

JOURNAL APPROVED

The SPEAKER. The Clerk will read the Journal of yesterday.

The Clerk proceeded to read the Journal of yesterday, when, on motion of Mr. STONE the further reading was dispensed with and the Journal approved.

SENATE MESSAGES

The Clerk of the Senate being introduced presented extracts from the Journal of the Senate which were laid upon the table.

PETITION

The SPEAKER laid before the House the following petition which was read by the Clerk.

CHARGES AGAINST JUDGE ATLEE

Petitions submitted by National Negro Congress from citizens of Pennsylvania, demanding action on removal of Judge B. C. Atlee of Lancaster County.

Referred to the Committee on Judiciary General.

RESOLUTION INTRODUCED AND REFERRED

By Mr. BRADLEY. RESOLUTION NO. 57.

In the House of Representatives, August 4, 1936.

Whereas, The report filed on May 5, 1936, by the special committee appointed to investigate the Gilberton mine disaster, which occurred January 31, 1935, finds that this disaster was due to a flagrant violation of the State Mining Laws on the part of the operators of that colliery in that proper air conditions were not maintained, that illegal mining practices were engaged in, and that if the operating company had on the day the accident occurred worked the colliery in strict accordance with the State Mining Laws this accident would have been averted; and

Whereas, This report was brought to the attention of the Department of Justice and the Department of Mines after the same had been filed; therefore be it

Resolved, That the Department of Justice and the Department of Mines be requested to furnish to this House of Representatives information whether any steps have been, or are being, taken to bring prosecution against those persons who it is alleged were responsible for the conditions which the investigating committee concludes was responsible for this accident;

Resolved, That a copy of this resolution be transmitted to the Department of Justice and the Department of Mines by the Chief Clerk of this House.

Referred to the Committee on Rules.

SENATE MESSAGE

HOUSE BILLS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 75.

A Supplement to Act No. 56-A, approved the nineteenth day of July, one thousand nine hundred thirty-five (Appropriation Acts of 1935, Page 41) entitled "An act making an appropriation to the Department of Welfare for Pensions for the Blind," increasing the current appropriation for blind pensions in order to enable the Commonwealth to match sufficient funds from the Federal Government to provide pensions for all blind persons eligible to receive the same.

With the information that the Senate has passed the same without amendment.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF RESOLUTION RECALLING HOUSE BILL No. 69

Commonwealth of Pennsylvania
Governor's Office, Harrisburg, August 4, 1936.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed a Resolution of the House of Representatives and Senate recalling from the Governor House Bill No. 69, Printer's No. 207, for the purpose of amendment.

Accordingly, the original bill is herewith returned.

GEORGE H. EARLE.

COMMUNICATION AND BILL LAID ON TABLE

Mr. WEISS. Mr. Speaker, I move that the communication of the Governor together with the bill be laid upon the table.

The motion was agreed to.

BILL SIGNED BY THE SPEAKER

Bill numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the title was publicly read as follows:

HOUSE BILL No. 75.

A Supplement to Act Number fifty-six-A approved the nineteenth day of July one thousand nine hundred thirty-five (Appropriation Acts of one thousand nine hundred thirty-five Page forty-one) entitled "An act making an appropriation to the Department of Welfare for Pensions for the Blind" increasing the current appropriation for blind pensions in order to enable the Commonwealth to match sufficient funds from the Federal Government to provide pensions for all blind persons eligible to receive the same

Whereupon,

The Speaker, in the presence of the House, signed the same.

REQUEST TO MAKE STATEMENT

Mr. TURNER. Mr. Speaker, I ask unanimous consent of the House to make a statement.

The SPEAKER. Will the House give its unanimous consent to the gentleman from Delaware to make a statement? Are there objections?

Mr. JOHN E. BROWN. Mr. Speaker, I object.

The SPEAKER. The Chair hears objection and consent is not granted.

COMMITTEE GRANTED PERMISSION TO MEET DURING SESSION

Mr. CHERVENAK asked and obtained permission of the House for the Committee on Constitutional Amendments to meet during the session of the House.

STATEMENT BY MR. TURNER

Mr. TURNER asked and obtained unanimous consent to make the following statement:

Mr. Speaker and members of the House, we have had a lot of amusement this afternoon, but I am really very serious about this statement that I want to make at the present time. It is not a very long statement, and I trust that you will bear with me while I read it.

STATEMENT BY ELLWOOD J. TURNER

Behind the recent differences as to the estimates of revenue lurks a danger of which the Legislature seems blissfully ignorant, and concerning which the people of the Commonwealth should be informed for it strikes at the very vitals of democratic government.

To the Legislative branch of our government, both State and Federal, is given the power to appropriate and to tax. Except to exercise the power of veto, the Executive has no other function pertaining to the enactment of appropriation or revenue raising measures.

There has grown up in the Legislature of Pennsylvania a cowardly practice of leaving almost all the appropriation bills go until the end of the Session, when the legislature adjourns, goes home and leaves them on the Governor's desk to veto or reduce in amount as he sees fit. By this practice, it may be seen that the Governor becomes the arbiter of appropriations. During a Session the "jockeying" is to determine whether the Governor will approve appropriation bills, or the amount which he will approve. This leads to subservience to the Governor, and is a surrender of legislative prerogative without the benefit of constitutional amendment.

Now if we permit the estimates of revenue of an executive department (The Department of Revenue) to determine the amount that any tax measure will yield, and permit that practice to become fixed in our law, the Legislature will have surrendered a part of its taxing power, and that perhaps the most important part.

For we have just seen how the assertion that the estimates of revenue made by the Department of Revenue must be taken as final, can force the Senate to pass tax measures it does not believe to be necessary. While it is true the Legislature could refuse to introduce or pass tax bills, when money is necessary for governmental purposes, as a practical matter how could it hold out against the statement by the Department that the revenues would not yield the amount stated to be needed to run the State government.

I was alarmed last week to find that it was the opinion of not only the Executive Branch but of many members of the Assembly that there was support in law for the statement that the estimates of revenue as given by the Department of Revenue were binding. That Department estimated the revenue to be received from the tax bills which the Senate agreed to pass at approximately $5,500,000 below the estimates of the Senate Finance Committee. Therefore, the deadlock occurred because the Governor said give me $5,500,000 more from other tax bills. And the Senate majority said no, you have enough funds. A compromise was effected by raising some of the Department's estimates. But only after all relief had been stopped as a weapon to enforce acceptance of the Executive's estimates.

There is no provision of law, either by statute or court decree, that the Legislature must be bound by the estimates of any branch or department of government other than themselves.

The proponents of the theory that the Revenue Department estimates are controlling, point to the case of the Commonwealth vs. Liveright (Talbot Act Case, 308 Pa. 35). While the Court does speak of "anticipated" and "estimated revenues", nowhere does it say that the the estimates of revenue that are to be taken are those of the Governor or the Department of Revenue.. And no doubt, in view of the fact that there is no Constitutional provision on the subject, and no act of the legislature thereon, that the Supreme Court could so determine. Such a decision would be an invasion of legislative domain.

In the Talbot Act case, Mr. Justice Kephart, in the majority opinion said:

> "The control of the State's finances is entirely in the Legislature, subject only to the constitutional limitations; and except as thus restricted is absolute. Unless expressly prohibited or otherwise directed by that instrument, appropriations may be made for whatever purposes and in whatever amounts the law making body finds desirable. The Legislature in appropriating is supreme within the limits of the revenue and moneys at its disposal."

Every student of government knows that political liberty has advanced as the people, through representatives in legislative bodies, have controlled the purse strings. Evidently so well fixed was this in the minds of the framers of our Federal Constitution that a summary survey of the "Federalist" papers fails to disclose any discussion of the right of Congress to appropriate and tax

Apparently the opponents as well as the proponents considered it beyond question.

In these New Deal days of centralization of government and expansion of executive power, are we of this Legislature to let this question of estimates of revenue become fixed by practice until we have surrendered to the Executive everything pertaining to revenue raising but the right to introduce bills which have been prepared by the Executive Department and handed to members of the House for introduction. The Democratic controlled Ways and Means Committee of the House; made no attempt to arrive at its own estimates, but rubber stamped those submitted by the Governor.

The Democratic majority in this House supinely passed, in most cases with the minimum of time required, tax bills which the Governor gave them.

Thank heaven the Republican Senate not only took time to study them, but had the intestinal fortitude to make its own estimates of revenue and fight for them.

Having surrended our control over appropriations, will the people of this Commonwealth permit the "Little New Deal" to extend the Executive power to the dictation of the amount and kind of taxes to be raised.

RESOLUTION

SYMPATHY EXTENDED TO HON. J. CLAIR SLOAN

Mr. Stewart offered the following resolution which was twice read, considered and unanimously adopted:

In the House of Representatives, August 4, 1936.

On Saturday, August 1st, the mother of our colleague, Honorable J. Clair Sloan, passed away at the age of eighty-nine.

A typical American mother, she was respected, admired and honored in her community, the people of which regret her passing.

To few comes the privilege of exceeding by so many years the allotted time of three score years and ten.

Resolved, That the Members of the House of Representatives extend to the Honorable J. Clair Sloan, and the other members of the family, their sincere sympathy in the loss they have sustained by the death of their beloved mother.

Resolved, That a copy of this resolution be transmitted to the immediate family by the Chief Clerk of this House.

RESOLUTION

Mr. HOOPES offered a resolution which was filed with the Clerk under the rules.

RESOLUTION

Mr. CAPUTO offered a resolution which was filed with the Clerk under the rules.

SENATE MESSAGE

SENATE INSISTS ON AMENDMENTS TO HOUSE BILL NO. 19

The Clerk of the Senate being introduced, informed that the Senate has insisted upon its amendments, nonconcurred in by the House of Representatives, to House Bill No. 19, entitled:

An Act to amend sections two and three of the act approved the sixteenth day of May, one thousand nine hundred thirty-five (Pamphlet Laws, two hundred eight), entitled "An act to provide revenue for State purposes by imposing an excise tax, for a limited period of time, on the net incomes of certain corporations, joint-stock associations, and limited partnerships; providing for the assessment and collection of the tax, and appeals to courts; conferring powers, and imposing duties on certain persons, corporations, joint-stock associations, limited partnerships, State, and county officers, boards, and departments; making an appropriation, and providing penalties," by further defining net income and increasing the rate of tax for a limited period of time

Mr. OMINSKY. Mr. Speaker, I move that the House insist on its amendments non-concurred in by the Senate and that a Committee of Conference be appointed.

The motion was agreed to.

APPOINTMENT OF COMMITTEE OF CONFERENCE

The SPEAKER. The Chair appoints as a Committee of Conference to confer with a similar committee on the part of the Senate on House Bill No. 19; Messrs. Ominsky, O'Keefe and Horst.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL NO. 18.

An Act making an appropriation to the State Emergency Relief Board for direct relief, work relief, and expenses; defining the purposes for which such moneys may be expended; and prescribing the powers and duties of the State Emergency Relief Board and certain State Departments.

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend Section 1, page 1, line 5, by striking out at the beginning of said line the words and figures "forty million five hundred seventy-seven thousand seven hundred eighty-nine dollars ($40,577,789)" and inserting in lieu thereof the words and figures: "ten million dollars ($10,000,000)."

Amend Section 4, page 2, line 21, by striking out after the word "of" the words and figures "one hundred ninety-five thousand dollars ($195,000)" and inserting in lieu thereof the words and figures "Eighteen thousand seven hundred fifty dollars ($18,750)."

Amend bill on page 4, by inserting an entire new Section 6. in line 9, after the word "act" as follows: Section 6 The action of the Governor the Auditor General and State Treasurer in making the sum of three million dollars ($3,000,000) of the appropriation made by section one of this act available for expenditure for unemployment relief by the State Emergency Relief Board prior to the effective date of this act in accordance with Concurrent Resolution Serial Number eighty-seven is hereby ratified confirmed and validated

Amend Section 6, page 4, line 10, by striking out after the word "Section" the figure "6" and inserting in lieu thereof the figure "7".

On the question,

Will the House concur in the amendments made by the Senate?

Mr. EBERHARTER. Mr. Speaker, I move that the House concur in the amendments of the Senate?

Mr. HOOPES. Mr. Speaker. I would like to interrogate the gentleman from Allegheny, Mr. Eberharter.

The SPEAKER. Will the gentleman from Allegheny permit himself to be interrogated?

Mr. EBERHARTER. Mr. Speaker, I will.

Mr. HOOPES. Mr. Speaker, I would like to ask the gentleman from Allegheny why it is necessary to pass two appropriation bills, one, I believe, for ten million dollars, and the other for twenty-two million dollars in House Bill 156, I believe, that is now in the Senate, instead of passing one bill to cover the whole thing.

Mr. EBERHARTER. Mr. Speaker, in answer to the question of the gentleman from Berks, this bill has a ratifying, confirming and validating clause which the other bill does not have.

Mr. HOOPES. Mr. Speaker, I would like to ask the gentleman whether under the circumstances, this bill being passed ahead of the other bill, being approved by the Senate whether it is not in the nature of a further stop-gap legislation?

Mr. EBERHARTER. Mr. Speaker, no it is not.

Mr. HOOPES. Mr. Speaker, I would like to ask the gentleman whether the passage of this bill at this time will make possible the immediate resumption of relief, I understand it having stopped last night?

Mr. EBERHARTER. Mr. Speaker, in answer to the question of the gentleman from Berks, in my opinion this will make money immediately available after the three million dollars which has already been transferred, has been expended.

Mr. HOOPES. Mr. Speaker, I would like to ask the gentleman from Allegheny to elucidate his last answer. I frankly admit I do not understand it.

Mr. EBERHARTER. Mr. Speaker, in answer to the gentleman, I am very sorry that the gentleman cannot understand me. If he wishes, I will endeavor to make it more understandable to him.

Mr. HOOPES. Mr. Speaker, will the passage of this bill without further legislative action make relief immediately available?

Mr. EBERHARTER. Mr. Speaker, I cannot say that it will, as a definite fact, make money immediately available as of to-day, because that rests on the question of whether or not there is any money in the General Fund. If there is any money in the General Fund, it will be immediately expended for relief.

Mr. HOOPES. Mr. Speaker, I would like to ask the gentleman what is the advantage of passing this bill before we have the other main appropriation bill carrying the $22,000,000.

POINT OF ORDER

Mr. TUMELTY. Mr. Speaker, I rise to a point of order.

The SPEAKER. The gentleman will state his point of order.

Mr. TUMELTY. Mr. Speaker, are we going to get through here? There is a lot of monkeying being done by this House.

The Speaker. The Chair is unable to answer the question. Is the gentleman from Berks through with his interrogation?

Mr. HOOPES. Mr. Speaker, the gentleman has not answered the last question.

Mr. EBERHARTER. Mr. Speaker, will the gentleman from Berks kindly repeat his question.

Mr. HOOPES. Mr. Speaker, what is the advantage of passing this $10,000,000 appropriation bill before we receive from the Senate the main appropriation bill for $22,000,000?

Mr. EBERHARTER. Mr. Speaker, I answered that question, I thought, by saying that this bill has in it a clause which validates and ratifies the action previously taken by this House and by the Senate in transferring the funds from the General Fund to the special fund.

QUESTION OF PARLIAMENTARY INQUIRY

Mr. WITKIN. Mr. Speaker, I rise to a question of parliamentary inquiry.

The SPEAKER. The gentleman from Philadelphia will state his question of parliamentary inquiry.

Mr. WITKIN. Mr. Speaker, is the gentleman from Berks, Mr. Hoopes, allowed to ask an unlimited number of questions or can we stop him by moving the previous question?

The SPEAKER. The gentleman has a right to ask as many questions as he desires.

Mr. SCHWAB. Mr. Speaker, I move the previous question.

The SPEAKER. The Chair does not hear the required number of seconds.

The Chair feels if the members would permit the gentleman to answer the questions, we would be able to proceed with the business before the House. The Chair feels that the gentleman is entitled to be heard and asks that he be not interfered with in his interrogation.

Mr. HOOPES. Mr. Speaker and members of the House, I think possibly I can make my position clear by making a brief statement on the bill, as I understand it, and then let the gentleman reply if he sees fit.

I can understand the reason which he has given for passing two separate bills, but it does not seem to me that the answer which he gave answers the question as to why we should consider this bill before the Senate has acted upon the major appropriation bill of $22,000,000.

As I understand it, there was supposed to have been an agreement between the two major parties in this House and in the Senate upon a program, but I hear rumors that that understanding is not entirely clear to both sides and may not be carried out in full. It seems to me that if we pass this $10,000,000 appropriation at this time, we are opening the door for a delay that may keep us around Harrisburg for a couple of weeks to come. I can see no advantage in it because, as I understand it, it will not result in renewing relief immediately until anticipation notes have been sold and certain other steps have been taken to realize funds from tax measures, and those bills as I understand, have been held up in conference, and despite the agreement have not yet been reported back to us. What is the advantage of considering this bill at this time? Why not lay it upon the table until we get the main appropriation bill and put them both through at the same time so that we will know where we are?

Mr. COHEN. Mr. Speaker, and members of the House, I did not hear the remarks of the gentleman from Berks in their entirety, but I gathered from what I did hear that he objects to the passage of this bill prior to the passage of the major appropriation bill.

This bill for the appropriation of $10,000,000 is part of the $45,000,000 program, and with the passage of this

$10,000,000 bill there will still remain some $22,000,000 to be passed. I certainly do not know why the Senate has chopped up the various appropriation bills into this particular form, one for $10,000,000 and the other for $22,000,000. Nevertheless, those are the bills that we have before us upon which we can act. This bill, however, contains a validating clause, which validates the action of the fiscal officers of the Commonwealth in having appropriated $3,000,000 for unemployment relief under the resolution that we passed this last Thursday. This amendment will not appear in the $22,000,000, so that if we are going to validate the action upon the part of the fiscal officers, it must be done by this particular bill because that clause will not be in the other bill.

I agree with the gentleman from Berks that it is not necessary to pass so many appropriation bills to accomplish the same purpose, but I would also say to the gentleman from Berks and to the membership of this House that the obnoxious feature that has been contained in the $22,000,000 bill, namely the return of the administration of relief to the various local communities has been removed, and the bill has come from the Senate, in the sum of $22,000,000, without that particular amendment. So in concurring in this appropriation for $10,000,000, we are in reality concurring in an appropriation, and at the same time validating the acts of the fiscal officers in transferring the $3,000,000 pursuant to that resolution.

Mr. HOOPES. Mr. Speaker and members of the House, the gentleman from York stated that he did not hear my remarks in their entirety. I agree with him that he could not have, because he missed entirely the point I tried to make, but I would like to ask the leave of the House to state it briefly. I did not raise that question in the first place, but the gentleman from Allegheny did so and I considered that satisfactory. The question I am raising now is what is the advantage to this House in passing this $10,000,000 appropriation before receiving from the Senate the $22,000,000 appropriation. I understand there is some doubt about whether there is complete agreement between the leaders of the two major parties upon all of the details of this legislation and there may be some hitch. I can see no advantage in putting ourselves in the bag by passing this bill at this time. It will not restore relief immediately for the reason there is no money in the General Fund and we have not yet sold tax anticipation notes in order to raise the money. It seems to me that the logical thing to do with this bill would be to hold it until we receive the $22,000,000 bill and have an agreement on it, and we will then vote on them both at the same time and we will know where we are. This way we don't know where we are. We have been fooled often enough.

Mr. EBERHARTER. Mr. Speaker and members of the House, insofar as the $22,000,000 bill is concerned, there are some details upon which the House and the Senate are not in complete agreement. However, as far as the amount is concerned, they are in complete agreement.

There is one advantage I can see in passing this bill now before the House immediately, and that is this: immediately upon the passage of this bill the fiscal officers can get some money in the interim. There is also, I understand, a small amount of money in the Treasury. It may take a couple of days for this appropriation bill of $22,000,000 to be passed. By passing this bill immediately there will be this money available perhaps one or two days sooner for unemployment relief expenditure.

MOTION TO LAY BILL ON THE TABLE

Mr. HOOPES. Mr. Speaker, I move that the bill with the amendments be laid upon the table.

On the question,

Will the House agree to the motion?

POINT OF ORDER

Mr. WITKIN. Mr. Speaker, I rise to a point of order.

The SPEAKER. The gentleman from Philadelphia will state his point of order.

Mr. WITKIN. Mr. Speaker, the motion is out of order. The motion to table the bill, together with the amendments is improper because there is already a motion before the House to concur in the amendments made by the Senate.

The SPEAKER. The point of order of the gentleman from Philadelphia is not well taken. The motion to lay on the table is a privileged motion.

Mr. WITKIN. Mr. Speaker, as I understand it, the motion to lay on the table is not to lay the motion of the gentleman from Allegheny, Mr. Eberharter, on the table, but to lay the bill, together with the amendments, on the table. I, therefore, take it that a motion would have to be made by the gentleman from Berks, Mr. Hoopes, to lay the motion to concur on the table, in order to be in order. The motion before the House is a motion to concur. If the gentleman from Berks, Mr. Hoopes, wants to lay that motion upon the table, he can so move, but I take it, he cannot move to lay the bill, together with the amendments, on the table when there is already a motion for concurrence. Furthermore, I call the Speaker's attenion to the fact that the motion to lay on the table has not been seconded.

The SPEAKER. A motion to lay on the table does not require a second. The motion is a privileged motion and therefore is in order.

On the question recurring,

Will the House agree to the motion?

It was not agreed to.

On the question recurring,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—198

Achterman,	Eberharter,	McCreary,	Shepard,
Alexander,	Eroe,	McDermott,	Shortz,
Allen,	Falkenstein,	McDevitt,	Shreiner,
Altenburg,	Ferko,	McElroy,	Shugarts,
Andrews,	Finnerty,	McHenry,	Siegel,
Anthony,	Fitch,	McKinney,	Simon,
Arnold,	Flanagan,	Melchiorre,	Simpson,
Atkins,	Flinchbaugh,	Mentzer,	Sinwell,
Aukerman,	Flynn,	Merrell,	Smith, J. A.,
Baine,	Forrest,	Moomaw,	Smith, W. G.,
Baker, F. T.,	Gates,	Moore,	Snyder, F. E.,
Baker, J. J.,	Gerard,	Moran,	Snyder, J. L.,
Baldi,	Gillette,	Moul,	Sowers,
Barber,	Habbyshaw,	Muir,	Sproul,
Barnhardt,	Haberlen,	Munley,	Stank,
Beadman,	Hagerty,	Murrin,	Stevens,
Bernhard,	Haluska,	Nagel,	Stewart,
Blumberg,	Hamilton, F. P.,	Nothnagle,	Stockham,
Boose,	Hamilton, R. S.,	O'Keefe,	Stone,
Boyer,	Harkins,	Ominsky,	Stott,

Bradley,	Harmuth,	O'Neill,	Sumney,
Brancato,	Hartman,	Panton,	Surface,
Brennan,	Hermansen,	Patterson, C.,	Sweeney,
Brown, H. S.,	Hetrick,	Patterson, J. W.,	Tahl,
Brown, J. E.,	Hindman,	Pearson,	Terry,
Brownfield,	Hirsch,	Perry,	Tronzo,
Brumbaugh,	Hoffner,	Peters,	Trout,
Burke,	Holland,	Pfaff,	Turner,
Cannon,	Holstrom,	Phillips,	Tumelty,
Caputo,	Hoopes,	Piole,	VanAllsburg,
Carr,	Horst,	Powers,	VanSickle,
Carson,	Jackson,	Reising,	Wall,
Castor,	Jones,	Reynolds,	Wasserman,
Chervenak,	Kane,	Rhys,	Weidemann,
Coakley,	Kelder,	Rinn,	Weiss,
Cochran,	Kelso,	Roan,	Welliver,
Cohen,	Kenney,	Robinson,	Welsh,
Coleman,	Kilroy,	Rooney,	Westrick,
Condon,	Kinney,	Root,	White,
Coolahan,	Klinger,	Royer,	Wickersham,
Cooper,	Kobelak,	Ruffennach,	Winner,
Cordier,	LaRue,	Sarraf,	Witkin,
Davies,	Linderman,	Scanlon,	Wood,
Decker,	Long,	Schaeffer,	Woodside,
Dent,	Longaker,	Schrock,	Yeakel,
Diehl,	Lovett,	Schrope,	Yourishin,
Dilley,	Lynch,	Schwab,	Zappala,
Downey, G. E.,	Male,	Serrill,	Zimmerman,
Downey, J. J.,	Mallen,	Shaw,	Furman,
Duffort,	Mason,		

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative, and the amendments were concurred in.

Ordered, that the Clerk inform the Senate accordingly.

SENATE MESSAGE

APPOINTMENT OF CONFERENCE COMMITTEE ON HOUSE BILL No. 19

The Clerk of the Senate being introduced, informed that the Senate has insisted upon its amendments, nonconcurred in by the House of Representatives, to House Bill No. 19, entitled:

An Act to amend sections two and three of the act, approved the sixteenth day of May one thousand nine hundred thirty-five (Pamphlet Laws two hundred eight) entitled "An act to provide revenue for State purposes by imposing an excise tax for a limited period of time on the net incomes of certain corporations joint-stock associations and limited partnerships providing for the assessment and collection of the tax and appeals to courts conferring powers and imposing duties on certain persons corporations joint-stock associations limited partnershps State and county officers boards and departments making an appropriation and providing penaltes" by further defining net income and increasing the rate of tax for a limited period of time

And has appointed Messrs. McClure, Owlett and Frey a committee of conference to confer with a similar committee of the House of Representatives (already appointed) on the subject of the differences existing between the two Houses in relation to said bill.

ANNOUNCEMENTS

There will be a meeting of the Rules Committee tomorrow afternoon at 4:00 o'clock.

There will be a meeting of the Judiciary General Committee tomorrow afternoon at 4:00 o'clock in Room 325.

BILL SIGNED BY THE SPEAKER

Bill numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the title was publicly read as follows:

HOUSE BILL No. 18.

An Act making an appropriation to the State Emergency Relief Board for direct relief, work relief, and expenses; defining the purposes for which such moneys may be expended; and prescribing the powers and duties of the State Emergency Relief Board and certain State Departments and ratifying confirming and validating the action of the Governor and the fiscal officers in making moneys available for unemployment relief prior to the adoption of this act

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

REPORTS FROM COMMITTEES

Mr. SWEENEY, from the Committee on Constitutional Amendments, reported as committed, House Bill No. 163, (Senate Bill No. 60), entitled:

A Joint Resolution proposing an amendment to section one article nine of the Constitution of the Commonwealth of Pennsylvania.

Mr. ARNOLD, from the Committee on Constitutional Amendments, re-reported as amended, House Bill No. 164, (Senate Bill No. 75), entitled:

A Joint Resolution proposing an amendment to article nine of the Constitution of the Commonwealth of Pennsylvania by adding thereto section one C.

BILL ON FIRST READING

Mr. SWEENEY asked and obtained unanimous consent to have the following bill read for the first time.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 163 (Senate Bill No. 60), entitled:

A Joint Resolution proposing an amendment to section one article nine of the Constitution of the Commonwealth of Pennsylvania.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

INTERROGATION

Mr. SPROUL asked and obtained unanimous consent to interrogate the gentleman from York, Mr. Cohen.

The SPEAKER. Will the gentleman from York, Mr. Cohen, permit himself to be interrogated.

Mr. COHEN. Mr. Speaker, I will.

Mr. SPROUL. Mr. Speaker, may I ask the gentleman from York, Mr. Cohen, if he can now give me the information I asked from him formerly on Resolution No. 16, Serial No. 20, regarding the expenditure in pumping out flooded mines?

Mr. COHEN. Mr. Speaker and members of the House, sometime ago the gentleman from Delaware introduced a resolution requesting certain information, and at that time I informed the gentleman from Delaware that I would be glad to secure for him that information without the necessity of presenting the resolution for adoption by the House. I have done so and the gentleman from Delaware has thanked me profusely for so doing.

Recently the gentleman from Delaware again made a request that I should give him the amount of those expenditures about which he is concerned, up to date.

That request, if I am not mistaken, was made in the course of the past few weeks. The membership of this House can very well realize the burdens that have been placed upon my time with the result that I have not had an opportunity to consult with the Department of Health and to get those figures for the gentleman from Delaware, but, I assure him, I will be only too glad tomorrow to make overtures to the Department of Health in order to obtain the figures for him.

CONFERENCE REPORT ON HOUSE BILL No. 159

Mr. ANDREWS. Mr. Speaker, I desire to file the report of the Committee of Conference on House Bill No. 159.

The SPEAKER. The report will lie over for printing under the rules.

ADJOURNMENT

Mr. BLUMBERG. Mr. Speaker, I move that this House do now adjourn until tomorrow at 5:00 P. M.

The motion was agreed to, and (at 6:55 P. M.) the House adjourned until Wednesday, August 5, 1936, at 5:00 P. M.

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Legislative Journal.

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SENATE

WEDNESDAY, AUGUST 5, 1936

The Senate met at 1 o'clock P. M.

The PRESIDENT PRO TEMPORE (Mr. John G. Homsher) in the Chair.

PRAYER

The Chaplain, Rev. William E. Howard, D. D., offered the following prayer:

Our Father and our God, the Senate of Pennsylvania stands upon the threshold of a new legislative day. Before entering upon its duties we pause to bow our heads before Thee and open our hearts unto Thee. May our short devotional period be more than a mere gesture. During this quiet moment speak unto us, O God, and help us to speak unto Thee in blessed reality. May we receive the inspiration which must have touched the soul of him who wrote:

"So here hath been dawning another new day;
Soul, wilt Thou let it slip useless away?
Out of eternity this new day was born,
Into eternity at night will return."

A new day means new opportunity and new hope. It means another step toward life's ultimate goal. It is a small section of eternity wrapped up into twenty-four hours for our help and convenience. May this day be utilized to serve Thee and our fellowmen to the glory of Thy great name. Amen.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. ARON, the further reading was dispensed with, and the Journal was approved.

LEAVES OF ABSENCE

Mr. GRAFF asked and obtained leave of absence for the Senator from Beaver, Mr. Batchelor.

Mr. GELDER asked and obtained leave of absence for the Senator from Lackawanna, Mr. Howell.

HOUSE MESSAGE

HOUSE CONCURS IN AMENDMENTS MADE BY THE SENATE TO HOUSE BILL No. 18

The Clerk of the House of Representatives being introduced presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 18, entitled:

An Act making an appropriation to the State Emergency Relief Board for direct relief work relief and expenses defining the purposes for which such moneys may be expended and prescribing the powers and duties of the State Emergency Relief Board and certain State Departments.

BILLS SIGNED

The PRESIDENT PRO TEMPORE (Mr. John G. Homsher) announced that the Chief Clerk having reported that the following bills had passed both Houses of the General Assembly and the same being correct, the titles were publicly read as follows:

House Bill No. 18, entitled:

An Act making an appropriation to the State Emergency Relief Board for direct relief, work relief, and expenses; defining the purposes for which such moneys may be expended; and prescribing the powers and duties of the State Emergency Relief Board and certain State Departments.

House Bill No. 75, entitled:

A Supplement to Act No. 56-A, approved the nineteenth day of July; one thousand nine hundred thirty-five (Appropriation Acts of 1935, Page 41), entitled "An act making an appropriation to the Department of Welfare for Pensions for the Blind," increasing the current appropriation for blind pension in order to enable the Commonwealth to match sufficient funds from the Federal Government to provide pensions for all blind persons eligible to receive the same.

Whereupon,

The PRESIDENT PRO TEMPORE (Mr. John G. Homsher) in the presence of the Senate signed the same.

REPORT FROM COMMITTEE

Mr. THOMPSON (Westmoreland), from the Committee on Judiciary General, re-reported as amended, Senate Bill No. 68 (House Bill No. 70), entitled:

An Act relating to flood control; prescribing the powers and duties of the Water and Power Resources Board of the Department of Forests and Waters in relation to the creation of flood control districts, adoption of plans for flood control works and improvements, carrying into effect of such plans, assistance, aid and cooperation with public and private agencies and the Federal Government in Federal flood control works and improvements, and entering into compacts and agreements with other states for flood control works and improvements; conferring the power of eminent domain imposing certain charges upon the Commonwealth providing for appeals and conferring certain powers on municipalities counties and townships the Department of Highways and the Department of Property and Supplies.

RESOLUTION EXTENDING CONGRATULATIONS OF THE SENATE TO JOHN WOODRUFF, WINNER OF THE 800 METRE RUN AT THE OLYMPIC GAMES IN BERLIN

Mr. COYNE, offered the following resolution which was twice read considered and agreed to:

In the Senate, August 5, 1936.

Whereas, Yesterday, August 4, 1936, John Woodruff, native of Pennsylvania and a student at the University of Pittsburgh won the 800 metre run at the Olympic Games in Berlin, a victory considered emblematic of world championship, and

Whereas, This brilliant young athlete is the first Pennsylvanian to win a track and field championship at the current Olympic Games, and, in winning this title, has returned to America a championship which has been held by other Nations for the past twenty-four years.

Therefore, Be it resolved, That the Senate of Pennsylvania extend its congratulations to John Woodruff, and that a copy of this Resolution be forwarded to him upon his return from Europe.

CONSIDERATION OF THE CALENDAR

Mr. HUFFMAN. Mr. President, I move that we proceed to the consideration of the Calendar, and that we start with Senate Bill No. 107 (House Bill No. 156), on third reading. on page 2 of the Calendar.

Mr. GELDER. Mr. President, I second the motion.

The motion was agreed to.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 107 (House Bill No. 156), as follows:

An Act making an appropriation to the State Emergency Relief Board for direct relief work relief and expenses defining the purposes for which such moneys may be expended prescribing the powers and duties of the State Emergency Relief Board and certain State departments prohibiting political activity by employes of the State Emergency Relief Board and prescribing penalties

Whereas it is the intent of the General Assembly to appropriate the total sum of forty-five million dollars ($45,000,000) for unemployment relief for the period ending January thirty-first one thousand nine hundred and thirty-seve and

Whereas by Act Number nine approved June twenty-fourth one thousand nine hundred and thirty-six the sum of seven million seven hundred sixteen thousand two hundred eleven dollars ($7,716,211) was appropriated to the State Emergency Relief Board for unemployment relief and by Act Number nineteen approved July fourteenth one thousand nine hundred and thirty-six the further sum of five million dollars ($5,000,000) was appropriated and by House Bill Number eighteen passed by the Senate and awaiting concurrence in the House the further sum of ten million dollars ($10,000,000) is to be appropriated for said purposes therefore

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of twenty-two million two hundred eighty-three thousand seven hundred eighty-nine dollars ($22,283,789) is hereby specifiaclly appropriated from the General Fund to the State Emergency Relief Board to provide direct relief work relief and for administrative expenses as hereinafter provided during the period ending January thirty-first one thousand nine hundred and thirty-seven but the moneys hereby appropriated may be used for the payment of bills contracted by or with the authority of the State Emergency Relief Board for direct relief work relief or administrative expenses contracted prior to the effective date of this act Provided That not more than eight per centum of the amount hereby appropriated shall be used for administration expenses of the State Emergency Relief Board.

Section 2 The State Emergency Relief Board shall make allocations from time to time out of the moneys appropriated to it among the several counties of this Commonwealth for work relief and direct relief on the basis of need and payments shall be made under such system of requisitioning and accounting as the Governor Auditor General and State Treasurer shall determine

Section 3 The money so allocated to a county over and above the sum set aside by the State Emergency Relief Board for work relief shall be available for expenditure in that county for direct relief for the unemployed who are without means of support through such agencies as shall be designated by the State Emergency Relief Board and under such rules and regulations as the board shall adopt

Section 4 Out of the appropriation made by this act the State Emergency Relief Board shall from time to time allocate to the State Veterans' Commission an aggregate of one hundred seventy-six thousand two hundred and fifty dollars ($176,250) for the payment of traveling expenses and for other authorized disbursements of the State Veterans' Commission and to furnish funds to provide the necessities of life for and to assist otherwise such Pennsylvania veterans of any war or the widows and infant children or dependents of such veterans as are sick disabled or indigent and who are without means

Section 5 The State Emergency Relief Board may from time to time expend or authorize the expenditure of such sums as may be necessary out of the appropriation made by this act not exceeding the limitation hereinbefore prescribed for the payment of salaries wages or other compensation of the director and other employes or assistants for the payment of postage traveling expenses mileage charges to the Department of Property and Supplies for the use of automobiles telephone rentals telephone toll charges telegrams expenses of operating and maintaining automobiles and other motor equipment newspaper advertising and notices freight express cartage for the purchase of automobiles furniture furnishings and equipment for the purchase of supplies printing binding patent indices for the payment of premiums on surety bonds for such officers and employes as may be required by statute or otherwise to furnish them for the faithful performance of their official duties or to account for funds in their possession for the payment of a premium or premiums on a policy or policies of liability insurance covering all motor vehicles owned and operated by the board which policy or policies shall protect both the Commonwealth and State officers or employes operating such motor vehicles against claims for damages for injury to person or property for the payment of a premium or premiums on a policy or policies of insurance insuring the Commonwealth against workmen's compensation liability to employes for injuries and to dependents of deceased employes of the board for payment to the State Work Relief Compensation Fund of such moneys as may be necessary under the provisions of the act approved the third day of June one thousand nine hundred thirty-three (Pamphlet Laws one thousand five hundred fifteen) for the payment of rents for such buildings offices rooms storage space and lands as may be required for the accommodation or performance of the work of the board and for such other uses as the State Emergency Relief Board may in its discretion deem necessary to carry out the purposes for which the appropriation is made under this act

Section 6 No investigator clerk or other employe of the State Emergency Relief Board shall be a member of or delegate or alternate delegate to any political convention nor be present at any such convention nor serve as a member of or attend meetings of any committee of any political party or take any active part in political management or in political campaigns or use his position to influence political movements or influence the political action of any other person nor in any way or manner interfere with the conduct of any election or the prepara-

tion therefor at the polling place or with the election officers while the vote is being counted or the vote or ballot box is being returned save only for the purpose of marking and depositing his ballot nor be within fifty feet of any polling place during voting hours and the counting of the ballots except for the purpose of residence or travel Any person who shall violate any of the foregoing provisions shall be guilty of a misdemeanor and shall upon conviction thereof be punished by a fine not exceeding five hundred dollars ($500) and forfeit his position

Section 7 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—45

Aron,	Huffman,	Rankin,	Shapiro,
Baumer,	Kahle,	Reed,	Sones,
Bean,	Lanius,	(Dauphin)	Staudenmeier,
Buckman,	Law,	Reed,	Thompson,
Cavalcante,	Mallery,	(Washington)	(Centre)
Chapman,	McClure,	Rice,	Thompson,
Coyne,	McCreesh,	Roberts,	(Westmoreland)
Ealy,	McGinnis,	Rodgers,	Trainer,
Frey,	Miller,	Rupp,	Woodward,
Gelder,	Owlett,	Ruth,	Ziesenheim,
Graff,	Pierson,	Salus,	Homsher,
Harris,	Prince,	Scott,	Pres. Pro. Tem.
Harvey,	Pytko,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

BILL OVER IN ORDER

Mr. GELDER. Mr. President, I ask unanimous consent that Senate Bill No. 114 (House Bill No. 161) on third reading, entitled:

An Act making an appropriation to the Water and Power Resources Board for payment into the Flood Control Fund for flood control purposes

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 122 (House Bill No. 168), entitled:

An Act transferring money from the State Insurance Fund to the General Fund and requiring the Department of Property and Supplies to liquidate the investments in such Fund in order to provide money for such transfer.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—45

Aron,	Huffman,	Rankin,	Shapiro,
Baumer,	Kahle,	Reed,	Sones,
Bean,	Lanius,	(Dauphin)	Staudenmeier,
Buckman,	Law,	Reed,	Thompson,
Cavalcante,	Mallery,	(Washington)	(Centre)
Chapman,	McClure,	Rice,	Thompson,
Coyne,	McCreesh,	Roberts,	(Westmoreland)
Ealy,	McGinnis,	Rodgers,	Trainer,
Frey,	Miller,	Rupp,	Woodward,
Gelder,	Owlett,	Ruth,	Ziesenheim,
Graff,	Pierson,	Salus,	Homsher,
Harris,	Prince,	Scott,	Pres. Pro. Tem.
Harvey,	Pytko,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 123 (House Bill No. 170), entitled:

An Act transferring money from the State School Fund to the General Fund and requiring the State Council of Education to liquidate such investments in the State School Fund as may be necessary to effectuate such transfer.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—45

Aron,	Huffman,	Rankin,	Shapiro,
Baumer,	Kahle,	Reed,	Sones,
Bean,	Lanius,	(Dauphin)	Staudenmeier,
Buckman,	Law,	Reed,	Thompson,
Cavalcante,	Mallery,	(Washington)	(Centre)
Chapman,	McClure,	Rice,	Thompson,
Coyne,	McCreesh,	Roberts,	(Westmoreland)
Ealy,	McGinnis,	Rodgers,	Trainer,
Frey,	Miller,	Rupp,	Woodward,
Gelder,	Owlett,	Ruth,	Ziesenheim,
Graff,	Pierson,	Salus,	Homsher,
Harris,	Prince,	Scott,	Pres. Pro. Tem.
Harvey	Pytko,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 124 (House Bill No. 171), entitled:

An Act ratifying confirming and validating the transfer of money from the State Stores Fund and the Liquid Fuels Tax Fund to the General Fund and providing for the subsequent return from the General Fund of the transferred money.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—44

Aron,	Kable,	Rankin,	Shapiro,
Baumer,	Lanius,	Reed,	Sones,
Bean,	Law,	(Dauphin)	Staudenmeier,
Buckman,	Mallery,	Reed,	Thompson,
Cavalcante,	McClure,	(Washington)	(Centre)
Coyne,	McCreesh,	Rice,	Thompson,
Ealy,	McGinnis,	Roberts,	(Westmoreland)
Frey,	Miller,	Rodgers,	Trainer,
Gelder,	Owlett,	Rupp,	Woodward,
Graff,	Pierson,	Ruth,	Ziesenheim,
Harris,	Prince,	Salus,	Homsher,
Harvey,	Pytko,	Scott,	Pres. Pro. Tem.
Huffman,			

NAYS—1

Chapman,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 125 (House Bill No. 172), entitled:

An Act authorizing the Commonwealth to negotiate a loan of one million dollars to meet any casual deficiency in revenue during the biennial fiscal period ending the thirty-first day of May one thousand nine hundred thirty-seven in accordance with the provisions of section four of article nine of the Constitution of Pennsylvania defining the powers and duties of the Governor the Auditor General and State Treasurer in relation thereto and providing for the payment of interest on and the repayment of such loan.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—42

Aron,	Kable,	Rankin,	Sones,
Baumer,	Lanius,	Reed,	Staudenmeier,
Bean,	Law,	(Washington)	Thompson,
Cavalcante,	Mallery,	Rice,	(Centre)
Chapman,	McClure,	Roberts,	Thompson,
Coyne,	McGreesh,	Rodgers,	(Westmoreland)
Ealy,	McGinnis,	Rupp,	Trainer,
Frey,	Miller,	Ruth,	Woodward,
Gelder,	Owlett,	Salus,	Ziesenheim,
Graff,	Pierson,	Scott,	Homsher,
Harris,	Prince,	Shapiro,	Pres. Pro. Tem.
Huffman,	Pytko,		

NAYS—3

Buckman,	Harvey,	Reed, (Dauphin)

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

BILL ON FINAL PASSAGE POSTPONED

Mr. BUCKMAN. Mr. President, I move that the Senate do now proceed to the consideration of Senate Bill No. 50, on final passage, postponed, entitled:

An Act to limit the amount of moneys allocated to and expended in counties by the State Emergency Relief Board for the maintenance of unemployable residents to amounts expended by political subdivisions charged by law with the care of the poor for the maintenance of unemployable residents; and requiring such political subdivisions to make certain reports.

Mr. SALUS. Mr. President, I second the motion.

The motion was agreed to.

BILL DROPPED FROM CALENDAR

Mr. BUCKMAN. Mr. President, I move that Senate Bill No. 50, on final passage postponed, be dropped from the Calendar.

Mr. SALUS. Mr. President, I second the motion.

The motion was agreed to.

BILL ON THIRD READING POSTPONED

Mr. BUCKMAN. Mr. President, I move that the Senate do now proceed to the consideration of Senate Bill No. 106, on third reading postponed, entitled:

An Act establishing a system of unemployment compensation to be administered by a newly created independent administrative commission of five members appointed by the Governor, the President Pro Tempore of the Senate, the Speaker of the House of Representatives, the Auditor General, and the State Treasurer; requiring certain employers and employes to contribute to a fund from which such compensation shall be paid; requiring any employer to make certain reports and perform certain other duties; defining the rights of certain unemployed persons to receive compensation; defining the rights, powers and duties of said commission; establishing a civil service system for employes of the commission; transferring the existing system of free public employment offices from the Department of Labor and Industry to said commission; providing for the custody and control of said fund; providing the procedure for the determination and payment of such contributions and compensation; providing for cooperation with the Federal Government and certain of its agencies; and prescribing penalties.

Mr. WOODWARD. Mr. President, I second the motion.

The motion was agreed to.

BILL DROPPED FROM CALENDAR

Mr. BUCKMAN. Mr. President, I move that Senate Bill No. 106, on third reading postponed, be dropped from the calendar.

Mr. ARON. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 126 (House Bill No. 130), entitled:

An Act to further amend the act approved the first day of June one thousand eight hundred eighty-nine (Pamphlet Laws four hundred twenty) entitled "A further supplement to an act entitled 'An act to provide revenue by taxation' approved the seventh day of June Anno Domini one thousand eight hundred and seventy-nine" by increasing for a limited period of time the rate of tax imposed by the act upon the gross receipts of certain companies limited partnerships associations joint-stock associations copartnerships and persons

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—30

Aron,	Law,	Rankin,	Shapiro,
Baumer,	McClure,	Reed,	Sones,
Bean,	McCreesh,	(Washington)	Staudenmeier,
Cavalcante,	McGinnis,	Rice,	Thompson,
Frey,	Miller,	Roberts,	(Centre)
Harris,	Owlett,	Rodgers,	Woodward,
Huffman,	Pierson,	Ruth,	Ziesenheim,
Lanius,	Pytko,	Salus,	Homsher,
			Pres. Pro. Tem.

NAYS—11

Buckman,	Graff,	Reed,	Thompson,
Chapman,	Harvey,	(Dauphin)	(Westmoreland)
Coyne,	Prince,	Rupp,	Trainer,
Gelder,			

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 127 (House Bill No. 169), as follows:

An Act to provide revenue for State purposes by imposing an excise tax for a limited period of time upon the delivery in this Commonwealth to the Pennsylvania Liquor Control Board of distilled rectified and blended spirits providing for the payment and collection of the tax and conferring powers and imposing duties on the Pennsylvania Liquor Control Board

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the following words terms and phrases when used in this act shall have the meanings ascribed to them in this section except in those instances where the context clearly indicates a different meaning

"Association" A partnership limited partnership or any other form of unincorporated enterprise owned by two or more persons

"Board" The Pennsylvania Liquor Control Board

"Corporation" A corporation or joint-stock association organized under the laws of this Commonwealth the United States or any other state territory or foreign country or dependency

"Department" The Department of Revenue of this Commonwealth

"Distilled Spirits" Any alcohol other than denatured alcohol unfit for beverage purposes and any liquid usable for beverage purposes which contains more than twenty-four per cent of alcohol by volume obtained by distillation or any process of evaporation mixed with water and other substances in solution including brandy rum whiskey gin and any other alcoholic beverage obtained as aforesaid by whatever name such beverage may be called

"Person" Every natural person association or corporation

"Rectified or Blended Spirits" Any beverage containing more than twenty-four per cent of alcohol by volume obtained either by rectification redistillation refining or purifying of distilled spirits by any process other than by original and continuous distillation from mash wort or wash through continuous closed vessels and pipes until the manufacture thereof is completed or by mixing distilled spirits or other liquor with any materials or with any other distilled spirits or other liquor thereby producing any spurious imitation blended or compounded alcoholic liquor

The singular shall include the plural and the masculine shall include the feminine and neuter

Section 2 An excise tax is hereby imposed upon the delivery of all distilled rectified and blended spirits to the board for sale in this Commonwealth at the rate of four per cent (4%) upon the purchase price payable therefor by the board as evidenced by invoices therefor rendered to the board by the vendor thereof The tax imposed by this section shall be paid by persons delivering such distilled rectified and blended spirits in this Commonwealth to the board at the time of delivery thereof unless the person liable for the payment of the tax shall agree with the board that said tax shall be deducted by the board from the amount payable on the invoice rendered and paid over as hereinafter provided

Section 3 This tax shall be in addition to all other taxes imposed by the laws of the Commonwealth

Section 4 It shall be the duty of the board to transmit to the department on or before the fifth day of each calendar month a statement of the taxes collected during the preceding calendar month and such other information as may be necessary to effectuate the provisions of this act at which time it shall also be the duty of the board to pay to the State Treasurer through the department the tax imposed upon such liquor by the provisions of this act for said month

Section 5 This act shall become effective the fifteenth day of August one thousand nine hundred thirty-six and shall remain in effect until and including the thirty-first day of May one thousand nine hundred thirty-seven

And said bill having been read at length the third time,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Will the Senate agree to the bill?

Mr. TRAINER. Mr. President, I ask unanimous consent to amend section 1, page 2, lines 20 and 21, by striking out the words "alcohol other than denatured alcohol unfit for beverage purposes and any"; also page 2, line 22, by inserting after the word "purposes" the following: "other than alcohol, denatured alcohol and neutral spirits"

The PRESIDENT. Is there objection?

Mr. SHAPIRO. Mr. President, I object.

The PRESIDENT. The Chair hears objection.

MOTION THAT THE SENATE RESOLVE ITSELF INTO COMMITTEE OF THE WHOLE FOR THE PURPOSE OF SPECIAL AMENDMENT

Mr. TRAINER. Mr. President, I move that the Senate do now resolve itself into Committee of the Whole for the purpose of Special Amendment.

Mr. CHAPMAN. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The PRESIDENT. The Chair desires to announce that a vote to go into Committee of the Whole carries with it the amendment; a vote not to go into Committee of the Whole is a vote not to insert the amendment into the bill.

Mr. HUFFMAN. Mr. President, this bill has received a great deal of attention both in the committee and on the floor; and I trust that at this time the Senate will not consent to any amendment which will injure the integrity of the bill.

Mr. SHAPIRO. Mr. President, I should like to call the attention of the members of the Senate to the fact that if this amendment is adopted it will not only affect the amount of income anticipated and therefore break up the tax program, but will result in including in the bill that which was intended to be excluded, namely, alcohol used for medicinal purposes. It strikes me as an inept thing to do at this time, after the bill has received the consideration of the committee and has been shaped into its present form.

Mr. TRAINER. Mr. President and the Senator from Piladelphia, Mr. Shapiro, the amendment to the bill is intended to protect the manufacturing medicinal drugs and other interest; and as far as the alcohol is concerned it has nothing to do with it, and it would still come under the Liquor Control Board. It is merely to protect the drug, tobacco, and other manufacturers that do not have anything to do with beverage alcohol.

Mr. SHAPIRO. Mr. President, the amendment of the Senator from Philadelphia, Mr. Trainer, leaves the bill so that it now imposes a tax upon any liquid usable—not "used" but "usable"—for beverage purposes which contains more than 24% of alcohol.

The yeas and nays were required by Mr. TRAINER and Mr. ARON, and were as follows, viz:

YEAS—9

Buckman,	Mallery,	Reed,	Trainer,
Chapman,	McClure,	(Dauphin)	Woodward,
Graff	Miller,		

NAYS—36

Aron,	Huffman,	Rankin,	Shapiro,
Baumer,	Kahle,	Reed,	Sones,
Bean,	Lanius,	(Washington)	Staudenmeier,
Cavalcante,	Law,	Rice,	Thompson,
Coyne,	McCreesh,	Roberts,	(Centre)
Ealy,	McGinnis,	Rodgers,	Thompson,
Frey,	Owlett,	Rupp,	(Westmoreland)
Gelder,	Pierson,	Ruth,	Ziesenheim,
Harris	Prince,	Salus,	Homsher,
Harvey,	Pytko,	Scott,	Pres. Pro. Tem.

So the question was determined in the negative.

And said bill having been read the third time, and agreed to,

On the question,

Shall the bill pass finally?

Mr. TRAINER. Mr. President, I want to call the attention of the members of the Senate to the bill to be passed. The first item in it is the time element, and when is it going to run out? The second question is, I just offered an amendment to protect the drug and the tobacco and the various other manufacturing interests that are not interested and cannot afford to pay any four per cent additional tax to the State Board. The amendment that you just voted down puts every drug concern, outside of the State of Pennsylvania, buying alcohol at 26c a gallon less than what a Pennsylvania institution can buy it, and it means that the Pennsylvania drug interests, from the largest to the smallest, cannot begin to compete with any outside-of-the-State-competitor.

To those of you who are candidates for reelection, and are looking to the support of the man on the street, the bill also means the stoppage of the selling over the bar of a 10c whiskey to a poor, hard working man who thinks he needs it after his day's labor; and it is the best method you have made to get support for the third party people against you; when the poor has no opportunity to get what he thinks he is entitled to; and no tap room keeper is going to be able to sell liquor at the price when you are paying an additional four per cent tax on it, plus the present high marked-up price of Liquor Control Board.

It is the old case here, now, of robbing Peter to pay Paul. You are asking $1,400,000 from this bill. The bootleggers worked, in the old days, anywhere from a thousand per cent profit down to nothing. This four per cent raise in the price of whiskey is giving them encouragement to go on. There are just now in the State of Pennsylvania 80 enforcement officers, and are intending to have 125 more; and it is going to encourage bootlegging to the limit again; and when you stop to consider when what is going to be the difference in the cost of keeping of the prisoners in the various jails for this violation, what is sgoing to be the difference n the cost of keeping them and the $1,400,000 which is suppored to be given for the poor man, who will get so little of it it won't be worth talking about.

I would suggest that if you want to hit everybody and anybody, why don't you put a tax on water, so we can all get in? That would be the greatest thing we could do. This tax can be made, and this bill defeated, and it will never be missed because it is going to amount to so little that it is not worth while talking about in the end.

But I just want to conclude, gentleman, and I know, when I am addressing you, gentlemen, that it means the death of the bill. In my six years' experience in the Senate I have never taken the floor—I think this is about the eighth time—to speak about anything on the liquor proposition which has not been licked, and if this is licked it wont be any new dose to me; and, as far as I am politically concerned, I have been knocked down and have been able to get up every time and go back for another fight, and I will be able to come back to this fight again, and it will make no difference to me; and I want to serve notice to my friends on this side—a week ago when they wanted to put 10c a gallon on it, and they asked my vote to pass another bill and said they would take off the tax, that there would be no further tax on liquor, they have broken faith, they haven't kept their word with me; and I do not propose to keep my word

with them. I did not attend the caucuses in the last session, and, in all probability, I have attended my last caucus in the Republican Party.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—36

Aron,	Kahle,	Reed, (Washington)	Sones,
Baumer,	Lanius,	Rice,	Staudenmeier,
Bean,	Law,	Roberts,	Thompson, (Centre)
Cavalcante,	McCreesh,	Rodgers,	Thompson, (Westmoreland)
Coyne,	McGinnis,	Rupp,	Woodward,
Ealy,	Miller,	Ruth,	Ziesenheim,
Frey,	Owlett,	Salus,	Homsher,
Gelder,	Prince,	Scott,	Pres. Pro. Tem.
Harris,	Pytko,	Shapiro,	
Huffman,	Rankin,		

NAYS—9

Buckman,	Harvey,	McClure,	Reed, (Dauphin)
Chapman,	Mallery,	Pierson,	Trainer,
Graff,			

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

REPORT FROM COMMITTEE

Mr. McCLURE. Mr. President, I ask unanimous consent to make a report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. McCLURE, from the Committee on Finance reported as committed, Senate Bill No. 120, entitled:

An Act to further amend section one of the act approved the fifteenth day of July, one thousand eight hundred and ninety-seven (Pamphlet Laws two hundred ninety-two), entitled 'An act to provide revenue by taxation,' by providing that certain corporations shall not be subject to the tax."

RECESS

Mr. BUCKMAN. Mr. President, I move that the Senate do now take a recess until five o'clock.

Mr. HARRIS. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS

The PRESIDENT. The time of recess having elapsed, the Senate will be in order.

NOMINATIONS BY THE GOVERNOR

The Secretary to the Governor being introduced, presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows, and referred to the Committee on Executive Nominations:

NOTARIES PUBLIC

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, August 5, 1936.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

ALLEGHENY COUNTY

Malcolm Hay, Sewickley.
Walter L. Wickard, West Homestead.

BEDFORD COUNTY

Richard C. Snyder, Everett.

CAMBRIA COUNTY

Herman J. Werfel, Summerhill.

CRAWFORD COUNTY

Mrs. Anna T. Henretta, Meadville.

ERIE COUNTY

Wade Ticknor, Albion.

LANCASTER COUNTY

Miss Irene M. Hoover, Ephrata.

DAUPHIN COUNTY

Mrs. Josephine Hambright, Middletown.

GEORGE H. EARLE.

JUSTICE OF THE PEACE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, August 5, 1936.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate: Mrs. Gladys Fasenmyer, of Fryburg, Clarion County, for appointment as Justice of the Peace in the Township of Washington, Clarion County (to fill a vacancy), until the first Monday in January, 1938.

GEORGE H. EARLE.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 119, as follows:

An Act relieving real and personal property of recipients of mothers' and old age assistance from liability for assistance received

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the real and personal property of any person entitled to mothers' assistance or old age assistance shall after the effective date of this act be no longer liable for the repayment of assistance received whether such property was owned at the time assistance was granted or acquired thereafter No member or employe of any board of trustees engaged in the administration of the laws of this Commonwealth providing for assistance to mothers and the aged shall hereafter require any recipient of assistance as a condition precedent to the granting of assistance or after the same shall have been granted to convey assign pledge or give a lien against any real or personal property for the payment of any assistance received under the laws of this Commonwealth

Section 2 All acts and parts of acts inconsistent with the provisions of this act are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

RECESS

Mr. GELDER. Mr. President, I move that the Senate do now take a recess for fifteen minutes.

Mr. CHAPMAN. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS

The PRESIDENT. The time of recess having elapsed, the Senate will be in order.

HOUSE MESSAGES

RESOLUTION RECALLING FROM THE GOVERNOR HOUSE BILL NO. 15

The Clerk of the House of Representatives being introduced presented extract from the Journal of the House of Representatives, which was twice read as follows, considered and agreed to:

In the House of Representatives, August 5, 1936.

Resolved (if the Senate concur), That House Bill No. 15 Printer's No. 209, entitled:

An Act transferring money from the Liquid Fuels Tax Fund to the General Fund; and providing for the subsequent return from the General Fund of the transferred money

be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk inform the House of Representative accordingly.

RESOLUTION RETURNING TO THE GOVERNOR HOUSE BILL NO. 91

He also presented extract from the Journal of the House of Representatives, which was twice read as follows, considered and agreed to:

In the House of Representatives, August 5, 1936.

Resolved (if the Senate concur), That House Bill No. 91, Printer's No. 194, entitled:

An Act making an appropriation to the Department of Forests and Waters for the purpose of building and constructing new dikes, levees and river bank protections along the Delaware River at Morrisville Borough, Bucks County

which was recalled from the Governor on July 15, for further consideration, be returned to the Governor without amendment.

Ordered, That the Clerk inform the House of Representatives accordingly.

HOUSE CONCURS IN AMENDMENTS MADE BY THE SENATE TO HOUSE BILL NO. 168

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 168, entitled:

An Act transferring money from the State Insurance Fund to the General Fund; and requiring the Department of Property and Supplies to liquidate the investments in such Fund, in order to provide money for such transfer.

HOUSE CONCURS IN AMENDMENTS MADE BY THE SENATE TO HOUSE BILL NO. 169

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 169, entitled:

An Act to provide revenue for State purposes by imposing an excise tax, for a limited period of time, upon the privilege of distilling, blending, rectifying, and manufacturing alcohol and spirituous liquors; providing for the collection of the tax and the manner of making payment thereof; conferring powers and imposing duties on certain State officers and departments; and providing penalties.

HOUSE CONCURS IN AMENDMENTS MADE BY THE SENATE TO HOUSE BILL NO. 171

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 171, entitled:

An Act ratifying, confirming and validating the transfer of money from the State Stores Fund and the Liquid Fuels Tax Fund to the General Fund.

HOUSE NON-CONCURS IN AMENDMENTS MADE BY THE SENATE TO HOUSE BILL NO. 156

He also presented communication from the House of Representatives informing the Senate that the House has non-concurred in amendments made by the Senate to House Bill No. 156, entitled:

An Act making an appropriation to the State Emergency Relief Board for direct relief, work relief, and expenses; defining the purposes for which such moneys may be expended; and prescribing the powers and duties of the State Emergency Relief Board and certain State departments.

MOTION TO RECEDE FROM AMENDMENTS MADE BY THE SENATE TO HOUSE BILL NO. 156

Mr. CAVALCANTE. Mr. President, I move that the Senate recede from the amendments to House Bill No. 156.

Mr. THOMPSON (Centre). Mr. President, I second the motion.

On the question

Will the Senate agree to the motion?

HOUSE MESSAGE LAID ON THE TABLE

Mr. BUCKMAN. Mr. President, I move that the communication be laid on the table for the present.

Mr. GELDER. Mr. President, I second the motion.

The motion was agreed to.

RULE 21 SUSPENDED FOR BALANCE OF SESSION

Mr. BUCKMAN. Mr. President, I ask unanimous consent that the part of Rule 21 which requires bills and reports of Committees of Conference to be noted on the Calendar be suspended for the balance of the session.

The PRESIDENT. Is there objection? The Chair hears none.

ADOPTION OF REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL NO. 159

The Clerk of the House of Representatives being intro-

duced informed the Senate that the House has adopted the report of the Committee of Conference on House Bill No. 159, entitled:

An Act authorizing the Commonwealth to negotiate temporary emergency loans to defray the current and/or other expenses of the State government during the fiscal year ending the thirty-first day of May one thousand nine hundred thirty-seven evidenced by tax anticipation notes secured by and payable from current revenues levied assessed collectible and/or accruing during such fiscal year defining the powers and duties of the Governor the Auditor General and the State Treasurer in relation thereto providing for the payment of interest on and the repayment of such loans and making an appropriation.

The report was read as follows:

REPORT OF THE COMMITTEE OF CONFERENCE ON HOUSE BILL No. 159

To the Members of the Senate and House of Representatives:

We, the undersigned, Committee of Conference on the part of the Senate and House of of Representatives for the purpose of considering House Bill Number one hundred fifty-nine, entitled: "An act authorizing the Commonwealth to negotiate temporary emergency loans to defray the current and/or other expenses of the State government during the fiscal year ending the thirty-first day of May, one thousand nine hundred thirty-seven, evidenced by tax anticipation notes in two series secured by and payable from current revenues levied, assessed, collectible and/or accruing during such fiscal year, defining the powers and duties of the Governor, the Auditor General and the State Treasurer in relation thereto, providing for the payment of interest on, and the repayment of, such loans; providing for payments into the sinking fund, and making an appropriation," respectfully submit the following bill as our report:

JOHN J. McCLURE
G. MASON OWLETT
HARVEY HUFFMAN
Committee on the part of the Senate

H. G. ANDREWS
JOSEPH DAVID BURKE
ELLWOOD J. TURNER
Committee on the part of the House of Representatives.

An Act authorizing the Commonwealth to negotiate temporary emergency loans to defray the current and other expenses of the State government during the fiscal year ending the thirty-first day of May one thousand nine hundred thirty-seven evidenced by tax anticipation notes secured by and payable from current revenues levied assessed collectible and accruing during such fiscal year defining the powers and duties of the Governor the Auditor General and the State Treasurer in relation thereto providing for the payment of interest on and the repayment of such loans and making an appropriation

Whereas, The present Special Session of the General Assembly has provided certain new revenues of the Commonwealth

Whereas, Such revenues in the amount of forty-five million dollars ($45,000,000) are specifically appropriated and set aside during the fiscal year ending the thirty-first day of May one thousand nine hundred thirty-seven for unemployment relief

Whereas, The revenues though levied and assessed will not be presently available for the current and other expenses of the State government but such revenues which will be available for expenditures of the State Government and will accrue and will be paid into the General Fund of the State Treasury before the end of the fiscal year ending the thirty-first day of May one thousand nine hundred thirty-seven will be sufficient to meet such expenditures during such year and

Whereas, In order that the obligations of the Commonwealth may be met promptly and in order that the State government might not fail through lack of funds it is necessary temporarily to obtain funds to defray the expenditures of the State government during the fiscal year aforesaid until the revenues that will subsequently accrue to the State Treasury during the aforesaid fiscal year are available for this purpose.

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the Governor the Auditor General and the State Treasurer on behalf of the Commonwealth of Pennsylvania are hereby authorized and directed during the fiscal year ending the thirty-first day of May one thousand nine hundred thirty-seven from time to time to borrow on the credit of the current revenues of the Commonwealth of Pennsylvania such sum or sums of money not exceeding in the aggregate the sum of forty-five million ($45,000,000) dollars as may be necessary to defray the current and other expenses of the State government during such fiscal year

Section 2 (a) Such loans shall be evidenced by notes of the Commonwealth of Pennsylvania All of said notes shall mature not later than the thirty-first day of May one thousand nine hundred thirty-seven Such notes are hereby declared to be tax anticipation notes Such notes or renewals thereof shall be issued from time to time for such total amounts in such sums subject to the total amount in such terms and conditions rates of interest not in excess of four and one-half per centum (4½%) per annum and time of payment of interest as the Governor Auditor General and State Treasurer shall determine and direct

(b) All notes issued under the authority of this act shall bear the signatures of the Governor the Auditor General and the State Treasurer and a facsimile of the great seal of the Commonwealth

(c) The current revenues of the biennial fiscal period ending the thirty-first day of May one thousand nine hundred thirty-seven are pledged for the payment of principal and interest of such notes which shall be payable in lawful money of the United States All notes issued under the provisions of this act shall be exempt from taxation for State and local purposes

Section 3 The proceeds derived from the negotiation of loans under the provisions of this act shall be paid into the General Fund of the State Treasury and shall be used for the payment of appropriations made from such fund to defray the current and other expenses of the State government for the year ending May thirty-first one thousand nine hundred thirty-seven

Section 4 Any loans negotiated under the provisions of this act shall be secured by the current revenues levied and assessed for revenue purposes of every kind or character accruing to the General Fund of the State Treasury during the two fiscal years beginning June first one thousand nine hundred thirty-five except such part of said revenues as may be required to pay tax anticipation notes series AT issued under the authority of the act approved the twenty-second day of June one thousand nine hundred thirty-five (Pamphlet Laws four hundred forty-four) for the payment of which certain revenues have heretofore been pledged Such loans shall first be paid out of new revenue raised by laws enacted at this Special Session of the Legislature In case insufficient moneys are derived from such new revenues then and in that event the additional amount needed for such purpose over and above the amount of the new revenues shall be paid out of other current revenues accruing during the fiscal biennium not required for the payment of the notes issued as series AT All such revenues as may be necessary for the payment of the principal and interest of such loans are hereby specifically appropriated The Department of Revenue shall allocate such revenues to said payments The sum of twenty thousand dollars ($20,000) or so much thereof as may be necessary is hereby specifically appropriated for the purpose of providing tax anticipation notes and incidental expenses in connection with the issuing of the same

Section 5 The provisions of this act are severable and if any of its provisions are held unconstitutional the decision so holding shall not be construed to impair any

other provision of this act It is hereby declared as the legislative intent that this act would have been adopted had such unconstitutional provision not been included therein

Section 6 This act shall become effective immediately upon its final enactment.

On the question,

Will the Senate agree to the report?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—36

Aron,	Harris,	Reed,	Shapiro,
Bean,	Huffman,	(Dauphin)	Sones,
Buckman,	Law,	Reed,	Staudenmeier,
Cavalcante,	Mallery,	(Washington)	Thompson,
Chapman,	McClure,	Roberts,	(Centre)
Coyne,	McGinnis,	Rodgers,	Thompson,
Ealy,	Miller,	Rupp,	(Westmoreland)
Frey,	Owlett,	Ruth,	Trainer,
Gelder,	Pytko,	Salus,	Woodward.
Graff,	Rankin,	Scott,	Homsher,
			Pres. Pro. Tem.

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk notify the House of Representatives accordingly.

REPORTS FROM COMMITTEES

Mr. RODGERS. Mr. President, I ask unanimous consent to make a report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. RODGERS, from the Committee on Appropriations, re-reported as committed, Senate Bill No. 94 (House Bill No. 135), entitled:

An Act appropriating to the State Emergency Relief Board for unemployment relief all restitutions and overpayments collected by or for said board.

Mr. SHAPIRO. Mr. President, I ask unanimous consent to make a report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. SHAPIRO, from the Committee on Appropriations, reported as amended, Senate Resolution No. 8, which was read as follows:

In the Senate, August 4, 1936.

Whereas, There are at present waiting lists of approximately 55,000 residents of the Commonwealth entitled to Old Age Assistance; and

Whereas, The Commonwealth would have to expend the additional sum of $1,750,000 called for by House Bill No. 54 in order to procure sufficient Federal money which, together with the aforesaid sum of $1,750,000 would be sufficient to furnish Old Age Assistance to those persons on said waiting lists during the remainder of the current biennium; and

Whereas, It is the sense of this General Assembly that this additional sum called for by House Bill Number fifty-four should be provided for by the General Assembly at its forthcoming regular session in the year one thousand nine hundred and thirty-seven; and

Whereas, It will, therefore, be necessary for the Department of Welfare, in order to take up such waiting lists at the present time, to accelerate payments from the existing appropriation for Old Age Assistance with the result that such appropriation will be exhausted by the first of April, one thousand nine hundred thirty-seven:

Resolved (If the House of Representatives concur), That it is the sense of this special session of the General Assembly that the Department of Welfare accelerate payments from its current appropriation for Old Age Assistance in order to match sufficient Federal moneys which, together with the State appropriation, will enable the department to furnish in the manner provided by law, Old Age Assistance to all eligible applicants therefor, including those who are now on the waiting lists in the various counties because of insufficient State funds; and

Resolved further, That it is the sense of this General Assembly that the General Assembly at its forthcoming regular session in 1937 appropriate at least $1,750,000 to the Department of Welfare which, together with contributions received from the Federal Government to match this sum, will enable Old Age Assistance to be furnished to all eligible applicants therefore during the remainder of the 1933-1937 biennium.

Mr. SHAPIRO. Mr. President, I ask unanimous consent that Rule 39 which requires concurrent resolutions reported from committee to lie over for one day, be suspended and that the Senate do now proceed to the immediate consideration of the resolution just read.

The PRESIDENT. Is there objection? The Chair hears none.

Will the Senate agree to the resolution?

It was agreed to.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

REPORTS FROM COMMITTEE

Mr. GELDER. Mr. President, I ask unanimous consent to make reports from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. GELDER, from the Committee on Appropriations, re-reported as amended, Senate Bill No. 53 (House Bill No. 66) entitled:

An Act making an appropriation to the Department of Property and Supplies for increasing the capacity of overcrowded State institutions, eliminating fire and other hazards to safety at State institutions, providing for the purchase of safety and other equipment, the erection and construction of new buildings, and repairs, alterations and additions to, and replacement of, existing buildings and equipment.

Also, from the Committee on Appropriations, re-reported as amended, Senate Bill No. 109 (House Bill No. 58), entitled:

A Supplement to act number seventy-seven-A approved the twentieth day of July one thousand nine hundred thirty-five (One Thousand Nine Hundred Thirty-five Appropriation Acts page seventy-one) entitled "An act to provide for the ordinary expenses of the Executive Legislative and Judicial Departments of the Commonwealth interest on the public debt and the support of the public schools for two years beginning June first one thousand nine hundred and thirty-five and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred and thirty-five" providing for additional appropriations to certain departments boards and commissions and to the legislative department.

RECESS

Mr. BUCKMAN. Mr. President, in view of the fact that there are several bills which need amending and which must be done at today's session, I move that the Senate do now take a recess until ten o'clock this evening.

Mr. SONES. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS

The PRESIDENT. The time of the recss having elapsed, the Senate will be in order.

MOTION TO DISCHARGE COMMITTEE FROM FURTHER CONSIDERATION OF SENATE BILL 98 (HOUSE BILL NO. 43)

Mr. HARRIS. Mr. President, I move that the Committee on Judiciary Special in the Senate be discharged from further consideration of Senate Bill No. 98 (House Bill No. 43), so that the same can be returned to the floor of the Senate for constitutional consideration.

Mr. CAVALANTE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were required by Mr. HARRIS and Mr. OWLETT and were as follows, viz:

YEAS—15

Cavalcante,	McCreesh,	Reed,	Rodgers,
Harris,	McGinnis,	(Washington)	Ruth,
Huffman,	Pytko,	Rice,	Staudenmeier,
Kahle,	Rankin,	Roberts,	Thompson, (Centre)

NAYS—22

Aron,	Gelder,	Owlett,	Thompson,
Bean,	Graff,	Reed,	(Westmoreland)
Buckman,	Harvey,	(Dauphin)	Trainer,
Chapman,	Law,	Salus,	Woodward,
Coyne,	Mallery,	Scott,	Ziesenheim,
Ealy,	McClure,	Sones,	Homsher, Pres. Pro. Tem.

So the question was determined in the negative.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced presented communication in writing from His Excellency the Governor of the Commonwealth, which was read as follows and referred to the Committee on Executive Nominations:

NOMINATION OF A MEMBER OF THE BOARD OF TRUSTEES OF THE PENNSYLVANIA INDUSTRIAL SCHOOL RECALLED

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, August 5, 1936.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In accordance with the authority and power vested in me as Governor of the Commonwealth, I do hereby recall my nomination made to your Honorable Body under date of May 4, 1936, for the appointment of Howard J. Thompson, of Curwensville, Clearfield County, as a member of the Board of Trustees of the Pennsylvania Industrial School.

GEORGE H. EARLE.

BILLS SIGNED

The PRESIDENT PRO TEMPORE (Mr. John G. Homsher) announced that the Chief Clerk having reported that the following bills had passed both Houses of the General Assembly and the same being correct, the titles were publicly read as follows:

House Bill No. 91, entitled:

An Act making an appropriation to the Department of Forests and Waters for the purpose of building and constructing new dikes, levees and river bank protections along the Delaware River at Morrisville Borough, Bucks County.

House Bill No. 130, entitled:

An Act to further amend the act, approved the first day of June, one thousand eight hundred eighty-nine (Pamphlet Laws, four hundred twenty), entitled "A further supplement to an act, entitled 'An as to provide revenue by taxation,' approved the seventh day of June, Anno Domini one thousand eight hundred and seventy-nine," by increasing for a limited period of time the rate of tax imposed by the act upon the gross receipts of certain companies, limited partnerships, associations, joint-stock associations, copartnerships and persons, and by adding a new section imposing a temporary emergency tax upon the gross receipts of certain companies, limited partnerships, associations, joint-stock associations, copartnerships, and persons engaged in the water and natural or artificial gas business.

House Bill No. 159, entitled:

An Act authorizing the Commonwealth to negotiate temporary emergency loans to defray the current and/or other expenses of the State government during the fiscal year ending the thirty-first day of May, one thousand nine hundred thirty-seven evidenced by tax anticipiation notes secured by and payable from current revenues levied assessed collectible and/or accruing during such fiscal year defining the powers and duties of the Governor the Auditor General and the State Treasurer in relation thereto providing for the payment of interest on and the repayment of such loans and making an appropriation

House Bill No. 168, entitled:

An Act transferring money from the State Insurance Fund to the General Fund; and requiring the Department of Property and Supplies to liquidate the investments in such Fund, in order to provide money for such transfer.

House Bill No. 169, entitled:

An Act to provide revenue for State purposes by imposing an excise tax for a limited period of time upon the privilege of distilling blending rectifying and manufacturing alcohol and spirituous liquors providing for the collection of the tax and the manner of making payment thereof conferring powers and imposing duties on certain State officers and departments and providing penalties

House Bill No. 170, entitled:

An Act transferring money from the State School Fund to the General Fund, and requiring the State Council of Education to liquidate such investments in the State School Fund as may be necessary to effectuate such transfer.

House Bill No. 171, entitled:

An Act ratifying, confirming and validating the transfer of money from the State Stores Fund and the Liquid Fuels Tax Fund to the General Fund.

House Bill No. 172, entitled:

An Act authorizing the Commonwealth to negotiate a loan of one million dollars to meet casual deficiencies in revenue during the biennial fiscal period ending the thirty-first day of May, one thousand nine hundred thirty-seven, in accordance with the provisions of section four of article nine of the Constitution; defining the powers and duties of the Governor, the Auditor General and State Treasurer; and providing for the repayment of such loan.

Whereupon,

The PRESIDENT PRO TEMPORE (Mr. John G. Homsher) in the presence of the Senate signed the same.

CONSIDERATION OF SENATE RESOLUTION No. 7

Mr. HARRIS. Mr. President, I desire to call up Senate Resolution No. 7 reported from the Committee on Judiciary General on July 22d.

The resolution was read as follows:

SENATE COMMITTEE TO ANALYZE REPORT ON MOTHERS' ASSISTANCE BOARDS PRESENTED PURSUANT TO SENATE RESOLUTION SERIAL NO. 33

In the Senate, July 16, 1936.

Whereas, By Senate Resolution, Serial No. 33, a report was requested from the Department of Welfare asking certain information with respect to the resignation and dismissal of members of the Boards of Trustees of the Mothers' Assistance Fund; and

Whereas, A report has been submitted by said Department, which is not responsive to the resolution, and from which a clear understanding of the facts cannot readily be gathered; therefore be it

Resolved, That the President Pro Tempore of the Senate is hereby authorized to appoint a committee of five Senators whose duty it shall be;

(a) To analyze the said report of the Department of Welfare filed pursuant to Resolution, Serial No. 33;

(b) To ascertain the accuracy of the statements made in said report;

(c) To gather and supply the information requested which said report failed to disclose; and

(d) To examine the records of the Department of Welfare for the purpose of supplying the information required to make said report in accurate form;

Mr. McGINNIS. Mr. President, I would like to interrogate the Senator from Allegheny, Mr. Harris.

The PRESIDENT. Will the Senator from Allegheny, Mr. Harris, permit himself to be interrogated?

Mr. HARRIS. Mr. President, I will.

Mr. McGINNIS. Mr. President, will the Senator from Allegheny tell us how many Republicans were on the old boards?

Mr. HARRIS. Mr. President, I cannot answer that question.

Mr. McGINNIS. Mr. President, does the Senator from Allegheny know of a single Democrat on the old boards?

Mr. HARRIS. Mr. President, yes, I do.

Mr. McGINNIS. Mr. President, will you tell us how many?

Mr. HARRIS. Mr. President, I cannot, I did not inquire about their politics.

Mr. McGINNIS. Mr. President, does the Senator from Allegheny know the percentage of Democrats and Republicans?

Mr. HARRIS. Mr. President, I do not; I never inquired into their politics.

Mr. McGINNIS. Mr. President, does the Senator from Allegheny feel that the present Governor has a right to make appointments on these boards when the terms expire?

Mr. HARRIS. Mr. President, I do.

Mr. McGINNIS. Will the Senator from Allegheny, Mr. Harris, tell us why he desires the information asked for in the resolution?

Mr. HARRIS. Mr. President, some few weeks ago I stood on this floor and stated that there had been wholesale removals of trustees of the mothers' assistance boards. I submitted to the body a report which included amazing figures. From the year 1923, when the law was changed giving the Governor the right to appoint and remove, up to 1935, there were only two removals before the expiration of the terms of the trustees, and under the present administration there have been one hundred and twenty-five women, who have given many years of their lives in administering this splendid piece of legislation, were removed without cause. Many had been asked for their resignations, and when the requests were refused they were dismissed. In addition to that, a greater number, one hundred and fifty-three, had been replaced when their terms expired. That was my reason for presenting the resolution. I asked for certain information and when the report was made it was not satisfactory; it did not contain the information desired. This resolution now provides for a committee to investigate and reconcile these figures to ascertain whether my figures are correct, or the information given by the Department of Welfare, and to find out the information that was not supplied in the report.

Mr. McGINNIS. Mr. President, does the Senator from Allegheny, Mr. Harris, aver that that information is in the hands of the Department of Welfare?

Mr. HARRIS. Mr. President, if it is not in the hands of the Department of Welfare, this committee can ascertain what department has it and make a request for it.

Mr. McGINNIS. Mr. President, I want to remind the Senator from Allegheny County, Mr. Harris, that they had an election in Pennsylvania two years and the people of this State decided that the Republican Party, which had ruled this state for nearly fifty years, should not have the governing power of this state any longer, and it seems to me that in view of that election, that every time there is a change, every time there is an appointment to any institution in Pennsylvania, or to any board, there must be an investigation. To me this strikes like very poor sportsmanship, and I want to say that after the Democratic Party has been in power in Pennsylvania for fifty years and the Republicans should get in power again, if I should get up and offer a resolution like this one, I would be ashamed of myself. Mr. President, do you know that in Pennsylvania today, among the Federal and state employes, there are about 49,000, and of that number 32,000 are either Republicans or appointed by Republican Governors.

Mr. President, I want to say to you that I do not think there was ever an administration in any state in this Union that was as fair, impartial and non-political as this administration. Mr. President, I want to say to you that in the emergency relief there has not been a single change. In other words, the Republican Party in this state, when it set up the emergency relief, appointed every single one and there has not been a single change, except it might be in the head, and even then our Democratic Governor appointed a Republican to manager the emergency relief in Pennsylvania, so that the 14,000 handling emergency relief have been left exactly as the Republicans appointed them; and I want to say to you that the Governor of Pennsylvania could by right, and by the vote of the people, discharge 49,000 people in the State of Pennsylvania. Did he do it? No, he left the 14,000 that were administering relief exactly as they were, and I want to ask our Republican friends on the other side if they can find any fault with that, if there is any politics in that, when a Democratic Governor left the 14,000 employes on the payrolls that the Republicans put on emergency relief.

Then comes WPA: Under the Federal Act the Democratic Administration could appoint ten per cent of that

number, men and women in sympathy with the Act. That is what the Act provides, and let me tell you, Mr. President, if Boies Penrose or any other leaders of the Republican Party had had that chance, instead of appointing the 10%, they would have appointed 29,000 Republicans to manage WPA. But in this administration what happened? Instead of appointing the 10%, they appointed 16,000—they could have appointed 29,000—and of the 16,000, eight thousand (8,000) were on the emergency relief rolls, relief rolls which are managed today by the Republicans of Pennsylvania. When that list was furnished by the WPA, of the 16,000, eight thousand were taken off those rolls, furnished by the Republicans. The 8,000 were appointed—I do not care whether you call them Democrats or Republicans, but I do say that the Act says that they should be in sympathy with the bill and with the administration. How would you manage your business, how would any man manage his business, would he appoint an enemy to run his business? Would he appoint somebody who was not in sympathy with that business?

Yesterday there was a resolution offered here to investigate WPA, although the Federal Court decided that we had no right to do so. Now, Mr. President, I want to say to you, that that resolution yesterday, if there was ever a resolution offered in the Senate of the United States they would be held in contempt of court—to investigate WPA, an organization in which we could have put 29,000 Democrats on the payroll, and of the 16,000 they have on the payrolls that were checked up, as I said the other night, 16,000 were Democrats, including 8,000 taken off emergency relief. I want to say to you, Mr. President, that instead of this administration being unfair, it has been most fair, it has been most impartial, the most non-partisan administration of any state in the Union, and every time there is a change made in a hospital, or in a school, with every man a Republican on the board, every trustee on the board, every state institution, every man and every woman, from top to bottom, was Republican for forty or fifty years, and now, when the Democratic Party is in power, and after the voters in this state say by their votes "we have turned this government over to the Democratic Party, not to the people who have wrecked it or ruined it for forty years," then when there is a change, when their terms expire, there must be an investigation in the mothers' assistance boards. I want to say to you that after we have been in power for forty or fifty years, if I am here and will get up and offer a resolution like that one, I want you to throw me out of the window.

Mr. HARRIS. Mr. President, I have never in my ten sessions in this body believed in engaging in personalities. The Senator from Allegheny Mr. McGinnis, said that he would be ashamed to present such a resolution; he also said that he hoped that if he did, they would throw him out of the window. The Senator from Allegheny has a very eloquent voice and a very forceful manner of speaking, and I can recall that twenty-five years ago, when the Mothers' Assistance League was organized in Allegheny County, and I was the Vice-Chairman of that body, we issued an invitation to all of the citizens of Allegheny County to join in the movement to pass this legislation, and for many, many years that organization took a deep interest in Mothers' Assistance, and I can say with pardonable pride that session after session I presented an appropriation bill for mothers' assistance, and in all of the twenty-five years, never a single time in any way at all did I hear the eloquent voice of the Senator from Allegheny, Mr. McGinnis, raised in behalf of this legislation, not a single time, not once to me personally nor to any organization did this man ever raise his voice, and it was not until he became a member of this body that he began to take an interest. And I know the other members from Allegheny County know what I say is the truth, that I have given my time and my energy and whatever talent I have had in the building up of this, and I would be unfaithful to my duty if I did not protest against bringing the mothers' assistance into politics, and I say to the Senator from Allegheny County, Mr. McGinnis, that I am not ashamed of presenting this resolution, and I will say this—and I know I should not say it—I would like to see him throw me out of the window.

Mr. CAVALCANTE. Mr. President, I would like to interrogate the Senator from Allegheny, Mr. Harris.

The PRESIDENT. Will the Senator from Allegheny, Mr. Harris, permit himself to be interrogated?

Mr. HARRIS. Mr. President, with the greatest of pleasure.

Mr. CAVALCANTE. Mr. President, does the Senator from Allegheny, Mr. Harris, intend to give the impression that the former Governors of this State did not use politics in the selection of Boards of Trustees of the Mothers' Assistance Funds?

Mr. HARRIS. Mr. President, I do not know what was in the minds of the former Governors.

Mr. CAVALCANTE. Mr. President, does the Senator from Allegheny, Mr. Harris, know whether former administrations in the selection of Boards of Trustees of the Mothers' Assistance Funds was on the merit basis?

Mr. HARRIS. Mr. President, I cannot reply, and I think that question is rather silly, for I do not know what was in the minds of the former Governors.

Mr. CAVALCANTE. Mr. President, does the Senator from Allegheny, Mr. Harris, know of any law or any part of the Constitution that prohibits the Governor of this State to make changes in the Boards of Trustees of Mothers' Assistance Funds, or to ask for their resignation?

Mr. HARRIS. Mr. President, I know of no law that prohibits them from removing them before their terms expire, or filling their places at the expiration of their terms.

Mr. CAVALCANTE. Mr. President, well, then, what is the real objection of the Senator from Allegheny, Mr. Harris, to the Governor requesting the resignation of the members of Boards of Trustees of the Mothers' Assistance Funds, if in his judgment he regards them as incompetent to fill the position?

Mr. HARRIS. Mr. President, I will say for the fourth time that my objection is based on the wholesale removals which indicate that politics is being used. I cannot conceive that one hundred and twenty-five women who gave their time and energy in this work—some of them served for a score of years—, should be removed without cause.

Mr. CAVALCANTE. Mr. President, I take it then, from the conclusion drawn by the Senator from Allegheny, Mr. Harris, that he objects to the removal of Republican politics from the Boards of Trustees of Mothers' Assistance Funds.

Mr. HARRIS. Mr. President, I again say that I have never inquired into the politics of any of the Trustees.

Mr. CAVALCANTE. Mr. President, then how does the Senator from Allegheny know that there is any politics played in the requests for resignations or dismissals of the Boards of Trustees of the Mothers' Assistance Funds?

Mr. HARRIS. Mr. President, I say again that it is self-evident that politics is being played when so many are removed in such a space of time.

Mr. CAVALCANTE. Mr. President, I thank the Senator from Allegheny, Mr. Harris.

Mr. HARRIS. Mr. President, the Senator from Fayette is quite welcome.

Mr. WOODWARD. Mr. President, it seems to me there ought to be an "amende honorable" for the Senator from Allegheny, Mr. McGinnis, and I, therefore, suggest that the Senate go into recess for forty years to enable the Senator to prepare his resolution, and that the sergeant-at-arms be instructed to open the window.

The yeas and nays were required by Mr. HARRIS and Mr. OWLETT and were as follows, viz:

YEAS—19

Aron,	Graff,	Reed,	Thompson,
Bean,	Harris,	(Dauphin)	(Westmoreland)
Buckman,	Harvey,	Salus,	Woodward,
Chapman,	Mallery,	Scott,	Homsher
Ealy,	McClure,	Staudenmeier,	Pres. Pro. Tem.
Gelder,	Owlett,		

NAYS—21

Baumer,	McCreesh,	Reed,	Rupp,
Cavalcante,	McGinnis,	(Washington)	Ruth,
Coyne,	Miller,	Rice,	Shapiro,
Huffman,	Pytko,	Roberts,	Sones,
Kahle,	Rankin,	Rodgers,	Trainer,
Law,			Ziesenheim,

So the question was determined in the negative.

QUESTION OF INFORMATION

Mr. REED (Dauphin). Mr. President, I rise to a question of information.

The PRESIDENT. The Senator from Dauphin, Mr. Reed, will state his question of information.

Mr. REED (Dauphin). Mr. President, on June 29th the Senate adopted a resolution requesting the Budget Secretary to inform the Senate at the earliest possible moment the number, names and addresses of persons on the Administration payrolls on June 15, 1936, on the per diem basis, and the amount of such per diem pay, according to the departments in which such persons are employed. I desire to ask whether any communication has been received by the Budget Secretary.

The PRESIDENT. The answer is the Senate has not received any reply.

QUESTION OF PERSONAL PRIVILEGE

Mr. REED (Dauphin). Mr. President, I rise to a question of personal privilege.

The PRESIDENT. The Senator from Dauphin will state his question of personal privilege.

Mr. REED (Dauphin). Mr. President, I simply desire to call the attention of the Senate to the fact that this resolution was adopted by the Senate on June 29th, and, according to page 44 of the History of Senate Bills, a copy of the resolution was transmitted to the Budget Secretary on July 1st. Therefore this resolution has been in the hands of the Budget Secretary for one month and two days.

I knew, when this resolution was passed, that it would take a great deal of time and a large amount of clerical service in order to ascertain the facts required by this resolution as to the vast army of employes on the State payrolls on the per diem basis, but I did not suppose, Mr. President, that it would require over a month to secure that information.

Mr. HUFFMAN. Mr. President, I should like to interrogate the Senator from Dauphin, Mr. Reed.

The PRESIDENT. Will the Senator from Dauphin permit himself to be interrogated?

Mr. REED (Dauphin). Mr. President, I shall be very happy to.

Mr. HUFFMAN. Mr. President, I should like to ask the Senator from Dauphin if my understanding is correct, that he is one of the conferees on the Mothers' Assistance Bill.

Mr. REED (Dauphin). Mr. President, I am.

Mr. HUFFMAN. Mr. President, will the Senator be willing to say whether there will be a report made by that Conference Committee tonight or tomorrow?

Mr. REED (Dauphin). Mr. President, I do not know. I am very glad to meet with the House conferees at any time.

Mr. HUFFMAN. Well, Mr. President, the Senator from Dauphin is not prepared to say, then, that the report will be made today on that bill?

Mr. REED (Dauphin). Mr. President, I am not prepared to say whether it will be made today or not.

MOTION TO CONSIDER SENATE BILL No. 40 (House Bill No. 50)

Mr. HUFFMAN. Mr. President, I move that the Senate do now proceed to the consideration of Senate Bill No. 40 (House Bill No. 50), entitled:

A Supplement to the act approved the nineteenth day of July one thousand nine hundred and thirty-five (Pamphlet Laws one thousand three hundred fifty-one) entitled "An act making appropriations to carry into effect the provisions of an act approved the tenth day of July one thousand nine hundred and nineteen (Pamphlet Laws eight hundred ninety-three) entitled 'An act providing for assistance to certain mothers providing for the appointment of boards of trustees for the several counties of the Commonwealth and for the appointment of a State Supervisor and assistants and fixing the salaries of such State Supervisor and assistants defining the powers and duties of boards of trustees including the power of appointing assistants and investigators and the distribution of funds at their disposal providing for the apportionment of the State appropriation among the several counties and requiring counties coming under the provisions of the act to appropriate certain moneys and providing penalties' as amended" making an appropriation for the payment of mothers' assistance to applicants in counties which do not have sufficient funds available to pay assistance to such applicants

Mr. RICE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 40 (House Bill No. 50), as follows:

A Supplement to the act approved the nineteenth day of July one thousand nine hundred thirty-five (Pamphlet Laws one thousand three hundred fifty-one) entitled "An act making appropriations to carry into effect the provisions of an act approved the tenth day of July one thousand nine hundred and nineteen (Pamphlet Laws eight hundred ninety-three) entitled 'An act providing for assistance to certain mothers providing for the appointment of boards of trustees for the several counties of the Commonwealth and for the appointment of a State Supervisor and assistants and fixing the salaries of such State Supervisor and assistants defining the powers and duties of boards of trustees including the power of appointing assistants and investigators and the distribution of funds at their disposal providing for the apportionment of the State appropriation among the several counties and requiring counties coming under the provisions of the act to appropriate certain moneys and providing penalties' as amended" making an appropriation for the payment of mothers' assistance to applicants in counties which do not have sufficient funds available to pay assistance to such applicants and suspending the provisions of this act in case Federal aid for dependent children shall fail for any reason

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in addition to the current appropriation for assistance to certain mothers made to the Department of Welfare by the act to which this is a supplement the sum of six hundred thousand dollars ($600,000) or as much thereof as may be necessary is hereby specifically appropriated out of the General Fund to the Department of Welfare for expenditure during the biennium ending the thirty-first day of May one thousand nine hundred thirty-seven for assistance to poor and dependent mothers in the manner provided by the act approved the tenth day of July one thousand nine hundred nineteen (Pamphlet Laws eight hundred ninety-three) and its amendments except as otherwise provided by this act The sum hereby appropriated shall be set aside as an emergency reserve fund to be distributed upon written requisition of the Secretary of Welfare to applicants who may be approved as eligible for assistance under the act approved the tenth day of July one thousand nine hundred nineteen (Pamphlet Laws eight hundred ninety-three) and its amendments Provided That the application of each such applicant has been approved and presented to the Department of Welfare by the Board of Trustees of the Mothers' Assistance Fund of the county wherein the applicant resides and the board certifies that there are not available to such county out of moneys already appropriated and allocated to it sufficient moneys to provide assistance to such applicant

Section 2 The purpose of this act is to make sufficient State appropriations available to enable the Department of Welfare and boards of trustees of all counties of this Commonwealth to grant assistance to all mothers eligible to receive mothers assistance and to enable the Commonwealth to receive Federal grants for aid to dependent children under Title four of the Social Security Act

In the event that Title Four of the Social Security Act shall be held unconstitutional by the Supreme Court of the United States or shall be repealed and Federal grants for aid to dependent children shall fail for such or for any other reason whatever then so long as Federal grants for aid to dependent children shall not be available to this Commonwealth no moneys shall be distributed by the Secretary of Welfare from the appropriation made by this act to applicants who may be approved as eligible for assistance under the act approved the tenth day of July one thousand nine hundred nineteen (Pamphlet Laws eight hundred ninety-three) and its amendments and the foregoing provisions of this act shall in such cases be suspended so long as Federal aid for dependent children shall not be available to this Commonwealth

Section 3 This act shall become effective immediately upon its final enactment

And said bill having been read at length the third time, and the amendments made thereto having been printed as required by the Constitution,

On the question,

Will the Senate agree to the bill?

Mr. HUFFMAN. Mr. President, unless we amend this bill tonight, as I view it, Mothers' Assistance in Pennsylvania, so far as any improvement is concerned, will fall. Further, we have no provision for taking care of the eight counties in the State that do not have Mothers' Assistance. Furthermore, unless this report be made by the Conference Committee tomorrow—and I do not want to wait that long—we will not receive the national appropriation for Mothers' Assistance in Pennsylvania.

MOTION TO GO INTO COMMITTEE OF THE WHOLE FOR THE PURPOSE OF SPECIAL AMENDMENT

Mr. HUFFMAN. Mr. President, I intend to offer an amendment to this bill now, and in order to reach that point I move that the Senate do now resolve itself into Executive Session in Committee of the Whole for the purpose of special amendment.

Mr. ROBERTS. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The proposed amendment was read, as follows:

Amend Title, page 1, lines 1 to 6 of title, by striking out the following: "A Supplement to the act approved the nineteenth day of July, one thousand nine hundred thirty-five (Pamphlet Laws one thousand three hundred fifty-one), entitled 'An act making appropriations to carry into effect the provisions of an" and insert in lieu thereof:

An Act to amend sections one, three, four, seven, nine, ten, fourteen, fifteen, sixteen and eighteen of, to add section eighteen and one tenth to, and to repeal section two of, the

Amend Title, page 2, lines 4 to 9 of title, by striking out the following: "making an appropriation for the payment of mothers' assistance to applicants in counties which do not have sufficient funds available to pay assistance to such applicants and suspending the provisions of this act in case Federal aid for dependent children shall fail for any reason," and insert in lieu thereof: "by providing for the appointment of a board of trustees for each county; prohibiting political activity by members and employes of such board; changing the qualifications of mothers eligible for assistance; requiring all counties to appropriate moneys for mothers' assistance, except under certain circumstances; providing for additional grants of state moneys in lieu of appropriations by counties unable to meet State appropriations; providing for cooperation by the Department of Welfare with the Federal Social Security Board; authorizing the Department of Welfare to cooperate with and to accept and disburse moneys received from the United States government for aid to dependent children, and providing substitute provisions in case Federal grants for aid to dependent children shall fail for any reason." Amend Sec. 1, page 2, lines 4 to 20, both inclusive, by striking out all of said lines. Amend Bill, page 3, lines 1 to 28, both inclusive, by striking out all of said lines. Amend Bill, page 4, lines 1 to 5, both inclusive, by striking out all of said lines, and insert: "section one of the act, approved the tenth day of July, one thousand nine hundred and nineteen (Pamphlet Laws, eight hundred ninety-

three), entitled 'An act providing for assistance to certain mothers; providing for the appointment of boards of trustees for the several counties of the Commonwealth, and for the appointment of a State supervisor and assistants, and fixing the salaries of such State supervisor and assistants; defining the powers and duties of boards of trustees, including the power of appointing assistants and investigators and the distribution of funds at their disposal; providing for the apportionment of the State appropriation among the several counties, and requiring counties coming under the provisions of the act to appropriate certain moneys, and providing penalties,' as amended by the act, approved the twenty-second day of May, one thousand nine hundred and twenty-three (Pamphlet Laws, three hundred seven), is hereby further amended to read as follows:"

Section 1. Be it enacted, &c., That in each county of the Commonwealth [which by the action of its county commissioners accepts the provisions of this act], the Governor shall appoint a board of trustees composed of seven women residents of the county to be called the Board of Trustees of the Mothers' Assistance Fund.

Except as herein otherwise provided, such trustees shall hold office for a term of six years and until their successors are duly appointed and qualified.

[Whenever any county shall hereafter accept the provisions of this act, the] The first board of trustees of a county shall be appointed as follows: two for two years each, two for four years each, and three for six years each, from the first day of June next succeeding.

In all counties which have [heretofore accepted the provisions of this act, the board] boards of trustees now in office, such boards shall continue in office as heretofore unless removed by the Governor. [but the Governor shall, before the first day of June, one thousand nine hundred and twenty-three, designate two of said trustees to hold office for two years each, two for four years each, and three for six years each, and where such board has less than seven trustees, the Governor shall appoint additional trustees so that the total number may be seven, and he shall accordingly fix their terms.]

If the terms of trustees shall expire, the Governor shall appoint successors for terms of six years each.

Vacancies, other than those due to the expiration of a term, shall be filled by appointment by the Governor for the unexpired term.

[All counties which have heretofore availed themselves of the provisions of the acts repealed by this act shall be deemed to have accepted the provisions of this act and shall be entitled to the benefits thereof.]

No member of the board, and no investigator, clerk or other employe of the board, shall be a member of, or delegate or alternate delegate to, any political convention, nor be present at any such convention, nor serve as a member of, or attend meetings of any committee of any political party, or take any active part in political management or in political campaigns, or use his position to influence political movements, or influence the political action of any other person, nor in any way or manner interfere with the conduct of any election or the preparation therefor at the polling place or with the election officers while the vote is being counted, or the vote or ballot box is being returned, save only for the purpose of marking and depositing his ballot, nor be within fifty feet of any polling place during voting hours and the counting of the ballots, except for the purpose of residence or travel. Any person who shall violate any of the foregoing provisions shall be guilty of a misdemeanor, and shall, upon conviction thereof, be punished by a fine not exceeding five hundred dollars ($500) and forfeit his position or office.

Section 2. That section three of said act, as amended by the act, approved the twenty-second day of May, one thousand nine hundred and twenty-three (Pamphlet Laws, three hundred seven), is hereby further amended to read as follows:

Section 3. The [State Supervisor] Department of Welfare shall have general supervision over the boards of trustees of the several counties [and shall act as general field organizer. She shall be on the staff of the Department of Public Welfare.]

The [State Supervisor] Department of Welfare shall formulate and issue to the boards of trustees of the various counties rules of procedure by which they shall be governed to the end that uniformity of interpretation and practice shall obtain throughout the Commonwealth. [She] The department by its duly authorized agents shall visit at least twice each year the boards of trustees of each county [accepting the provisions of this act.

She shall as general field organizer visit the county commissioners of those counties which have not availed themselves of the provisions of this act and shall explain to such commissioners the benefits accruing from the act and the advantages of coming within its provisions and shall assist such county commissioners in the organization of boards of trustees.

She shall make a report annually to the Commission of Public Welfare, reviewing the work done under the provisions of this act by the trustees of the various counties, laying special stress upon educational conditions of the assisted families.]

Section 3. That section four of said act is hereby amended to read as follows:

Section 4. Subject to the general supervision of the Department of Welfare [The] the administration of this act within the several counties shall be solely in the hands of the boards of trustees appointed by the Governor. [subject however to the rules adopted and issued by the State Supervisor.] The members of the boards of trustees shall serve without compensation, but shall receive all actual and necessary expenses incurred in the performance of their duty.

Section 4. That section seven of said act is hereby amended to read as follows:

Section 7. In order to prevent the alienation of the citizenship of those who may receive the benefits under this act, no family shall be a beneficiary thereunder unless the mother [has been a resident continuously of the State for a period of two years and of the county in which she applies for assistance for a period of one year] is a resident of the State at the time of making application for such assistance, and unless the child assisted (1) has resided in this Commonwealth for one year immediately preceding the date of application for such assistance, or (2) was born in this Commonwealth within one year immediately preceding the date of the application for assistance and whose mother has resided in the Commonwealth for one year immediately preceding the birth.

No family entitled to receive the benefits of this act in any county shall be deemed to have lost its residence in such county within one year after removal therefrom, but any such family shall, if it returns to the county in which it was entitled to receive assistance within said year, be immediately entitled to assistance in such county.

Section 5. That section nine of said act is hereby amended to read as follows:

Section 9. The [combined] maximum [payment] assistance allowed by any board of trustees shall in no case exceed [twenty] eighteen dollars per month for the first dependent child and [ten] twelve dollars per month for each additional dependent child in the same family. A mother shall be entitled to assistance under this act for an unborn child in like manner as for other children if she has one or more children living which entitle her to the benefits of this act.

Section 6. That section ten of said act is hereby amended to read as follows:

Section 10. Before any payment is made to any family under the provisions of this act, a complete report of such family shall be made in quadruplicate giving the name of the mother, the number of children with their full names, their ages and place of residence. One copy of such report shall be placed on file in the office of the board of trustees as a record, and, if the application is approved, one copy shall be forwarded to the [State Supervisor] Department of Welfare, and two copies shall

be forwarded with each application for a warrant for the use of the Auditor General and the county treasurer. The copies forwarded to the Auditor General and the county treasurer, shall be sworn to by the investigator, and shall be approved by a majority of the board of trustees. The affidavit on any such report may be taken before any member or employe of the board.

Section 7. That section fourteen of said act, as amended by the act approved the twenty-seventh day of May, one thousand nine hundred and twenty-one (Pamphlet Laws one thousand one hundred seventy-five), is hereby further amended to read as follows:

Section 14. [No county shall receive its allotment of the State appropriation available for any year under the classification appointed by the act making an appropriation to carry into effect the provisions of this act, unless such county has accepted the provisions of this act, and has placed at the disposal of the board of trustees, a sum equal to the amount available from the State appropriation for such year] It shall be mandatory upon each county of the Commonwealth, to place at the disposal of the board of trustees, a sum equal to the amount available from the State appropriation (exclusive of Federal moneys for such county for such year: Provided, That if any county is financially unable to place at the disposal of the board of trustees, a sum equal to the amount available from the State appropriation for such county in such year, the county commissioners of that county shall file a written application with the Department of Welfare on a form prescribed by it, asking further appropriation of State funds to that county of a sum equal to the whole or any portion of the amount already allocated under this act to said county for said year, such further State appropriation to be in lieu of all or a part of the appropriation required by this act to be made by said county for said year. The Department of Welfare shall thereupon conduct an administrative inquiry on a day and at a time fixed, of which at least ten days' written notice shall be given to all parties interested, and shall hear the testimony of the county commissioners and of such other county officials and other persons as the department may, in its discretion, require to appear before it, and, after considering the financial condition of the said county, the department shall determine whether the said county is entitled to the additional State appropriation requested, or any part thereof, in lieu of an appropriation by the said county, and the department shall thereupon allocate from any appropriation available for the purpose, whatever amount the department shall have determined.

Section 8. That section fifteen of said act, is hereby amended to read as follows:

Section 15. [On the first day of June of the second fiscal year following each State appropriation, the State Treasurer shall apportion among the various counties which have accepted the provisions of this act before the end of the first fiscal year, a sum equal to the amount apportioned to such county during the first fiscal year, according to the aforesaid classification, including therein all unexpended balances from the previous fiscal year credited to the several counties accepting the provisions of this act, which unexpended moneys shall remain available during the second fiscal year for use by the counties to which theretofore credited, and excluding all moneys apportioned to the several counties which have not availed themselves of the provisions of this act, he shall likewise exclude from said apportionment all moneys appropriated for the second fiscal year for counties which have not accepted the provisions of this act before the end of the first fiscal year.] Any mother of a dependent child may, within six months after notice by the county board of trustees that her application for assistance has been refused or that the assistance, if formerly a beneficiary, has been discontinued, take an apeal from the action of the county board of trustees to the Department of Welfare. The department, on a day and at a time fixed by it, of which at least ten days' written notice shall be given to all parties interested, shall hear such testimony as may be offered for and against the allowance of assistance or for and against the continuation of assistance, and shall determine whether or not the said mother is entitled to assistance, if an applicant, or to the continuation of assistance if a beneficiary. The Department of Welfare shall report its findings to the county board of trustees, from whose action the appeal has been taken, which board of trustees shall carry into effect the order of the department. The action of the department on any appeal shall be final.

Section 9. That section sixteen of said act is hereby amended to read as follows:

Section 16. [All funds set aside from year to year for counties which have not availed themselves of the provisions of this act, shall be set aside into a surplus fund. The surplus fund shall be available during the second fiscal year in the counties which have availed themselves of the provisions of this act before the end of the first fiscal year, but no county shall be entitled to an amount from such fund in excess of twenty-five per centum of the aggregate sum apportioned and set aside by the State Treasurer to that county for the two year period, and no such county shall participate in such surplus fund unless it shall, in addition to the appropriations hereinbefore required, appropriate a sum equal to the amount which it desires from the surplus fund] The Department of Welfare is empowered and directed to cooperate with the Federal Social Security Board in carrying out the provisions and purposes and in administration of title four of the act of the Congress of the United States, approved the fourteenth day of August, one thousand nine hundred and thirty-five, entitled "An act to provide for the general welfare, by establishing a system of Federal old-age benefits, and by enabling the several states to make more adequate provisions for aged persons, blind persons, dependent and crippled children, maternal and child welfare, public health, ad the administration of their unemployment compensation laws; to establish a Social Security Board; to raise revenue; and for other purposes," and is further empowered to make such reports in such form and containing such information as the Federal Board may, from time to time, require, and to comply with such orders and regulations as the said board may, from time to time, make to assure the correctness and verification of such reports.

Section 10. That section eighteen of said act is hereby amended to read as follows:

Section 18. [A detailed report of the number of beneficiaries, the amount expended and the advantages and disadvantages of the system, with recommendations for improvement, shall be made by the State Supervisor to the General Assembly at the beginning of each session of the General Assembly. Such report shall be printed by the State Printer upon requisition by the Superintendent of Public Instruction to the Department of Printing and Binding.] The Deparment of Welfare is hereby empowered and authorized to cooperate and enter into cooperative agreements with, and to receive contributions from, the United States government for aid to dependent children eligible for assistance under this act. All contributions received hereunder from the United States government shall be paid into the State Treasury through the Department of Revenue, and credited to the current appropriations to the Department of Welfare for the payment of assistance to mothers eligible for assistance under the act.

Section 11. That said act is hereby further amended by adding thereto the following section:

Section 18.1. The purpose of the foregoing amendments is to bring the Mothers' Assistance Law of this Commonwealth, in accord with Title four of the said Social Security Act, and to enable the Commonwealth to receive Federal grants for aid to dependent children.

In the event that Title four of the said Social Security Act shall be held unconstitutional by the Supreme Court of the United States, or shall be repealed and Federal grants for aid to dependent children shall fail for such or for any other reason whatever, then so long as Federal grants for aid to dependent children shall not be available to this Commonwealth, the Department of Welfare and the boards of trustees of the several counties of this

Commonwealth, shall administer this act in accordance with the following provisions of this section, and to the extent of any inconsistency, the foregoing provisions of this act shall, for the time being, be suspended.

"(1) It shall not be mandatory upon each county of the Commonwealth to place at the dsposal of the board of trustees, a sum equal to the amount available from the State appropriation for such year, but no county shall receive its allotment of the State appropriation available for any year under the act making an appropriation to carry into effect the provisions of this act, unless such county has placed at the disposal of the board of trustees, a sum equal to the amount available from the State approprition for such year.

(2) The Department of Welfare shall have no power to receive and consider, in accordance with section fourteen of this act, as amended, written applications from county commissioners of counties financially unable to place at the disposal of the board of trustees, a sum equal to the amount available from the State appropriation for such county in such year asking further approprition of State funds to that county, nor any power to allocate any such additional appropriations to such counties.

(3) No family shall be a beneficiary hereunder, unless the mother has been a resident continuously of the State for a period of two years and of the county in which she applies for assistance for a period of one year.

(4) The combined maximum payment allowed by any board of trustees shall in no case exceed twenty dollars ($20) per month for the first child, and ten dollars ($10) per month for each additional child. A mother shall be entitled to assistance under this act for an unborn child, in like manner as for other children, if she has one or more children living which entitle her to the benefits of this act.

Section 12. That section two of said act, and the amendment thereto, be and the same is hereby repealed.

Section 13. The provisions of this act shall become effective immediately upon final enactment, and shall be retroactive to the first day of June, one thousand nine hundred and thirty-six.

And the question recurring,

Will the Senate agree to the motion?

Mr. HUFFMAN. Mr. President, the amendment presented provides for the conditions that are contained in Senate Bill No. 59, which is before the Conference Committee. The amendment now contained in Senate Bill No. 50 is stricken out and there is substituted the substance of Senate Bill No. 59 as I have said. If this amendment be adopted, we will be in line for taking care of the eight counties that do not have Mothers' Assistance at the present time, and it will protect us so that we will get the national appropriation.

As I said before, unless this amendment is adopted tonight, or unless this Conference Committee will report tomorrow, we will be deprived of both these items; and I do not want to wait until tomorrow, because this bill may not be amended and passed tomorrow.

Mr. REED (Dauphin). Mr. President, I desire to interrogate the Senator from Monroe, Mr. Huffman.

The PRESIDENT. Will the Senator from Monroe, Mr. Huffman, permit himself to be interrogated?

Mr. HUFFMAN. Mr. President, I will.

Mr. REED (Dauphin). Mr. President, I desire to ask the Senator how much of the Brancato Bill is now being written into this bill by amendment.

Mr. HUFFMAN. Mr. President, the items covering the provision for the eight counties, for the appointment of trustees,—all of the items that, as I understand, the Conference Committee has tentatively agreed upon, including the amendment offered by the Senator from Philadelphia, Mr. Scott.

Mr. REED (Dauphin). Mr. President, may I ask, then, what the purpose is, in view of the fact that there is a Conference Committee, in amending this bill at this time?

Mr. HUFFMAN. Mr. President, for the reason that the Senator from Dauphin will not say that there will be a report on that bill tomorrow; and we may not amend this bill on the calendar tomorrow, it has to be done today.

Mr. REED (Dauphin). Mr. President, I have made the statement,—I have made it to the public press, and I have made it repeatedly, that I shall not permit this Senate to adjourn without a conference report on the Brancato Bill; and I see no purpose whatever in the Senator from Monroe, Mr. Huffman's, in view of that statement that I have made—that I made to the Democratic members of that Conference Committee—in bringing in this amendment; and I ask that this amendment be voted down.

Mr. HUFFMAN. Mr. President, the Senator from Dauphin has made a statement now that he did not make a few minutes ago. As I understand, now the Senator is saying that he will cooperate to make a report on the Brancato Bill tomorrow. May I ask the Senator from Dauphin if that is his statement?

May I ask the Senator for an answer?

Mr. REED (Dauphin). Mr. President, certainly.

Mr. HUFFMAN. Mr. President, I understand the Senator now says he will cooperate to return a report on that bill tomorrow, or before the Legislature adjourns.

Mr. REED (Dauphin). Mr. President, in answering that statement, I will say that I intend to call a meeting of that Conference Committee tomorrow. And I say to the Senator from Monroe, I resent the imputation in his remarks that I have ever been other than cooperating in this matter.

Mr. HUFFMAN. Mr. President, I do not intend to make any implication at all. I asked the Senator from Dauphin, before I introduced this amendment, if he intended to make his report tonight; and I did it for the obvious reason that if we adjourn tomorrow, this bill cannot be amended tomorrow. I take it now he intends to make a report tomorrow—cooperate with the other members of the Committee, making report tomorrow; and with that understanding I will withdraw the amendment.

The PRESIDENT. The amendment is withdrawn.

Mr. PYTKO. Mr. President, I would like to say a word in fairness to the Senator from Dauphin, Mr. Reed, and for the information of the Senate. The Senator from Dauphin is the acting chairman of that Conference Committee on the Brancato Bill. As chairman he has requested me and one of the House conferees to meet with the Senate conferees this afternoon at four thirty. We had made that arrangement last night, and the members of that Conference Committee had practically reached an agreement, they are in accord; but at the instance of one of the minority members they were requested to meet tomorrow so we would have a unanimous version of the content of that Committee report on that bill. Senator Reed and three other members of that committee are in agreement, and I believe we will have a Conference Committee report tomorrow.

The PRESIDENT. The Senator from Monroe withdraws the amendment?

Mr. HUFFMAN. Mr. President, yes.

BILLS ON THIRD READING

Mr. GELDER. Mr. President, I move that the Senate do now proceed to the consideration of Senate Bill No. 114 (House Bill No. 161), on third reading, entitled:

An Act making an appropriation to the Water and Power Resources Board for payment into the Flood Control Fund for flood control purposes.

Mr. WOODWARD. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 114 (House Bill No. 161), entitled:

An Act making an appropriation to the Water and Power Resources Board for payment into the Flood Control Fund for flood control purposes.

And said bill having meen read at length the third time,

And the amendments made theret having been printed as required by the Constitution,

On the question,

Will the Senate agree to the bill on third reading?

Mr. GELDER. Mr. President, I ask unanimous consent to amend section 1, page 1, lines 4 and 5, by striking out the words and figures "two hundred thousand dollars ($200,000) and inserting in lieu thereof: "one hundred and fifty thousand dollars ($150,000)"

The PRESIDENT. Is there objection? The Chair hears none.

The amendment was agreed to.

On the question,

Will the Senate agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended be printed for the use of the Senate.

RECESS

Mr. HUFFMAN. Mr. President, I move that the Senate do now take a recess for fifteen minutes.

Mr. BUCKMAN. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS

The PRESIDENT. The time of recess having elapsed, the Senate will be in order.

HOUSE MESSAGE

HOUSE NON-CONCURS IN AMENDMENTS MADE BY THE SENATE TO HOUSE BILL NO. 156

Mr. BUCKMAN. Mr. President, at this afternoon's session I made a motion to lay on the table the House Message with reference to amendments to House Bill No. 156. I now move that this House Message be taken from the table.

Mr. WOODWARD. Mr. President, I second the motion.

The motion was agreed to.

The Clerk of the House of Representatives being introduced returned to the Senate House Bill No. 156 entitled:

An Act making an appropriation to the State Emergency Relief Board for direct relief, work relief, and expenses; defining the purposes for which such moneys may be expended; and prescribing the powers and duties of the State Emergency Relief Board and certain State departments.

with the information that the House has non-concurred in the amendments made by the Senate to the foregoing bill.

SENATE INSISTS UPON ITS AMENDMENTS TO HOUSE BILL No. 156

Mr. BUCKMAN. Mr. President, I move that the Senate insists upon its amendments to House Bill No. 156.

Mr. WOODWARD. Mr. President, I second the motion.

The motion was agreed to.

Ordered, That the Clerk inform the House of Representatives accordingly.

MOTION TO READ BILLS THE FIRST TIME

Mr. BUCKMAN. Mr. President, I move that all bills reported from committees at today's session be read the first time.

Mr. LAW. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 120, entitled:

An Act to further amend section one of the act approved the fifteenth day of July, one thousand eight hundred and ninety-seven (P. L. 292), entitled "An act to provide revenue by taxation," by providing that certain corporations shall not be subject to the tax.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

ADJOURNMENT

Mr. BUCKMAN. Mr. President, I move that the Senate do now adjourn until tomorrow morning at 10 o'clock.

Mr. SALUS. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 11.59 P. M. until tomorrow morning, August 6, 1936, at 10 o'clock.

HOUSE OF REPRESENTATIVES

WEDNESDAY, AUGUST 5, 1936

The House met at 5:00 P. M.

The SPEAKER (Roy E. Furman) in the Chair.

PRAYER

The Reverend JAY HARTZELL ARNOLD, Pastor of Westminister Presbyterian Church, York, Pa., offered the following prayer:

Our Heavenly Father, here in this capital city and in this Legislative Hall, we recognize Thee as the only true and living God, the God of all the nations, who hast created us by Thy power and redeemed us by Thy grace. We recognize Thy sovereignty and worship Thee because Thou alone art to be worshiped, loved, and adored.

Our hearts overflow with gratitude as we meditate upon the gift of our lives and the continuance of the same. We cannot measure nor comprehend the marvelous implications of life with its manifold opportunities, responsibilities, and privileges. Enable us to walk by faith through its kaleidoscopic scenes.

Thou hast ordained powers in this world for the exercise of authority, the administration of justice and the

welfare and happiness of mankind. We are stewards in whatever sphere of activity our lot is cast. Since faithfulness is the test of stewardship, help us all to be faithful.

Bless the work of these, our servants, to whom we have delegated authority as our representatives. They are here in our stead. Help them to act wisely, plan carefully, and think clearly.

These days call for the best in the souls of men—yea, enable us to plan and think and act beyond our own powers. May we not lean on the arm of flesh nor trust in mere earthly wisdom.

Make us valiant servants as we face the exacting duties of our respective offices. May we not be mere servants of men but servants of the Most High God. May we not be mere puppets in the hands of men but may we be inwardly compelled by our highest institutions. May we so live and act that the end of our days of service will be like the effulgence of a glorious sunset emblazoned with splendor surpassing all our dreams.

The prayer we offer in the name of Jesus, our Savior. Amen.

JOURNAL APPROVED

The SPEAKER. The Clerk will read the Journal of yesterday.

The Clerk proceeded to read the Journal of yesterday when, on motion of Mr. JOHN A. SMITH, the further reading was dispensed with and the Journal approved.

MEMBERS OF KEYSTONE BOYS' STATE INTRODUCED

The SPEAKER. This General Assembly has been honored this afternoon by a splendid group of young men who are now standing in back of the rail. These young men are part of a huge movement under the sponsorship of the Ameican Legion and of various civic organizations throughout the State which are lending their aid to this movement. This group is primarily interested in government and the workings of government. From their group they have elected different state officials, and they conduct government as it should be conducted in their camp which is located at Mt. Gretna. We are highly honored to have them here, and we hope that they will be benefited greatly by observing the proceedings of this House. I am sure that if the members of this House have occasion to go to Mt. Gretna they will benefit by noting the work of these young men.

These young men, I am told, are all outstanding, especially in scholastic work.

We have now with us the Governor of the group who has been duly elected, Mr. Carl Savino, of Scranton, whom I wish to introduce to the members of the House of Reprentatives.

Mr. CARL SAVINO. Mr. Speaker and members of the House of Representatives, it is my pleasure to be the first governor of the boys of the Keystone State, and as governor of this group, I can assure you that we intend to emulate the present government of the State of Pennsylvania. I thank you.

The SPEAKER. The Chair, on behalf of the House, wishes to thank the Governor, Carl Savino, the other officers who have been elected by this group of boys, and all the boys that are a part of this movement. We ask you to come back and see us again.

RESOLUTIONS INTRODUCED AND REFERRED

By Mr. HOOPES. RESOLUTION No. 58.

In the House of Representatives, August 4, 1936.

Whereas, A reading of the Democratic and Republican Platforms for the 1936 Presidential Campaign should convince anyone that these parties offer no basic remedy for the very serious economic problems confronting our country; and

Whereas, The Socialist Party in its Platform proposes not only measures to ease the conditions and increase the security of the farmers and industrial workers in the near future, but also a broad program to change our social system, so as to remove the causes of present social evils; and

Whereas, The 1936 Socialist Party Platform reads as follows:

"FOR A SOCIALIST AMERICA

The Socialist Party of the United States pledges itself anew to the task of building a Socialist society, in which the industries of the country shall be socially owned and democratically managed for the common good; a society in which security, plenty, peace and freedom shall be the heritage of all.

Eight years ago the people of this country voted to continue the "Old Deal" of the Republican party. The attempt of the "Old Deal" to preserve the rights of the few who own most of the nation's wealth plunged the nation into the worst depression in our history.

Four years ago the majority of the voters of the United States threw their support to the "New Deal" of the Democratic party. Under it, big business was given almost unheard-of powers. Untold wealth was destroyed. Prices rose. Profits advanced. Wages lagged. Twelve million men and women are still jobless. Hunger and destitution stalk throughout the land.

The "New Deal", like the "Old Deal", has failed.

Under the "New Deal", more vicious attacks have been made on our civil liberties than at any period since the days immediately following the World War. Gag and "loyalty" bills have been rushed through our legislatures. Union organizers have been seized, kidnapped and killed. The militia has been used to crush attempts of labor to organize. Lynching, race discrimination and the use of violence have continued unabated. Against these infringements of human rights the Democratic party administration has kept an ominous silence as did the Republican administration before it.

Under both the "Old Deal" and the "New Deal", America has drifted toward insecurity and war—the logical results of capitalism. For under capitalism, the many live by working in the city and on the land. The few who own the means of production and distribution employ the workers only if they can extract a profit from their labor. With their scarcity wages, the workers are able to buy only a part of the goods which they produce. Goods pile up. Factories close. The country is plunged into another depression. The capitalists attempt to keep up their profits during the depression. Workers are dismissed. Hours are lengthened. Wages are slashed. The workers are compelled, in order to save themselves from utter poverty, to make demands upon the government for appropriations for relief and public jobs, and upon industry for wages adequate to maintain their standard of living. These demands are resisted by the propertied class—fearful of parting with a share of their unearned wealth.

The need and the demand for greater appropriations and higher wages increase. The struggle between the House of Have and the House of Want becomes ever more intense. In order to render the masses powerless big business seeks to deny them their constitutional rights. Fascist trends develop—trends that only a powerful and militant labor movement on the economic and political fields can successfully stay.

War, under a declining capitalism, becomes an ever greater menace. The owners look toward imperialist con-

quest of backward nations as a means of diverting attention from unrest at home, and of gaining new markets, new investment areas, new sources of raw material.

This has already caused us to increase our military expenditure to three times as great as before the World War, and if unchecked can have but one ending—an international war.

In Socialism alone do we find the solution of our problem. Under Socialism, industry could be socially owned and democratically administered, by workers, consumers and technicians. The workers would no longer be forced to pay tribute to private owners and their political lackeys. The merit system would be applied universally. The workers would be able to buy back the goods they create. Industry, finding a market for these goods, would run without periodic breakdowns. Unemployment and the wastes of unplanned industry would cease. Every useful worker would be assured of high living standards, short hours, freedom and liberty and a chance to enjoy a good life. Industrial autocracy and war would pass. And economy of scarcity would give way to an economy of abundance.

On the basis of the present capacity to produce, a socialized society will make it possible to

1. More than double the present annual production of wealth which properly distributed would provide every family with a minimum income of $2,500 to $4,000 per year.
2. Guarantee jobs to all persons willing to work and at the same time reduce the hours of labor to 30 or less per week.
3. Guarantee security for all persons against old age, sickness and accident.
4. Provide a fine, modern home for every family in the city or on the farm.

Such a society cannot be obtained without a mighty struggle. The struggle must be waged by both workers and farmers—organized into labor and farmer unions, cooperatives, and their own political party.

To improve the conditions of life and labor and thereby to weld together the strength and solidarity of the masses, the Socialist party pledges itself to fight for the following immediate steps:

1. Constitution

We propose to amend the Constitution to fit our needs through the Farmers and Workers' Rights Amendment, ending the usurped power of the Supreme Court to declare social legislation unconstitutional and reaffirming the right of Congress to acquire and operate industries. We also propose to change the Constitution to make future amendments less difficult. We pledge continued support of the Child Labor Amendment.

2. Social Ownership

We propose the social ownership and democratic control of the banks, mines, railroads, the power industry, and all key industries.

3. Relief and Social Security

We propose an immediate appropriation by Congress of funds to insure adequate Federal relief to the unemployed, and a comprehensive program of useful public works at union wages, especially the immediate launching of a public housing program for the complete elimination of the nation's slums, and a Federal system of unemployment, disability and maternity insurance and adequate old age pensions.

4. Youth

We propose the passage of the American Youth Act to meet the immediate educational and economic needs of young people; adequate Federal appropriations for public schools and free city colleges with a view to making possible a full education for all young people. We oppose the C.C.C., the National Youth Administration and other governmental agencies dealing with the youth problem which threaten the wage and living standards of organized labor.

5. Labor Legislation

We propose the establishment of the thirty-hour week; the guarantee of the right of collective bargaining by all workers in industries and occupations—public and private; the abolition of injunctions in labor disputes; the prohibition of company unions, company spying and private guards and gunmen; the prohibition of the use of the police, deputy sheriffs and militia and federal troops against labor.

6. Taxation

We propose a drastic increase in income and inhertiance taxes and the introduction of the capital levy.

7. Agriculture

We propose:

A. That immediate relief be provided for debt-laden working farmers by advancing government credit on such terms as do not threaten the farmer with the loss of his farm.

B. That farm prices be stabilized at cost of production to the working farmer, such stabilization to be made by the representatives of organized working farmers and consumers.

C. That the marketing, processing and distribution of farm products be taken over by bona fide cooperatives and other agencies to be created for this purpose.

D. That social insurance be provided against crop failures.

E. That abolition of tenant and corporation farming by the establishment of a use-and-occupancy title for family-sized farms and the conversion of plantations and corporation farms into cooperative farms.

8. Civil Liberties

We propose the abolition of all laws that interfere with the right of free speech, free press, free assembly and the activities of labor in its struggle for organization and power; the enforcement of constitutional guarantees of economic, political, and social equality for the Negro and all other oppressed minorities; and the enactment and enforcement of a Federal anti-lynching law.

9. Militarism and War

Not a penny, not a man to the military arms of the government. We reaffirm our opposition to any war engaged in by the government. We propose the elimination of military training from our schools; the abandonment of imperialist adventures of a military or economic nature abroad; the maintenance of friendly relations with Soviet Russia; and the strengthening of neutrality laws, to the end that we may avert immediate wars while fighting for the attainment of a social order which will eliminate the basic causes of war."

Now, therefore be it Resolved by the House of Representatives that we urge all Pennsylvania voters to read and study the Socialist Platform before going to the Polls on November 3.

Referred to the Committee on Rules.

By MESSRS. CAPUTO, REISING and NAGEL.

RESOLUTION No. 59

In the House of Representatives, August 4, 1936.

Whereas, There have been various reports indicating that certain industries in the Commonwealth of Pennsylvania are resorting to coercion and intimidation by requiring their employes to register in, and vote for, the candidates of a certain political party, and

Whereas, Such intimidation and coercion is repugnant to the free exercise of the right of franchise and totally un-American in principle, therefore be it

Resolved, That the Speaker of the House of Representatives shall appoint a legislative committee, composed of five members of the House of Representatives, whose duty it shall be to make a thorough, impartial and searching investigation to ascertain whether any industry in the Commonwealth of Pennsylvania is resorting to political coercion and intimidation and requiring its employes to register in, and vote for, the candidates of a particular political party in return for the security of their employment;

Resolved, That the said committee shall have power to issue subpoenas under the hand and seal of its chairman, requesting and commanding any person or persons to appear before them and to answer such questions touching matters properly being inquired into by the committee, and to produce such books, papers, records and documents as the committee may deem necessary. Such subpoenas may be served upon any person and shall have the force and effect of subpoenas issued out of the courts of this Commonwealth. Each member of said committee shall have power to administer oaths and affirmations to witnesses appearing before the committee.

Resolved, That said Committee shall make a report to the House of Representatives as early as possible at this or the next Session of the General Assembly.

Referred to the Committee on Rules.

REPORTS FROM COMMITTEES

Mr. SIMON, from the Committee on Rules, reported as amended, House Resolution No. 53.

Mr. SINWELL, from the Committee on Rules, reported as committed, House Resolution No. 56.

Mr. EBERHARTER, from the Committee on Rules, reported as committed, House Resolution No. 44.

SENATE MESSAGE

HOUSE BILLS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows:

HOUSE BILL NO. 130.

An Act to further amend the act approved the first day of June one thousand eight hundred eighty-nine (Pamphlet Laws four hundred twenty) entitled "A further supplement to an act entitled 'An act to provide revenue by taxation' approved the seventh day of June Anno Domini one thousand eight hundred and seventy-nine" by increasing for a limited period of time the rate of tax imposed by the act upon the gross receipts of certain companies limited partnerships associations joint-stock associations, copartnerships, and persons

HOUSE BILL NO. 170.

An Act transferring money from the State School Fund to the General Fund and requiring the State Council of Education to liquidate such investments in the State School Fund as may be necessary to effectuate such transfer

HOUSE BILL NO. 172.

An Act authorizing the Commonwealth to negotiate a loan of one million dollars to meet any casual deficiency in revenue during the biennial fiscal period ending the thirty-first day of May, one thousand nine hundred thirty-seven, in accordance with the provisions of section four of article nine of the Constitution of Pennsylvania defining the powers and duties of the Governor the Auditor General and State Treasurer in relation thereto and providing for the payment of interest on and the repayment of such loan.

With the information that the Senate has passed the same without amendment.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL NO. 163.

An Act transferring money from the State Insurance Fund to the General Fund and requiring the Department of Property and Supplies to liquidate the investments in such Fund in order to provide money for such transfer

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend Section 1, page 1, line 1, by inserting after the word "enacted" and before the word "that" the following: "by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same."

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—186

Achterman,	Eroe,	McDermott,	Shepard,
Alexander,	Falkenstein,	McDevitt,	Shortz,
Allen,	Ferko,	McElroy,	Shreiner,
Altenburg,	Finnerty,	McHenry,	Shugarts,
Andrews,	Fitch,	McKinney,	Siegel,
Anthony,	Flanagan,	Melchiorre,	Simon,
Arnold,	Flinchbaugh,	Mentzer,	Simpson,
Atkins,	Forrest,	Merrell,	Sinwell,
Aukerman,	Gates,	Moomaw,	Sloan,
Baine,	Gerard,	Moore,	Smith, J. A.,
Baker, F. T.,	Gillette,	Moran,	Smith, W. G.,
Baker, J J.,	Habbyshaw,	Moul,	Snyder, F. E.,
Baldi,	Haberlen,	Muir,	Sowers,
Barber,	Hagerty,	Munley,	Sproul,
Barnhardt,	Haluska,	Nagel,	Stank,
Beadman,	Hamilton, F. P.	Nothnagle,	Stevens,
Bernhard,	Hamilton, R. S.,	O'Keefe,	Stockham,
Blumberg,	Harkins,	Ominsky,	Stone,
Boose,	Harmuth,	O'Neill,	Stott,
Boyer,	Hartman,	Panton,	Sumney,
Bradley,	Hermansen,	Parks,	Surface,
Brancato,	Hetrick,	Patterson, C.,	Sweeney,
Brennan,	Hindman,	Patterson, J. W.,	Tahl,
Brown, H. S.,	Hirsch,	Pearson,	Terry,
Brown, J. E.,	Holland,	Perry,	Tronzo,
Brownfield,	Holstrom,	Pfaff,	Trout,
Brumbaugh,	Hoopes,	Piole,	Tumelty,
Burke,	Horst,	Powers,	Turner,
Cannon,	Jackson,	Reising,	VanAllsburg,
Caputo,	Jones,	Reynolds,	Van Sickle,
Carson,	Kane,	Rhys,	Wall,
Chervenak,	Kelder,	Rinn,	Wasserman,
Coakley,	Kelso,	Roan,	Weidemann,
Cochran,	Kenney,	Robinson,	Weiss,
Cohen,	Kilroy,	Rooney,	Welliver,
Coleman,	Kinney,	Root,	Welsh,
Condon,	Klingler,	Royer,	Westrick,
Cooper	Kobelak,	Ruffennach,	Wickersham,
Cordier,	LaRue,	Sarraf,	Winner,
Decker,	Linderman,	Scanlon,	Witkin,
Dent,	Long,	Schaeffer,	Wood,
Diehl,	Longaker,	Schrock,	Woodside,
Dilley,	Lovett,	Schrope,	Yeakel,
Downey, G. E.,	Lynch,	Schwab,	Yourishin,
Downey, J. J.,	Male,	Serrill,	Zappala,
Duffort,	Mason,	Shaw,	Furman,
Eberharter,	McCreary,		

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative, and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL NO. 171.

An Act ratifying confirming and validating the transfer of money from the State Stores Fund and the Liquid Fuels Tax Fund to the General Fund

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend title, page 1, by inserting at the end of line 3 after the word "Fund" the following: "and providing for the subsequent return from the General Fund of the transferred money."

Amend Section 1, page 1, line 9, by inserting after the word "Number" the following: "eighty-seven."

Amend Section 1, page 1, by inserting at the end of line, 12 after the word "validated" the following: To the extent to which the aforesaid transfers make it necessary the use of the money transferred from the State Stores Fund and the Liquid Fuels Tax Fund for its ordinary purposes shall be postponed but not otherwise modified.

Section 2 The amounts transferred under this act from the State Stores Fund and the Liquid Fuels Tax Fund shall be repaid to such funds out of the general Fund not later than May thirty-first one thousand nine hundred thirty-seven.

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—188

Achterman,	Duffort,	Male,	Serrill,
Alexander,	Eberharter,	Mason,	Shaw,
Allen,	Eroe,	McCreary,	Shepard,
Altenburg,	Falkenstein,	McDermott,	Shortz,
Andrews,	Ferko,	McDevitt,	Shreiner,
Anthony,	Finnerty,	McElroy,	Shugarts,
Arnold,	Fitch,	McHenry,	Siegel,
Atkins,	Flanagan,	McKinney,	Simon,
Aukerman,	Flinchbaugh,	Melchiorre,	Simpson,
Baine,	Forrest,	Mentzer,	Sinwell,
Baker, F. T.,	Gates,	Merrell,	Sloan,
Baker, J. J.,	Gerard,	Moomaw,	Smith, J. A.,
Baldi,	Gillette,	Moore,	Smith, W. G.,
Barber,	Habbyshaw,	Moran,	Snyder, F. E.,
Barnhardt,	Haberlen,	Moul,	Sowers,
Beadman,	Hagerty,	Muir,	Sproul,
Bernhard,	Haluska,	Munley,	Stank,
Blumberg,	Hamilton, F. P.,	Nagel,	Stevens,
Boose,	Hamilton, R. S.	Nothnagle,	Stockham,
Boyer,	Harkins,	O'Keefe,	Stone,
Bradley,	Harmuth,	Ominsky,	Stott,
Brancato,	Hartman,	O'Neill,	Sumney,
Brennan,	Hermansen,	Panton,	Surface,
Brown, H. S.,	Hetrick,	Parks,	Sweeney,
Brown, J. E.,	Hindman,	Patterson, C.,	Terry,
Brownfield,	Hirsch,	Patterson, J. W.,	Tronzo,
Brumbaugh,	Hoffner,	Pearson,	Trout,
Burke,	Holland,	Perry,	Tumelty,
Cannon,	Holstrom,	Pfaff,	Turner,
Caputo,	Hoopes,	Piole,	VanAllsburg,
Carson,	Horst,	Powers,	VanSickle,
Chervenak,	Jackson,	Reising,	Wall,
Coakley,	Jones,	Reynolds,	Wasserman,
Cochran,	Kane,	Rhys,	Weidemann,
Cohen,	Kelder,	Rinn,	Weiss,
Coleman,	Kelso,	Roan,	Welliver,
Condon,	Kenney,	Robinson,	Welsh,
Coolahan,	Kilroy,	Rooney,	Westrick,
Cooper,	Kinney,	Root,	Wickersham,
Cordier,	Klingler,	Royer,	Winner,
Davies,	Kobelak,	Ruffennach,	Witkin,
Decker,	LaRue,	Sarraf,	Wood,
Dent,	Linderman,	Scanlon,	Woodside,
Diehl,	Long,	Schaeffer,	Yeakel,
Dilley,	Longaker,	Schrock,	Yourishin,
Downey, G. E.,	Lovett,	Schrope,	Zappala,
Downey, J. J.,	Lynch,	Schwab,	Furman,

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative, and the amendments were concurred in.

Ordered, that the Clerk inform the Senate accordingly.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 169.

An Act to provide revenue for State purposes by imposing an excise tax, for a limited period of time, upon the privilege of distilling, blending, rectifying, and manufacturing alcohol and spirituous liquors; providing for the collection of the tax and the manner of making payment thereof; conferring powers and imposing duties on certain State officers and departments; and providing penalties.

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend title, page 1, by striking out in lines 3 and 4 the following: "privilege of distilling blending rectifying and manufacturing alcohol and spirituous liquors" and inserting in lieu thereof the following: "delivery in this Commonwealth to the Pennsylvania Liquor Control Board of distilled rectified and blended spirits"; also at the end of line 4 by inserting after the word "the" the words "payment and"; also in lines 5 and 6 by striking out the words "and the manner of making payment thereof"; also in line 6 by inserting before the word "conferring" the word "and"; also in lines 7 and 8 by striking out the words "certain State officers and departments and providing penalties" and inserting in lieu thereof the words "the Pennsylvania Liquor Control Board."

Amend Section 1, page 1, by striking out all of lines 4 to 9 as follows: "a tax is hereby imposed upon the privilege of distilling blending rectifying and manufacturing alcohol and spirituous liquors during the calendar year one thousand nine hundred thirty-six at the rate of five cents a gallon upon the alcohol and spirituous liquor distilled blended rectified and manufactured during said year" and inserting in lieu thereof the following: "the following words terms and phrases when used in this act shall have the meanings ascribed to them in this section except in those instances where the context clearly indicates a different meaning

"Association" A partnership limited partnership or any other form of unincorporated enterprise owned by two or more persons.

"Board" The Pennsylvania Liquor Control Board

"Corporation" A corporation or joint-stock association organized under the laws of this Commonwealth the United States or any other state territory or foreign country or dependency.

"Department" The Department of Revenue of this Commonwealth

"Distilled Spirits" Any alcohol other than denatured alcohol unfit for beverage purposes and any liquid usable for beverage purposes which contains more than twenty-four per cent of alcohol by volume obtained by distillation or any process of evaporation mixed with water and other substances in solution including brandy rum whiskey gin and any other alcoholic beverage obtained as aforesaid by whatever name such beverage may be called

"Person" Every natural person association or corporation

"Rectified or Blended Spirits' Any beverage containing more than twenty-four per cent of alcohol by volume obtained either by rectification redistillation refining or purifying of distilled spirits by any process other than by original and continuous distillation from mash wort or wash through continuous closed vessels and pipes until the manufacture thereof is completed or by mixing distilled spirits or other liquor with any materials or with any other distilled spirits or other liquor thereby producing any spurious imitation blended or compounded alcoholic liquor

The singular shall include the plural and the masculine shall include the feminine and neuter

Section 2 An excise tax is hereby imposed upon the delivery of all distilled rectified and blended spirits to the board for sale in this Commonwealth at the rate of four per cent (4%) upon the purchase price payable therefor by the board as evidenced by invoices therefor rendered to the board by the vendor thereof The tax imposed by this section shall be paid by persons delivering such distilled rectified and blended spirits in this Commonwealth to the board at the time of delivery thereof unless the person liable for the payment of the tax shall agree with the board that said tax shall be deducted by the board from the amount payable on the invoice rendered and paid over as hereinafter provided"

Amend bill, page 1, line 10, by striking out after the word "Section" the numeral "2" and inserting in lieu thereof the numeral "3".

Amend bill, page 1, by inserting after line 11 the following new sections, as follows:

"Section 4 It shall be the duty of the board to transmit to the department on or before the fifth day of each calendar month the taxes collected during the preceding calendar month and such other information as may be necessary to effectuate the provisions of this act at which time it shall also be the duty of the board to pay to the State Treasurer through the department the tax imposed upon such liquor by the provisions of this act for said month

Section 5 This act shall become effective the fifteenth day of August one thousand nine hundred thirty-six and shall remain in effect until and including the thirty-first day of May one thousand nine hundred thirty-seven.

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—188

Achterman,	Duffort,	Mason,	Shaw,
Alexander,	Eberharter,	McCreary,	Shepard,
Allen,	Eroe,	McDermott,	Shortz,
Altenburg,	Falkenstein,	McDevitt,	Shreiner,
Andrews,	Ferko,	McElroy,	Shugarts,
Anthony,	Finnerty,	McHenry,	Siegel,
Arnold,	Fitch,	McKinney,	Simon,
Atkins,	Flanagan,	Melchiorre,	Simpson,
Auker man,	Flinchbaugh,	Mentzer,	Sinwell,
Baine,	Forrest,	Merrell,	Sloan,
Baker, F. T.,	Gates,	Moomaw,	Smith, J. A.,
Baker, J J.,	Gerard,	Moore,	Smith, W. G.,
Baldi,	Gillette,	Moran,	Snyder, F. E.,
Barber,	Habbyshaw,	Moul,	Sowers,
Barnhardt,	Haberlen,	Muir,	Sproul,
Beadman,	Hagerty,	Munley,	Stank,
Bernhard,	Haluska,	Nagel,	Stevens,
Blumberg,	Hamilton, F. P.,	Nothnagle,	Stockham,
Boose,	Hamilton, R. S.,	O'Keefe,	Stone,
Boyer,	Harkins,	Ominsky,	Stott,
Bradley,	Harmuth,	O'Neill,	Sumney,
Brancato,	Hartman,	Panton,	Surface,
Brennan,	Hermansen,	Parks,	Sweeney,
Brown, H. S.,	Hetrick,	Patterson, Cliff,	Tahl,
Brown, J. E.,	Hindman,	Patterson, J. W.	Terry,
Brownfield,	Hirsch,	Pearson,	Tronzo,
Brumbaugh,	Holland,	Perry,	Trout,
Burke,	Holstrom,	Pfaff,	Tumelty,
Cannon,	Hoopes,	Piole,	Turner,
Caputo,	Horst,	Powers,	VanAllsburg,
Carson,	Jackson,	Reising,	Van Sickle,
Chervenak,	Jones,	Reynolds,	Wall,
Coakley,	Kane,	Rhys,	Wasserman,
Cochran,	Kelder,	Rinn,	Weidemann,
Cohen,	Kelso,	Roan,	Weiss,
Coleman,	Kenney,	Robinson,	Welliver,
Condon,	Kilroy,	Rooney,	Welsh,
Coolahan,	Kinney,	Root,	Westrick,
Cooper	Klingler,	Royer,	Wickersham,
Cordier,	Kobelak,	Ruffennach,	Winner,
Davies,	LaRue,	Sarraf,	Witkin,
Decker,	Longaker,	Scanlon,	Wood,
Dent,	Long,	Schaeffer,	Woodside,
Diehl,	Longaker,	Schrock,	Yeakel,
Dilley,	Lovett,	Schrope,	Yourishin,
Downey, G. E.,	Lynch,	Schwab,	Zappala,
Downey, J. J.,	Male,	Serrill,	Furman,

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative, and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 156.

An Act making an appropriation to the State Emergency Relief Board for direct relief and expenses defining the purposes for which such moneys may be expended creating public assistance boards in each county, and prescribing their powers and duties; imposing certain expenses on counties prescribing the powers and duties of the State Emergency Relief Board and certain State departments

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend title, page 1, at the beginning of line 4, by striking out after the word "expended" the word "and": also in line 6, by inserting after the word "departments" the words "prohibiting political activity by employes of the State Emergency Relief Board and prescribing penaltes."

Amend bill, by inserting after the title, the following Preamble:

"Whereas it is the intent of the General Assembly to appropriate the total sum of forty-five million dollars ($45,000,000) for unemployment relief for the period ending January thirty-first one thousand nine hundred and thirty-seven and

Whereas by Act Number nine approved June twenty-fourth one thousand nine hundred and thirty-six the sum of seven million seven hundred sixteen thousand two hundred eleven dollars ($7,716,211) was appropriated to the State Emergency Relief Board for unemployment relief and by Act Number nineteen approved July fourteenth one thousand nine hundred and thirty-six the further sum

of five million dollars ($5,000,000) was appropriated and by House Bill Number eighteen passed by the Senate and awaiting concurrence in the House the further sum of ten million dollars ($10,000,000) is to be appropriated for said purposes therefore"

Amend Section 1, page 1, by striking out in line 4 the words and figures "four million dollars ($4,000,000)" and inserting in lieu thereof the words and figures "twenty-two million two hundred eighty-three thousand seven hundred eighty-nine dollars ($22,283,789)"; also by inserting at the end of the section after line 7, the following: "during the period ending January thirty-first one thousand nine hundred and thirty-seven but the moneys hereby appropriated may be used for the payment of bills contracted by or with the authority of the State Emergency Relief Board for direct relief work relief or administrative expenses contracted prior to the effective date of this act Provided That not more than eight per centum of the amount hereby appropriated shall be used for administration expenses of the State Emergency Relief Board.'

Amend Section 4, page 2, line 15, by striking out after the word "of" the words and figures "seven thousand five hundred dollars ($7,500)" and inserting in lieu thereof the words and figures "one hundred seventy-six thousand two hundred and fifty dollars ($176,250)." Amend Section 5, page 2, line 26, by inserting after the word "act" the words "not exceeding the limitation hereinbefore prescribed."

Amend bill, page 4, by inserting after line 4 the following new section:

"Section 6 No investigator clerk or other employe of the State Emergency Relief Board shall be a member of or delegate or alternate delegate to any political convention nor be present at any such convention nor serve as a member of or attend meetings of any committee of any political party or take any active part in political management or in political campaigns or use his position to influence political movements or influence the political action of any other person nor in any way or manner interfere with the conduct of any election or the preparation therefor at the polling place or with the election officers while the vote is being counted or the rate or ballot box is being returned save only for the purpose of marking and depositing his ballot nor be within fifty feet of any polling place during voting hours and the counting of the ballots except for the purpose of residence or travel Any person who shall violate any of the foregoing provisions shall be guilty of a misdemeanor and shall upon conviction thereof be punished by a fine not exceeding five hundred dollars ($500) and forfeit his position."

Amend bill, page 4, at the beginning of line 5, by striking out after the word "Section' 'the numeral "6" and inserting in lieu thereof the numeral "7."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. EBERHARTER. Mr. Speaker, I move that the House non-concur in the amendments made by the Senate?

On the question,

Will the House agree to the motion?

Mr. WITKIN. Mr. Speaker and members of the House, as I understand it the majority of this House are of the opinion that the amendments inserted by the Senate with respect to the limitation of the administrative cost to eight percent are unsatisfactory, and in view of the fact that there is a difference of opinion between the Senate and the House, I will ask the Republican members of the House to vote to non-concur in order that a conference committee may be appointed to iron out the differences and thus save the time of the House in protracted debate.

On the question recurring,

Will the House agree to the motion?

It was agreed to.

Ordered, That the Clerk inform the Senate accordingly.

REPORT FROM COMMITTEE

Mr. SIMON, from the Committee on Rules, reported as amended, House Resolution No. 27.

REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 159

Mr. ANDREWS. Mr. Speaker, I desire to call up at this time the report of the Committee of Conference on House Bill No. 159, Printer's No. 230.

The report was read by the Clerk as follows:

To the Members of the Senate and House of Representatives:

We, the undersigned, Committee of Conference on the part of the Senate and House of Representatives for the purpose of considering House Bill Number one hundred fifty-nine, entitled: "An act authorizing the Commonwealth to negotiate temporary emergency loans to defray the current and/or other expenses of the State government during the fiscal year ending the thirty-first day of May, one thousand nine hundred thirty-seven, evidenced by tax anticipation notes in two series secured by and payable from current revenues levied, assessed, collectible and/or accruing during such fiscal year, defining the powers and duties of the Governor, the Auditor General and the State Treasurer in relation thereto, providing for the payment of interest on, and the repayment of, such loans; providing for payments into the sinking fund, and making an appropriation," respectfully submit the following bill as our report:

JOHN J. McCLURE
G. MASON OWLETT
HARVEY HUFFMAN
Committee on the part of the Senate

H. G. ANDREWS
JOSEPH DAVID BURKE
ELLWOOD J. TURNER
Committee on the part of the House of Representatives

An Act authorizing the Commonwealth to negotiate temporary emergency loans to defray the current and other expenses of the State government during the fiscal year ending the thirty-first day of May one thousand nine hundred thirty-seven evidenced by tax anticipation notes secured by and payable from current revenues levied assessed collectible and accruing during such fiscal year defining the powers and duties of the Governor the Auditor General and the State Treasurer in relation thereto providing for the payment of interest on and the repayment of such loans and making an appropriation.

Whereas, The present Special Session of the General Assembly has provided certain new revenues of the Commonwealth

Whereas, Such revenues in the amount of forty-five million dollars ($45,000,000) are specifically appropriated and set aside during the fiscal year ending the thirty-first day of May one thousand nine hundred thirty-seven for unemployment relief

Whereas, The revenues though levied and assessed will not be presently available for the current and other expenses of the State government but such revenues which will be available for expenditures of the State government and will accrue and will be paid into the General Fund of the State Treasury before the end of the fiscal year ending the thirty-first day of May one thousand nine hundred thirty-seven and will be sufficient to meet such expenditures during such year and

Whereas, In order that the obligations of the Commonwealth may be met promptly and in order that the State government might not fail through lack of funds it is

necessary temporarily to obtain funds to defray the expenditures of the State government during the fiscal year aforesaid until the revenues that will subsequently accrue to the State Treasury during the aforesaid fiscal year are available for this purpose

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the Governor the Auditor General and the State Treasurer on behalf of the Commonwealth of Pennsylvania are hereby authorized and directed during the fiscal year ending the thirty-first day of May one thousand nine hundred thirty-seven from time to time to borrow on the credit of the current revenues of the Commonwealth of Pennsylvania such sum or sums of money not exceeding in the aggregate the sum of forty-five million dollars ($45,000,000) as may be necessary to defray the current and other expenses of the State government during such fiscal year

Section 2 (a) Such loans shall be evidenced by notes of the Commonwealth of Pennsylvania All of said notes shall mature not later than the thirty-first day of May one thousand nine hundred thirty-seven Such notes are hereby declared to be tax anticipation notes Such notes or renewals thereof shall be issued from time to time for such total amounts in such sums and subject to such terms and conditions rates of interest not in excess of four and one-half per centum (4½%) per annum and time of payment of interest as the Governor Auditor General and State Treasurer shall determine and direct

(b) All notes issued under the authority of this act shall bear the signatures of the Governor the Auditor General and the State Treasurer and a facsimile of the great seal of the Commonwealth

(c) The current revenues of the biennial fiscal period ending the thirty-first day of May one thousand nine hundred thirty-seven are pledged for the payment of principal and interest of such notes which shall be payable in lawful money of the United States All notes issued under the provisions of this act shall be exempt from taxation for State and local purposes

Section 3 The proceeds derived from the negotiation of loans under the provisions of this act shall be paid into the General Fund of the State Treasury and shall be used for the payment of appropriations made from such fund to defray the current and other expenses of the State government for the year ending May thirty-first one thousand nine hundred thirty-seven

Section 4 Any loans negotiated under the provisions of this act shall be secured by the current revenues levied and assessed for revenue purposes of every kind or character accruing to the General Fund of the State Treasury during the two fiscal years beginning June first one thousand nine hundred thirty-five except such part of said revenues as may be required to pay tax anticipation notes series AT issued under the authority of the act approved the twenty-second day of June one thousand nine hundred thirty-five (Pamphlet Laws four hundred forty-four) for the payment of which certain revenues have heretofore been pledged Such loans shall first be paid out of new revenue raised by laws enacted at this Special Session of the Legislature In case insufficient moneys are derived from such new revenues then and in that event the additional amount needed for such purpose over and above the amount of the new revenues shall be paid out of other current revenues accruing during the fiscal biennium not required for the payment of the notes issued as series AT All such revenues as may be necessary for the payment of the principal and interest of such loans are hereby specifically appropriated The Department of Revenue shall allocate such revenues to said payments The sum of twenty thousand dollars ($20,000) or so much thereof as may be necessary is hereby specifically appropriated for the purpose of providing tax anticipation notes and incidental expenses in connection with the issuing of the same

Section 5 The provisions of this act are severable and if any of its provisions are held unconstitutional the decision so holding shall not be construed to impair any other provision of this act It is hereby declared as the legislative intent that this act would have been adopted had such unconstitutional provision not been included therein

Section 6 This act shall become effective immediately upon its final enactment

On the question,

Will the House adopt the report of the Committee of Conference?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—191

Achterman,	Eberharter,	Mason,	Shaw,
Alexander,	Eroe,	McCreary,	Shepard,
Allen,	Falkenstein,	McDermott,	Shortz,
Altenburg,	Ferko,	McDevitt	Shreiner,
Andrews,	Finnerty,	McElroy,	Shugarts,
Anthony,	Fitch,	McHenry,	Siegel,
Arnold,	Flanagan,	McKinney,	Simon,
Atkins,	Flinchbaugh,	Melchiorre,	Simpson,
Aukerman,	Forrest,	Mentzer,	Sinwell,
Baine,	Gates,	Merrell,	Sloan,
Baker, F. T.,	Gerard,	Moomaw,	Smith, J. A.,
Baker, J. J.,	Gillette,	Moore,	Smith, W. G.,
Baldi,	Greenstein,	Moran,	Snyder, F. E.,
Barber,	Habbyshaw,	Moul,	Sowers,
Barnhardt,	Haberlen,	Muir,	Sproul,
Beadman,	Hagerty,	Munley,	Stank,
Bernhard,	Haluska,	Nagel,	Stevens,
Blumberg,	Hamilton, F. P.,	Nothnagle,	Stockham,
Boose,	Hamilton, R. S.,	O'Keefe,	Stone,
Boyer,	Harkins,	Ominsky,	Stott,
Bradley,	Harmuth,	O'Neill,	Sumney,
Brancato,	Hartman,	Panton,	Surface,
Brennan,	Hermansen,	Parks,	Sweeney,
Brown, H. S.,	Hetrick,	Patterson, Cliff,	Tahl,
Brown, J. E.,	Hindman,	Patterson, J. W.,	Terry,
Brownfield,	Hirsch,	Pearson,	Tronzo,
Brumbaugh,	Hoffner,	Perry,	Trout,
Burke,	Holland,	Pfaff,	Tumelty,
Cannon,	Holstrom,	Phillips,	Turner,
Caputo,	Hoopes,	Piole,	VanAllsburg,
Carson,	Horst,	Powers,	VanSickle,
Chervenak,	Jackson,	Reising,	Wall,
Coakley,	Jones,	Reynolds,	Wasserman,
Cochran,	Kane,	Rhys,	Weidemann,
Cohen,,	Kelder,	Rinn,	Weiss,
Coleman,	Kelso,	Roan,	Welliver,
Condon,	Kenney,	Robinson,	Welsh,
Coolahan,	Kilroy,	Rooney,	Westrick,
Cooper,	Kinney,	Root,	Wickersham,
Cordier,	Klingler,	Royer,	Winner,
Davies,	Kobelak,	Ruffennach,	Witkin,
Decker,	LaRue,	Sarraf,	Wood,
Dent,	Linderman,	Scanlon,	Woodside,
Diehl,	Long,	Schaeffer,	Yeakel,
Dilley,	Longaker,	Schrock,	Yourishin,
Downey, G. E.,	Lovett,	Schrope,	Zappala,
Downey, J. J.,	Lynch,	Schwab,	Furman,
Duffort,	Male,	Serrill,	

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative, and the report of the Committee of Conference was adopted.

Ordered, that the Clerk inform the Senate accordingly.

RESOLUTION

RECALLING HOUSE BILL NO. 15 FROM THE GOVERNOR

Mr. COHEN offered the following resolution which was twice read, considered and adopted:

In the House of Representatives, August 5, 1936

Resolved (if the Senate concur), That House Bill No. 15, Printer's No. 209, entitled "An act ratifying confirming and validating the transfer of money from the State Store

Fund and the Motor License Fund to the General Fund and providing for the subsequent return from the General Fund of the transferred money," be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk present the same to the Senate for concurrence.

HOUSE BILL NO. 69 TAKEN FROM TABLE

Mr. WEISS. Mr. Speaker, I move that House Bill No. 69, Printer's No. 207, together with the message from the Governor which was laid upon the table, be taken from the table.

The motion was agreed to.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF RESOLUTION RECALLING HOUSE BILL NO. 69

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, August 4, 1936.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed a Resolution of the House of Representatives and Senate recalling from the Governor House Bill No. 69, Printer's No. 207, for the purpose of amendment.

Accordingly, the original bill is herewith returned.

GEORGE H. EARLE

RECONSIDERATION OF VOTE

Mr. WEISS. Mr. Speaker, I move that the vote by which this bill passed finally be reconsidered.

On the question,

Will the House agree to the motion?

QUESTION OF PARLIAMENTARY INQUIRY

Mr. ANDREWS. Mr. Speaker, I rise to a question of parliamentary inquiry.

The SPEAKER. The gentleman will state his question of parliamentary inquiry.

Mr. ANDREWS. Mr. Speaker, as I understand it, the last vote on this bill was the vote to concur in the Senate amendments, and is it not, therefore, the proper procedure to reconsider that vote if we want to get the measure before the House for amendment?

The SPEAKER. In answer to the parliamentary inquiry raised by the gentleman from Cambria, Mr. Andrews, the Chair wishes to advise the gentleman that the House concurred in the Senate amendments on July 29. The bill was then messaged to the Governor. A recall resolution was introduced on July 30; the bill was returned to the House on August 4, and a motion was made to lay the bill, together with the communication from the Governor, on the table. Therefore, the gentleman from Allegheny, Mr. Weiss, is in order in his motion to take the bill, together with the communication, from the table and then to make a motion to reconsider the vote by which the bill passed finally.

On the question recurring,

Will the House agree to the motion?

It was agreed to.

RECONSIDERATION OF VOTE

Mr. WEISS. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

The motion was agreed to.

On the question,

Will the House agree to the bill on third reading?

Mr. WEISS. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend title, page 1, last line of title, by striking out the strike-out brackets before the word "and" and after the word "appropriation"

Amend section 3, page 3, line 12, by striking out the strike-out bracket before the word "Section"

Amend section 3, page 3, line 12, by striking out the words "one hundred" and insert in lieu thereof "fifty"

Amend section 3, page 3, line 13, by striking out the figures "($100,000)" and insert in lieu thereof "($50,000)"

Amend section 3, page 3, line 24, by striking out the strike-out bracket after the word "act"

The SPEAKER. Will the House give unanimous consent to the insertion of the amendments at this time? Is there objection? The Chair hears none and the amendments will be inserted in accordance with the instructions of the House?

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

HOUSE BILL NO. 91 TAKEN FROM TABLE

Mr. STOCKHAM. Mr. Speaker, I move that House Bill No. 91, Printer's No. 124, together with the message from the Governor which was laid upon the table be taken from the table.

The motion was agreed to.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF RESOLUTION RECALLING HOUSE BILL NO. 91

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 15, 1936.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed a resolution of the House of Representatives and Senate recalling from the Governor House Bill No. 91, Printer's No. 124, for further consideration.

Accordingly, the original bill is herewith returned.

GEORGE H. EARLE.

RESOLUTION

RETURNING HOUSE BILL NO. 91 TO THE GOVERNOR

Mr. STOCKHAM offered the following resolution which was twice read, considered and adopted:

In the House of Representatives, August 5, 1936.

Resolved (if the Senate concur), That House Bill No. 91, Printer's No. 124, entitled "An act making an appro-

priation to the Department of Forests and Waters for the purpose of building and constructing new dikes, levees and river bank protections along the Delaware River at Morrisville Borough, Bucks County," which was recalled from the Governor, July 15th, for further consideration, be returned to the Governor without amendments.

Ordered, That the Clerk present the same to the Senate for concurrence.

RESOLUTION

CONGRATULATIONS TO OLYMPIC ATHLETE

Messrs. HOMER S. BROWN, WELSH, COCHRAN, BROWNFIELD and ARNOLD offered the following resolution which was twice read, considered and adopted.

In the House of Representatives, August 5, 1936.

Whereas, John Woodruff of Connellsville, Fayette County, Pennsylvania, a freshman at the University of Pittsburgh, won for the United States team, at the Olympics, the 800 meter final; and

Whereas, America has not been able to bring this prize home since 1912, when it was won by Ted Meredith; and

Whereas, John Woodruff, known to his friends and classmates as Johnny Woodruff, has now become the internationally known athlete, Johnny Woodruff to everyone; and

Whereas, Johnny Woodruff's phenomenal rise to international athletic fame is just another example of an American boy being able to out-Horatio, Horatio Alger; therefore be it

Resolved, That the House of Representatives extends to John Woodruff, its congratulations upon his winning for America the 800 meter final at the World Olympics, August 4, 1936.

RESOLUTION

EXTENDING THANKS TO CHIEF CLERK

Mr. GATES offered the following resolution which was twice read, considered and unanimously adopted:

In the House of Representatives, August 5, 1936.

Resolved, That the sincere thanks of the House be extended to the Chief Clerk William P. Gallagher for his efforts and success in securing for each member of this House before its adjournment a copy of that much appreciated and useful book the Pennsylvania State Manual.

REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL NO. 19

Mr. OMINSKY. Mr. Speaker, I desire to offer the report of the Committee of Conference on House Bill No. 19.

The SPEAKER. The report will lie over for printing under the rules.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 163 (Senate Bill No. 60), entitled:

A Joint Resolution proposing an amendment to section one article nine of the Constitution of the Commonwealth of Pennsylvania

The first section was read as follows:

Section 1 Be it resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met That the following amendment to the Constitution of the Commonwealth of Pennsylvania be and the same is hereby proposed in accordance with the eighteenth article thereof

That article nine section one of the Constitution of Pennsylvania be amended to read as follows

Section 1 All property taxes shall be uniform upon the same class of subjects within the territorial limits of the authority levying the tax and shall be levied and collected under general laws but the General Assembly may by general laws exempt from taxation public property used for public purposes actual places of religious worship places of burial not used or held for private or corporate profit institutions of purely public charity and real and personal property owned occupied and used by any branch post or camp of honorably discharged soldiers sailors and marines

Income inheritance estate and other excise taxes shall be levied and collected under general laws but such laws may grant exemptions and may impose graded rates

On the question,

Will the House agree to the section?

Mr. SIMON. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend Section 1, page 2, line 5, by inserting after the word "rates" the following: "Income taxes and taxes measured by income, shall be deemed to be excise taxes irrespective of the source from which the income is derived."

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The title was read and agreed to as follows:

A Joint Resolution proposing an amendment to section one article nine of the Constitution of the Commonwealth of Pennsylvania

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 164 (Senate Bill No. 75), as follows:

A Joint Resolution proposing an amendment to article nine of the Constitution of the Commonwealth of Pennsylvania by adding thereto section one C

Section 1 Be it resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met That the following amendment to the Constitution of the Commonwealth of Pennsylvania is hereby proposed in accordance with the eighteenth article thereof

That article nine of the Constitution of Pennsylvania is hereby amended by adding thereto the following section

Section 1C Political subdivisions shall annually reduce their respective tax levies on the assessed valuation of real estate so that the combined rates of all taxes (exclusive of taxes for debt service) for the year one thousand nine hundred and forty-three and any subsequent year on any parcel of real estate shall not exceed a total of fifteen mills The General Assembly shall enact legislation fixing the annual reductions to be made by classes of political subdivisions previous to the tax year one thousand nine hundred and forty-three and the maximum tax millage within said fifteen mill limitation which may be levied by any class of political subdivisions for the tax year one thousand nine hundred and forty-three and thereafter

The assessment or valuation of real property for tax purposes made for the year one thousand nine hundred

and forty-three and thereafter shall be made only at the fair market value

On the question,

Will the House agree to the bill on third reading?

BILL RECOMMITTED

Mr. COHEN. Mr. Speaker, I move that this bill be recommitted to the Committee on Constitutional Amendments for the purpose of a hearing.

On the question,

Will the House agree to the motion?

Mr. BARBER. Mr. Speaker, may I interrogate the gentleman from York, Mr. Cohen?

The SPEAKER. Will the gentleman from York permit himself to be interrogated?

Mr. COHEN. I will, Mr. Speaker.

Mr. BARBER. Mr. Speaker, I would like to ask the gentleman from York, Mr. Cohen, when this public hearing is to be held.

Mr. COHEN. Mr. Speaker, the public hearing is to be held immediately after the bill is recommitted, if the House will grant permission to the Committee on Constitutional Amendments to meet during the session.

On the question recurring,

Will the House agree to the motion?

It was agreed to.

PERMISSION GRANTED COMMITTEE TO SIT DURING SESSION

Mr. CHERVENAK asked and obtained permission for the Committee on Constitutional Amendments to sit during the session of the House.

INTERROGATION

Mr. ANDREWS. Mr. Speaker, I desire to interrogate the gentleman from Cambria, Mr. Chervenak.

The SPEAKER. Will the gentleman from Cambria permit himself to be interrogated?

Mr. CHERVENAK. I will, Mr. Speaker.

Mr. ANDREWS. Mr. Speaker, I would like to ask the gentleman from Cambria whether Senate Bill No. 75, Printer's No. 39, as printed is in the form in which it was adopted by the committee.

Mr. CHERVENAK. It is not, Mr. Speaker.

PERMISSION GRANTED COMMITTEE TO SIT DURING SESSION

Mr. CAPUTO asked and obtained permission for the Committee on Judiciary General to sit during the session of the House.

RECESS

The SPEAKER. If there are no objections the Chair is about to declare a recess until the committees return. Are there objections? The Chair hears none and declares a recess until the committees return.

AFTER RECESS

The SPEAKER (Roy E. Furman) in the Chair.

The time of recess having expired the House was called to order.

SENATE MESSAGE

RESOLUTION CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives, as follows:

In the House of Representatives, August 5, 1936.

Resolved (if the Senate concur), That House Bill No. 15, Printer's No. 209, entitled "An act ratifying confirming and validating the transfer of money from the State Stores Fund and the Motor License Fund to the General Fund and providing for the subsequent return from the General Fund of the transferred money," be recalled from the Governor for the purpose of amendment.

SENATE MESSAGE

RESOLUTION CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives, as follows:

In the House of Representatives, August 5, 1936.

Resolved (if the Senate concur), That House Bill No. 91, Printer's No. 124, entitled "An act making an appropriation to the Department of Forests and Waters for the purpose of building and constructing new dikes, levees and river bank protections along the Delaware River at Morrisville Borough, Bucks County," which was recalled from the Governor, July 15th, for further consideration, be returned to the Governor without amendments.

SENATE MESSAGE

SENATE ADOPTS CONFERENCE COMMITTEE REPORT ON HOUSE BILL NO. 159

The Clerk of the Senate being introduced, informed that the Senate has adopted the report of the Committee of Conference on the subject of the difference existing between the two Houses on House Bill numbered and entitled as follows:

HOUSE BILL No. 159.

An Act authorizing the Commonwealth to negotiate temporary emergency loans to defray the current and/or other expenses of the State government during the fiscal year ending the thirty-first day of May, one thousand nine hundred thirty-seven, evidenced by tax anticipation notes in two series secured by and payable from current revenues levied assessed collectible and/or accruing during such fiscal year defining the powers and duties of the Governor the Auditor General and the State Treasurer in relation thereto providing for the payment of interest on and the repayment of such loans providing for payments into the sinking fund and making an appropriation.

BILLS SIGNED BY THE SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

HOUSE BILL No. 159.

An Act authorizing the Commonwealth to negotiate temporary emergency loans to defray the current and other expenses of the State government during the fiscal year ending the thirty-first day of May one thousand nine hundred thirty-seven evidenced by tax anticipation notes secured by and payable from current revenues levied assessed collectible and accruing during such fiscal year defining the powers and duties of the Governor the Auditor General and the State Treasurer in relation thereto providing for the payment of interest on and the repayment of such loans and making an appropriation

HOUSE BILL No. 168.

An Act transferring money from the State Insurance Fund to the General Fund and requiring the Department of Property and Supplies to liquidate the investments in such Fund in order to provide money for such transfer.

HOUSE BILL No. 171.

An Act ratifying confirming and validating the transfer of money from the State Stores Fund and the Liquid Fuels Tax Fund to the General Fund and providing for the subsequent return from the General Fund of the transferred money.

HOUSE BILL No. 169.

An Act to provide revenue for State purposes by imposing an excise tax for a limited period of time upon the delivery in this Commonwealth to the Pennsylvania Liquor Control Board of distilled rectified and blended spirits providing for the payment and collection of the tax and conferring powers and imposing duties on the Pennsylvania Liquor Control Board.

HOUSE BILL No. 170.

An Act transferring money from the State School Fund to the General Fund and requiring the State Council of Education to liquidate such investments in the State School Fund as may be necessary to effectuate such transfer.

HOUSE BILL No. 171.

An Act to further amend the act approved the first day of June one thousand eight hundred eighty-nine (Pamphlet Laws four hundred twenty) entitled "A further supplement to an act entitled 'An act to provide revenue by taxation' approved the seventh day of June Anno Domini one thousand eight hundred and seventy-nine" by increasing for a limited period of time the rate of tax imposed by the act upon the gross receipts of certain companies limited partnerships associations joint-stock associations copartnerships and persons.

HOUSE BILL No. 172.

An Act authorizing the Commonwealth to negotiate a loan of one million dollars to meet any casual deficiency in revenue during the biennial fiscal period ending the thirty-first day of May, one thousand nine hundred thirty-seven, in accordance with the provisions of section four of article nine of the Constitution of Pennsylvania defining the powers and duties of the Governor the Auditor General and State Treasurer in relation thereto and providing for the payment of interest on and the repayment of such loan.

HOUSE BILL No. 91.

An Act making an appropriation to the Department of Forests and Waters for the purpose of building and constructing new dikes levees and river bank protections along the Delaware River at Morrisville Borough Bucks County.

Whereupon,

The Speaker, in the presence of the House, signed the same.

SENATE MESSAGE

RESOLUTION NO. 8 FOR CONCURRENCE

The Clerk of the Senate being introduced presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, August 4, 1936.

Whereas, There are at present waiting lists of approximately fifty-five thousand residents of the Commonwealth entitled to Old Age Assistance and

Whereas, The Commonwealth would have to expend the additional sum of one million seven hundred fifty thousand dollars called for by House Bill Number fifty-four in order to procure sufficient Federal money which together with the aforesaid sum of one million seven hundred fifty thousand dollars would be sufficient to furnish Old Age Assistance to those persons on said waiting lists during the remainder of the current biennium and

Whereas, It is the sense of this General Assembly that this additional sum called for by House Bill Number fifty-four should be provided for by the General Assembly at its forthcoming regular session in the year one thousand nine hundred and thirty-seven and

Whereas, It will therefore be necessary for the Department of Welfare in order to take up such waiting lists at the present time to accelerate payments from the existing appropriation for Old Age Assistance with the result that such appropriation will be exhausted by the first of April one thousand nine hundred thirty-seven

Resolved (if the House of Representatives concur), That it is the sense of this special session of the General Assembly that the Department of Welfare accelerate payments from its current appropriation for Old Age Assistance in order to match sufficient Federal moneys which together with the State appropriation will enable the department to furnish in the manner provided by law Old Age Assistance to all eligible applicants therefor including those who are now on the waiting lists in the various counties because of insufficient State funds and

Resolved, Further, That it is the sense of this General Assembly that the General Assembly at its forthcoming regular session in one thousand nine hundred and thirty-seven appropriate at least one million seven hundred fifty thousand dollars to the Department of Welfare which together with contributions received from the Federal Government to match this sum will enable Old Age Assistance to be furnished to all eligible applicants therefor during the remainder of the one thousand nine hundred thirty-five and one thousand nine hudred thirty-seven biennium.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

The SPEAKER. The resolution is referred to the Committee on Rules.

ANNOUNCEMENTS

The Committee on Constitutional Amendments will meet tomorrow morning at 11.00 o'clock. It is requested that all members of this committee be present.

The Committee on Judiciary General will meet tomorrow morning at 11.00 o'clock, in Room 325. It is requested that all members of this committee be present.

There will be a Democratic caucus in the House caucus room at 10.05 A. M. tomorrow morning.

ADJOURNMENT

Mr. COHEN. Mr. Speaker, I move that this House do now adjourn until tomorrow at 10.00 o'clock A. M.

The motion was agreed to, and (at 8.22 P. M.) the House adjourned until Thursday, August 6, 1936, at 10.00 o'clock A. M.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Extraordinary Session of 1936.

Vol. 19. HARRISBURG, PA., THURSDAY, AUGUST 6, 1936. No. 49.

SENATE

THURSDAY, AUGUST 6, 1936

The Senate met at 10 o'clock A. M.

The PRESIDENT PRO TEMPORE (Mr. John G. Homsher) in the Chair.

PRAYER

The Chaplain, Rev. William E. Howard, D.D., offered the following prayer:

O Lord, our God, there is an end to everything under the sun, our joys are fleeting and our sorrows pass away as time flies on. Man himself is here today and gone tomorrow. No work of human hands is lasting; moth and rust corrupt what we build. Thieves break through and steal our treasures. Our human associations are formed but soon to be dissolved.

The Senate of Pennsylvania, O Lord, will never again meet under the exact conditions which prevail at this hour. The weeks during which this Special Session has sat have made new friendships and deepened and quickened old friendships. Bless what has been done here, overrule for good any mistake which may have been made. May we all go home with a deepened love for God, for home, for our Commonwealth, for our Nation and for one another. In Thy providence, bring us at last into the true fellowship which shall last forever in that city which has foundation, whose builder and maker is God.

For the sake of Him, whose name is above every other name, we ask it. Amen.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. WOODWARD, the further reading was dispensed with, and the Journal was approved.

NOMINATIONS BY THE GOVERNOR

The Secretary to the Governor being introduced, presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows, and referred to the Committee on Executive Nominations.

MEMBERS OF BOARD OF TRUSTEES OF CLARION STATE TEACHERS COLLEGE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, August 6, 1936.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following:

Miss Leona Bowman, of East Hickory, Forest County, for appointment as a member of the Board of Trustees of the Clarion State Teachers College, vice Mrs. Ruth D. Bovard, of Tionesta, removed from office, for a term of four years to compute from the date of confirmation, and until her successor is duly appointed and qualified.

Leslie Roberts Himes, of New Bethlehem, Clarion County, for appointment as a member of the Board of Trustees of the Clarion State Teachers College, vice P. C. Andrews, of New Bethlehem, whose term expired, for a term of four years to compute from the date of confirmation, and until his successor is duly appointed and qualified.

H. J. Mitchell, of Knox, Clarion County, for appointment as a member of the Board of Trustees of the Clarion State Teachers College, vice R. L. R. Snyder, of Shippenville, removed from office, for a term of four years to compute from the date of confirmation, and until his successor is duly appointed and qualified.

Mrs. Mabel R. Pentz, of DuBois, Clearfield County, for appointment as a member of the Board of Trustees of the Clarion State Teachers College, vice Mrs. Lillian N. Trezise, of DuBois, whose term expired, for a term of four years to compute from the date of confirmation, and until her successor is duly appointed and qualified.

GEORGE H. EARLE.

NOTARIES PUBLIC

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, August 6, 1936.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

ALLEGHENY COUNTY

Geo. A. Hagenlocher, 830 Grant Bldg., Pittsburgh.
Miss Marie Schindewolfe, 1409 Park Bldg., Pittsburgh.
George A. Slater, 821 Idlewood Ave., Pittsburgh.

BEAVER COUNTY

Mrs. Jean F. Dowdell, New Brighton.

GEORGE H. EARLE.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, August 6, 1936.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following person for appointment as a Notary Public, for the term of four years to compute from the date of confirmation:

LANCASTER COUNTY

Nelson K. Myers, Lancaster.

GEORGE H. EARLE.

COMMUNICATION FROM BUDGET SECRETARY

The Chair cleared his table and laid before the Senate the following communication:

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, August 6, 1936.

President of the Senate, Harrisburg, Pennsylvania:

Responsive to your letter of June 30th which enclosed an official copy of Senate Resolution No. 5, I hand you a list of the per diem employes of the State of Pennsylvania.

I have no record of receiving a response to my request to the Auditor General for a list of per diem employes working in his department. The State Treasurer informed me that his department has no per diem employes. I have no formal response from the House of Representatives.

Sincerely yours,

GUY J. SWOPE,
Budget Secretary.

DEPARTMENT OF WELFARE

PER DIEM EMPLOYES

Name	Address	Position	Rate
Hagey, Harriet	3433 Market St., Camp Hill	Case-Reader	$4.50
Rouse, Caroline	2902 Harvard Ave., Camp Hill	Case-Reader	4.50
Hart, Ruth	238 Herman Ave., Lemoyne	Case-Reader	4.50
Stetler, Kathryn	643 Hummel St., Lemoyne	Cumberland Co., Stenographer	3.25
Forney, Edith	102 E. Main St., Mechanicsburg	Cumberland Co., Case-Reader	4.50
Munnell, Florence	414 E. Main, Mechanicsburg	Cumberland Co., Case-Reader	4.50
Glass, Margaret	608 Bridge, New Cumberland	Cumberland Co., Stenographer	3.25
Berrean, Alwilda	Clarion Co.	Stenographer	4.00
Butler, Sara	910 N. 3rd St., Harrisburg	Dauphin Co.. Case-Reader	4.50
Leahy, Mary	131 Sylvan Terrace, Harrisburg	Dauphin Co.. Stenographer	3.25
Oswald, Mary L.	232 N. 14th St., Harrisburg	Dauphin Co., Case-Reader	4.50
Stanford, Rose Zell	2619 N. 5th St., Harrisburg	Dauphin Co., Stenographer	4.75
Conte, Joseph	222 Broomall St., Chester	Delaware Co., Statistical Clerk	5.75
Kelly, Dorothy P.	449 Main St., Kingston	Luzerne Co., Stenographer	3.25
Walsh, Gertrude	158 Page St., Kingston	Luzerne Co., Refund Clerk	3.50
Gildea, Ruth	111 Helen St., Plains	Luzerne Co., Stenographer	3.25
Pagan, Arthur	7200 Somers Rd., Phila.	Accountant	7.00
Cooper, Helen M.	828 W. Washington Ave., Mt. Pleasant	Wash. Co., Stenog-Typist	3.25

DEPARTMENT OF STATE

PER DIEM EMPLOYES

Peifer, John F.	Dauphin	April 23, 1936	$3.92
Costa, Dominic T.	Potter	March 24, 1936	4.39
Metzger, William	Dauphin	March 6, 1936	3.92
Kopko, Charles I.	Dauphin	March 6, 1936	3.46

DEPARTMENT OF REVENUE

PER DIEM EMPLOYES

Facinelli, Stephen	143 W. Main St., Girardville, Schuylkill Co.	$5.00
Teicher, Harry	1019 W. Shamokin St., Shamokin, Northumberland Co.	5.00
Gross, Lawrence	N. 2nd St., McConnellsburg, Fulton Co.	6.50
Wall, Garrett	437 Carson St., Monongahela, Washington Co.	$5.50
Reechery, R. Z.	2055 S. Frazier St., Philadelphia, Philadelphia Co.	5.50
McSherry, Edw. J.	59 W. Middle St., Gettysburg, Adams Co.	5.50
Feldman, Sol	608 N. Marshall St., Philadelphia, Philadelphia Co.	6.23
Shreffler, R. I.	3006 N. 3rd St., Harrisburg, Dauphin Co.	11.54
Kempf, Edw. H.	8925 Frankstown Rd., Pittsburgh, Pa., Allegheny Co.	6.23
Feld, Sidney	131 W. College Ave., York, York Co.	5.31
Johnson, Harry	Glen Carbon, Schuylkill Co.	7.15
Martucci, Jos. C.	1830 McKean St., Passyunk Station, Philadelphia Co.	5.50 exp.
Naughton, Madeline C.	3931 Walnut St., Philadelphia, Philadelphia Co.	5.50 exp.
Sabo, Jos. A.	232 Fairmount Ave., Philadelphia, Philadelphia Co.	5.50 exp.
Taxin, Aaron H.	4142 Leidy Ave., Philadelphia, Philadelphia Co.	5.31
Hertzberg, Max P.	137 S. Hanover St., Carlisle, Cumberland Co.	5.31
Adkinson, Jos. F.	2901 W. 9th St., Chester Delaware Co.	5.50 and exp.

DEPARTMENT OF PUBLIC INSTRUCTION

PER DIEM EMPLOYES

Joseph Steele	Dauphin	Architect	$10.00 5-1-36
Oliver S. Heckman	Fulton	Sr. Secondary Education Advisor	11.54 2-3-36

PROPERTY AND SUPPLIES

PER DIEM EMPLOYES

Mahoney, Nora	Dauphin	Keypunch Operator .. $3.86
Smith, Helen	Philadelphia	Keypunch Operator .. 3.86
Carr, Mrs. Ruth	Dauphin	Jr. Inv. Clerk 4.32
Snyder, Robert	Dauphin	Hd. Storeroom Keeper 7.05
Farber, Wilfred D.	Northampton	Clerk 4.32
Pickens, Samuel	Clarion	Hd. Printing Order Clerk 7.95
Dintaman, Ray	Cumberland	Supv. Schedule Clerk 9.09
Haddie, Alexander	Philadelphia	Watchman 3.02½
Butler, Vance	Dauphin	Janitor 3.41
Adams, Louis C.	Dauphin	Jr. Elevator Mechanic 3.86
Bush, Orvis	Dauphin	Jr. Elevator Mechanic .. 3.86
Dunbar, John	Cumberland	Jr. Elevator Mechanic 3.86
Griffin, George	Dauphin	Sr. Electrician 6.13
Chrisermer, Paul	Dauphin	Jr. Elevator Mechanic 3.86
Humphrey, Charles	Dauphin	Sr. Elevator Mechanic 5.23
Endler, Michael	Cambria	Guide 3.86
O'Toole, Joseph	Blair	Guide 3.86
Shapley, John G.	Allegheny	Jr. Marble Mechanic 3.86
Smith, Anna V.	Dauphin	Janitress 2.27
Benfer, Bernard	Perry	Capitol Policeman 3.86

DEPARTMENT OF LABOR AND INDUSTRY

PER DIEM EMPLOYES

Rehabilitation

			Rate	Appointed
Flynn, Margaret M.	Luzerne	Statistical Clerk	$4.39	7-31-36

Women and Children

Hart, Alice	Philadelphia	Ass't. Home Worker	5.00	7-31-36
Kaier, Mary H.	Schuylkill	Ass't. Home Worker	5.00	7-31-36

WORKMEN'S COMPENSATION BOARD AND REFEREE

Interpreter	$5.00	5-31-36

STATE WORKMEN'S INSURANCE FUND

Voccola, Frank, Schuylkill, File Clerk	4.39	7-31-36
Buckman, Jean, Philadelphia	4.50	7-31-36
Pierce, Mrs. Bertha, Dauphin, Tab. Mach. Oper.	3.92	7-31-36
Coen, Catherine M., Allegheny	3.00	
Behrndt, Edna B., Cambria, File Clerk	3.00	7-31-36
Scheib, G. Rody, Allegheny, Sp. Claims Supv.	16.15	7-31-36
Sabo, Steve J., Columbia, File Clerk	3.00	7-31-36

DEPARTMENT OF JUSTICE

PER DIEM EMPLOYES

Frederick, Ray, Dauphin Co., Editor, June 1, 1930	$7.00
Sheehy, Bessie, File Clerk, Aug. 19, 1935	2.50

INSURANCE

PER DIEM EMPLOYES

Yost, Minnie K., 1221 N. Third St., Harrisburg, Dauphin Co., Stenog. Clerk	$4.39 Per day
McHugh, John, Philadelphia, Jr. Reception Clerk	3.93 Per day

HEALTH DEPARTMENT

PER DIEM EMPLOYES

Piper, Naomi Blair, Princ. Stenog. Clerk	$ 5.75	2-17-36
Miller, Alvin I., Chester, Laboratory Ass't.	3.50	6-15-36
Poffenberger, Reese St. Clair, Cumb. Laboratory Ass't.	3.50	1-15-36
Wertz, Ida, Cumb., Transc. Clerk	3.50	3- 2-36
Endress, Freda, Dauphin, Clerk	3.50	6- 1-36
Goldsborough, Robt. C., Jr., Dauphin, Laboratory Ass't.	3.50	6-13-36
Hogentogler, Anna M., Dauphin, Transc. Clerk	3.50	4-14-36
Reiner, Daniel, Delaware, Bacteriologist	10.00	3-21-36
Myers, Lowell, Forest, Water Sample Collector	.25	6- 1-35
Renn, Mrs. May, Lycoming, Janitress	7.50 mo.	2- 2-35
Rodewalt, Harold, Mercer, Clerk	3.50	6- 8-35
Breisch, Howard J., Northampton, Clerk	3.50	6-15-36
Campbell, Thomas, Phila., Clerk	3.50	10-30-35
D'Orsi, Anthony, Phila., Clerk	3.50	3-17-36
Ennis, Catherine, Phila., Cleaner	18.00 mo.	2- 1-35
Gunn, Eliza, Phila., Path. Technician	6.00	4-16-36
Kelley, John J., Phila., Bacteriologist	10.00	3-21-36
Lowe, Maragret, Phila., Clerk	3.50	6- 1-36
Woingust, Mrs. Luvenia, Phila., Lab. Assistant	3.25	7- 1-36

[THE FOLLOWING EMPLOYES, (LISTED ABOVE) HAVE BEEN SUGGESTED FOR PERMANENT APPOINTMENT ON A SALARY BASIS OF $1020 per annum.]

Breisch, Howard J., Northampton Clerk	$ 3.50	6-15-36
Campbell, Thomas, Phila., Clerk	3.50	10-30-35
Orsi, Anthony, Phila., Clerk	3.50	3-17-36
Endress, Freda C., Dauphin, Clerk	3.50	6- 1-36
Hogentogler, Anna M., Dauphin, Clerk	3.50	4-14-36
Lowe, Margaret M., Phila., Clerk	3.50	6- 1-36
Wertz, Ida, Cumberland, Clerk	3.50	3- 2-36

DEPARTMENT OF FORESTS AND WATERS

PER DIEM EMPLOYES

Ward, Catherine, Allegheny, Stenographer	6-36	$4.00
Minnotte, J. C., Allegheny, Hydrographer	3-36	7.25
Woodward, Donald, Chester, Landscape Draftsman	9-36	6.50
Beck, Ella C., Cumberland, Stenographer	8-35	4.00
Tolbert, Albert, Dauphin, Clerk	4-35	4.00
Armstrong, A. F., Franklin, Stenographer	3-36	3.20
Brady, J. S., Franklin, Clerk	2-35	4.00
Rodgers, Matthew, Juniata, Clerk	4-36	5.00
Meelley, Vincent J., Philadelphia, Clerk	5-26	3.50
Bealor, Carlton A., Perry, Architectural Draftsman	2-36	7.00

DEPARTMENT OF BANKING

PER DIEM EMPLOYES

Clark, Regina T., Philadelphia, Special Investigator	10-29-35	$10.00
Kalcheim, Norman J., Philadelphia, Special Investigator	10-29-35	10.00

DEPARTMENT OF AGRICULTURE

PER DIEM EMPLOYES

Myers, John L., 2542 Lexington St., Harrisburg, Dauphin Co.	12-16-35	$3.00

To: Mr. Patrick McCall, Personnel Bureau.

From: Joseph J. Walsh, Deputy Secretary of Mines.

In answer to your communication of yesterday, I wish to advise that there are no per diem nor hourly employes in the Department of Mines.

Commonwealth of Penna.,
Office of
State Treasurer
Harrisburg

July 22,1936.

Honorable Guy J. Swope
Budget Secretary
Governor's Office,
Harrisburg, Pa.

Dear Mr. Secretary:

In answer to your letter of July 16th regarding certain information concerning per diem employes in the various branches of the State government, you are advised in this connection that the Treasury Department has no per diem employes.

Very truly yours,

CHARLES A. WATERS.
State Treasurer.

SENATE PER DIEM EMPLOYES AS OF JUNE 15, 1936

(Authorized by Acts Numbers 287 and 371, Session 1919)

Journal Clerk—Clark C. Rice, Union City, Erie Co.	$10.00
Asst. Journal Clerk—Louis Gabler, 336 S. 17th St., Philadelphia Co.	10.00
Executive Clerk—Edward B. Watson, Mechanicsville, Bucks Co.	10.00
Message Clerk—Bennett F. Kiehl, Greensburg, Westmoreland Co.	8.00
Transcribing Clerk—George A. Comerer, McConnellsburg, Fulton Co.	7.00
Transcribing Clerk—Leo P. Dee, 121 E. 8th Ave., Homestead, Allegheny Co.	7.00
Transcribing Clerk—Clinton E. Meck, Mt. Penn, Reading, Berks Co.	7.00
Transcribing Clerk—Alexander W. Port, Huntingdon, Huntingdon Co.	7.00
Sergeant-at-Arms—Thomas H. Dann, Yeadon, Delaware Co.	8.00
Asst. Sergeant At Arms—Thomas J. Donaghey, 315 Winona Ave., Germantown, Philadelphia	7.00

Asst. Sergeant-at-Arms—Gustave Berger, 2111 N. 5th St., Germantown, Philadelphia $7.00
Asst. Sergeant-at-Arms—Bernard Steinfeld, 921 11th St., Beaver Falls, Beaver Co. 7.00
Asst. Sergeant-at-Arms—Harry J. Landis, Warren, Warren County 7.00
Asst. Sergeant-at-Arms—Alfred Heisler Sr., 209 Morris St., Philadelphia 7.00
Asst. Sergeant-at-Arms—James F. McConnell, Gaines,. Tioga Co. 7.00
Asst. Sergeant-at-Arms—Joseph L. Hallman, Norristown, Montgomery Co. 7.00
Asst. Sergeant-at-Arms—Paul J. Evans, Sayre, Bradford Co. 7.00
Postmaster—Joseph M. MacGregor, 304 W. North St., Butler, Butler Co. 7.00
Asst. Postmaster—Charles Affelbach, Jr., Hulmeville, Bucks Co. 6.00
Messenger—James McCusker, 209 N. 16th St., Phila. 6.00
Asst. Messenger—John E. Fray, 2436 Oxford St., Phila. 6.00
Supt. Folding Room—William C. Murdock, Wilkinsburg, Allegheny Co. 7.00
Paster and Folder—J. K. Sauserman, Newport, Perry Co. 6.00
Paster and Folder—Aaron S. Lord, Pottstown, R. D., Chester Co. 6.00
Paster and Folder—Henry Danielson, Pittsfield, Warren Co. 6.00
Chaplain—Rev. William E. Howard, 3426 Parkview Ave., Pittsburgh, Allegheny Co. 7.00
Clerk to Committee—Maxwell S. Rosenfeld, 3116 Montgomery Ave., Philadelphia 7.00
Clerk to Committee—William E. Griffiths, Taylor, Lackawanna Co. 7.00
Clerk to Committee—Edmund F. McCool, 306 Hamilton St., Norristown, Montgomery Co. 7.00
Clerk to Committee—Mrs. Bessie B. Everett, Springfield, Delaware Co. 7.00
Clerk to Committee—Christopher Wirts, Jr., Forest City, Susquehanna Co. 7.00
Clerk to Committee—Warren E. Myers, 827 E. 3rd St., Nescopeck, Luzerne Co. 7.00
Clerk to Committee—Thomas F. Lansberry, Somerset, Somerset Co. 7.00
Clerk to Committee—James W. Thompson, Fountain Springs, Schuylkill Co. 7.00
Clerk to Committee—William J. Heiser, 1037 Chartier Ave., McKees Rocks, Allegheny Co. 7.00
Clerk to Committee—Arthur Brown, Wampum, Lawrence Co. 7.00
Clerk to Committee—John Trout, Tower City, Schuylkill Co. 7.00
Clerk to Committee—J. Herman Watson, Indiana, Indiana Co. 7.00
Custodian Committee Rooms—C. Bennett Williams, 4 Franklin St., Dallas, Luzerne Co. 7.00
Custodian Committee Rooms—Carl H. Mau, 45 Virginia Terrace, Forty Fort, Kingston, P. O. Luzerne Co. 6.00
Chief Page—C. Kirby Fogarty, 282 Union St., Harrisburg, Dauphin Co. 3.00
Page—Kenneth W. Rodenhaver, 16 N. 20th St., Harrisburg, Dauphin Co. 2.00
Page—H. Ward Norris, New Milford, Susquehanna Co. 2.00
Page—Edward Stambaugh, Spring Grove, York Co. 2.00
Page—Philip C. Lehn, 819 S. Queen St., York, York Co. 2.00
Page—David S. Carr, 1416 Regina St., Harrisburg, Dauphin Co. 2.00
Page—John Y. Swomley, Jr., 1615 Derry St., Harrisburg, Dauphin Co. 2.00
Page—George W. Shultz, 212 Chestnut St., Harrisburg, Dauphin Co. 2.00
Page—John R. Stutts, 2157 Penn St., Harrisburg, Dauphin Co. 2.00
Page—Arthur Lack, 421 Hamilton St., Harrisburg, Dauphin Co. 2.00
Page—J. Gardner Zerby, 1711 Forster St., Harrisburg, Dauphin Co. $2.00
Page—Richard R. Lentz, Millersburg, R. D. No. 1, Dauphin Co. 2.00
Page—Charles W. Blalock, 12 S. 16th St., Harrisburg, Dauphin Co. 2.00
Page—Floyd R. Keener, 2553 N. 6th, Harrisburg, Dauphin Co. 2.00
Page to President—Robert G. Sherrick, 1735 Market St., Harrisburg, Dauphin Co. 3.00
Clerk to Pres. Pro Tem—O. E. Martin, New Providence, Lancaster Co. 7.00
Stenographer to Pres. Pro Tem.—Miss Jeannette Kreider, 732 4th St., Lancaster, Lancaster Co. .. 7.00
Page to Pres. Pro. Tem.—Christian S. Greider, R D. No. 1, Mt. Joy, Lancaster Co. 3.00
Clerk, Hist. Legislation—Adelaide Schiller, Duncannon, Perry Co. 8.00
Stenographer to Chief Clerk—Mrs. Ross Crum, 2632 Butler St., Penbrook, Dauphin Co. 7.00
Stenographer—Miss Janet Latimer, 556 Country Club Road York, York Co. 5.00
Stenographer—Mrs. Valeria W. Hollern, 1500 Allison St., Harrisburg, Dauphin Co. 5.00
Stenographer—Miss Evelyn R. Miller, 198 S. 2nd St., Steelton, Dauphin Co. 5.00
Stenographer—Miss Henrietta A. Jenkins, 317 N. Front St., Harrisburg, Dauphin Co. 5.00
Filing Clerk—George W. Williams, 200 Anthracite Bldg., Wilkes-Barre, Luzerne Co. 7.00
Filing Clerk—George L. Whipkey, Dawson, Fayette Co. 7.00
Compiling Clerk—William J. McFadden, 1143 N. Hancock St., Philadelphia. 9.00
Compiling Clerk—Henry E. Haak, Myerstown, Lebanon Co. 9.00
Chief Official Reporter—John Ruth, 207 High Street, Lebanon, Lebanon Co. 18.00
Official Reporter—William H. Martin, 906 Olney Ave., Philadelphia 15.00
Official Reporter—Fred M. Evans, 153 S. Hyde Park Ave., Scranton, Lackawanna Co. 15.00
Expert Typewriter—Miss Alma C. Hershey, Landisville, Lancaster Co. 7.00
Expert Typewriter—Miss Bessie F. Gutekunst, 1229 Chestnut St., Reading, Berks Co. 7.00
Expert Typewriter—Mrs. Mary R. Kauffman, 1325 N. Front St., Harrisburg, Dauphin Co. 7.00
Copyholder—Harry E. Earp, 243 North St., Harrisburg, Dauphin Co. 7.00
Copyholder—Arthur W. Briggs, Shinglehouse, Potter Co. 7.00
Copyholder—Andrew S. Jannetti, 1527 Dickinson St., Philadelphia. 7.00
Proof Reader—Mrs. Lubertha J. Hoy, Carlisle, Cumberland Co. 7.00
Proof Reader—Calvin J. Rhen, 634 S. King St., Lancaster, Lancaster Co. 7.00
Proof Reader—Nathan J. Yoffee, 249 Seneca St., Harrisburg, Dauphin Co. 7.00
Assistant Clerk—Saul L. Rubin, 609 Plaza Bldg., Pittsburgh, Allegheny Co.
Per diem during session 10.00
Per month during Interim 175
Assistant to Secretary—Miss Anna C. Carroll, 2140 N. 2nd St., Harrisburg, Dauphin Co.
Per diem during session 10.00
Per month during interim 200
Stenographer, Librarian—Mrs. Mary E. Kunkle, 2011 Bellevue Road, Harrisburg, Dauphin Co.
Per diem during session 6.00
Per month during interim 150.00
Stenographer, Librarian—Mrs. Clara Z. Schaeffer, 425 McClay St., Harrisburg, Dauphin Co.
Per diem during session 8.00
Per month during interim 150.00
Asst. Custodian Senate Chamber—Elam L. Banks, 125 Balm Street, Harrisburg, Dauphin Co.
Per diem during session 3.00
Per month during interim 75

Asst. Custodian Senate Chamber—Edna Hogans, 1317 Cowden Street, Harrisburg, Dauphin Co.
Per diem during session 3.00
Per month during interim 75
Asst. Custodian Senate Chamber—Wm. R. Scott, 17 S. 17th Street, Harrisburg, Dauphin Co.
Per diem during session 3.00
Per month during interim 75

PRELIMINARY REPORT OF JOINT LEGISLATIVE COMMITTEE TO INVESTIGATE PUBLIC RELIEF IN PENNSYLVANIA

Mr. RODGERS. Mr. President, in 1935, in this Assembly there was appointed a committee of three Senators and three Representatives, in accordance with Resolution No. 110, to investigate public relief in Pennsylvania. In submitting a report of the committee, three members of that committee dissented, and I am presenting herewith a report of the other three members of the committee, which is to be printed in the Journal.

(For Report see Appendix)

QUESTION OF PERSONAL PRIVILEGE

Mr. OWLETT. Mr. President, for the benefit of the members of the Senate and the record of this Session, I desire to read at this time a letter received from former Attorney General Schnader, confirming, in writing, his opinion to us with reference to the use of the excess profits of the State Liquor Stores:

Schnader & Lewis, 1719 Packard Bldg.,
Philadelphia, July 30, 1936.

Honorable G. Mason Owlett,
State Senate,
Harrisburg, Pa.

Dear Senator Owlett:

As requested by you I shall confirm in writing the opinion which I expressed to you orally last week regarding the extent to which money in the State Stores Fund is available for appropriation by the present Special Session of the Legislature.

You informed me at that time that the contention was being made that the State's income from the operation of the State Stores had been pledged under the Act of June 22, 1935, P. L. 442 as a part of the security for the repayment of tax anticipation notes issued under that Act.

The Act of June 22, 1935, P. L. 442, authorized the issuance of $50,000,000 of tax anticipation notes to defray the current and other expenses during the two fiscal years beginning June 1, 1935.

The question upon which you consulted me, arises out of two inconsistent provisions of the Act.

Section 2 (c) provides that:

"The current revenues of the biennial fiscal period beginning the first day of June, one thousand nine hundred thirty-five are pledged for the payment of principal and interest of such notes. * * *"

If this provision could properly be construed to apply to all of the Commonwealth's current revenues without limitation, the result would be that the moneys accruing to the Motor License Fund during the biennium, the moneys accruing to the Game Fund and to the Fish Fund, and to every other special fund,—including the State Stores Fund,—would be pledged for the payment of the tax anticipation notes issued under the Act of 1935. And as the section speaks of "the biennial fiscal period" it would also be necessary to take the position that until the $50,000,000 authorized by the Act of 1935 has been paid in full, it would be impossible to issue any further tax anticipation notes and secure them by pledging any of the revenues accruing to the Commonwealth during the current biennium. At least any pledge of the current revenues for a second issue of tax anticipation notes would be a second lien upon such revenues.

Such a construction would render it impossible to issue marketable tax anticipation notes at this time as the Legislature is planning to do.

That it was not the intention of the Legislature in 1935 to tie its own hands in disposing of revenue accruing under later legislation or to include special fund revenue or even certain General Fund revenue in the security provided for the payment of tax anticipation notes issued under the Act of 1935, becomes clear upon a reading of Section 4 of the Act, which is as follows:

"Section 4. Any loans, negotiated under the provisions of this act, shall be secured by the current revenues, levied and assessed for revenue purposes, of every kind or character accruing to the General Fund of the State Treasury during the two fiscal years beginning June first, one thousand nine hundred thirty-five, and shall be paid out of such revenues, and so much of such revenues as may be necessary for the payment of principal and interest of such loans are hereby specifically appropriated * * *"

The use of the words "levied and assessed" in this Section is of the greatest significance.

These words not only limit the pledge as to time by including only the revenues levied prior to the approval of the Act of June 22, 1935, but they also limit as to character the funds pledged for the payment of tax anticipation notes issued under the Act of 1935.

License fees and numerous other forms of revenue are not "levied and assessed" and it is too clear to require discussion that the profits arising from the operation of the State Stores are not "levied and assessed."

These profits arise from voluntary purchases made by the public and could not under any reasoning be regarded as revenues levied and assessed.

I have not discussed the question whether, under any circumstances, the profits of the State Stores could be regarded as "revenue." Even if such profits are revenue, they were clearly not pledged by the Act of June 22, 1935, and a discussion of this question would be entirely irrelevant.

For the reasons I have given I am clearly of the opinion that the Act of June 22, 1935, did not pledge the profits from the State Stores Fund for the payment of tax anticipation notes issued under that act.

Very truly yours,

W. A. SCHNADER.

I think it will be interesting to the members of the Senate to watch the new appointments to the State Liquor Stores, and what happens to these excess profits after this Legislature closes.

REPORT FROM COMMITTEE

Mr. COYNE. Mr. President, I ask unanimous consent to make a report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. COYNE, from the Committee on Executive Nominations, reported with favorable recommendation the following nominations made by His Excellency the Governor of the Commonwealth:

MEMBER OF THE BOARD OF TRUSTEES OF THE SHIPPENSBURG STATE TEACHERS COLLEGE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, June 1, 1936.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following:

H. B. Hege, of Mercersburg, Franklin County, for appointment as a member of the Board of Trustees of the Shippensburg State Teachers College, vice Dr. I. G. Stewart, of Dry Run, deceased, for a term of four years to compute from the date of confirmation, and until his successor is duly appointed and qualified.

GEORGE H. EARLE.

JUSTICES OF THE PEACE

Commonwealth of Pennsylvania,
Governors Office, Harrisburg, May 11, 1936.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor to nominate for the advice and consent of the Senate the following appointments to compute from the date of confirmation:

Thomas D. Barclay, R. D., North Wales, Montgomery County, as Justice of the Peace in the Township of Montgomery, Montgomery County, vice Jacob H. Sigafoos, deceased, until the first Monday in January, 1938.

Grant L. Campbell, of Oakdale, Allegheny County, as Justice of the Peace in the Borough of Oakdale, Allegheny County, until the first Monday in January, 1938.

GEORGE H. EARLE.

MEMBERS OF THE BOARD OF TRUSTEES OF MOTHERS' ASSISTANCE FUND OF CARBON COUNTY

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 11, 1936.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor to nominate for the advice and consent of the Senate the following appointments to compute from the date of confirmation:

Mrs. Susan Straup, 573 Franklin Av., Palmerton, Carbon County, as a member of the Board of Trustees of the Mothers' Assistance Fund of Carbon County, vice Mrs. Florence E. Bingaman, of Palmerton, resigned, until June 1, 1939, and until her successor is duly appointed and qualified.

Mrs. Ethel S. Truver, Maple Ridge Farm, R. D. No. 2, Weatherly, Carbon County, as a member of the Board of Trustees of the Mothers' Assistance Fund of Carbon County, vice Mrs. Ida Carling, of Weatherly, resigned, until June 1, 1937, and until her successor is duly appointed and qualified.

GEORGE H. EARLE.

NOTARIES PUBLIC

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, August 5, 1936.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

ALLEGHENY COUNTY

Malcolm Hay, Sewickley.
Walter L. Wickard, West Homestead.

BEDFORD COUNTY

Richard C. Snyder, Everett.

CAMBRIA COUNTY

Herman J. Werfel, Summerhill.

CRAWFORD COUNTY

Mrs. Anna T. Henrietta, Meadville.

ERIE COUNTY

Wade Ticknor, Albion.

LANCASTER COUNTY

Miss Irene M. Hoover, Ephrata.

DAUPHIN COUNTY

Mrs. Josephine Hambright, Middletown.

GEORGE H. EARLE.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, August 4, 1936.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

ALLEGHENY COUNTY

Mrs. Helen McGinnis, 201 S. Highland Ave., Pittsburgh.

DAUPHIN COUNTY

Mrs. Beulah M. Kocher, Berrysburg.

DELAWARE COUNTY

William J. Langton, Prospect Park.

MONTGOMERY COUNTY

Miss E. E. Donaldson, Ardmore.

PHILADELPHIA COUNTY

Miss Celia Balaity, 4100 Girard Ave., Philadelphia.
Nathan Rigberg, 2412 N. 29th St., Philadelphia.

SUSQUEHANNA COUNTY

Mark C. James, New Milford.

GEORGE H. EARLE.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, August 4, 1936.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following person for reappointment as a Notary Public, for a term of four years to compute from the date set opposite her name:

LANCASTER COUNTY

Miss Anna M. Hensel, Quarryville, August 19, 1936.

GEORGE H. EARLE.

JUSTICES OF THE PEACE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, August 5, 1936.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Gladys Fasenmyer, of Fryburg, Clarion County, for appointment as Justice of the Peace in the Township of Washington, Clarion County (to fill a vacancy), until the first Monday in January, 1938.

GEORGE H. EARLE.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 23, 1936.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Samuel R. Zannetti, of Arnold, Westmoreland County, for appointment as Justice of the Peace in the Borough of Arnold,

Westmoreland County, vice D. R. Cartisano, resigned, until the first Monday in January, 1938.

GEORGE H. EARLE.

MEMBER OF THE BOARD OF TRUSTEES OF THE PHILIPSBURG STATE HOSPITAL

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 19, 1936.

To the Honcrable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Charles Dimeling, of West Decatur, Clearfield County, for appointment as a member of the Board of Trustees of the Philipsburg State Hospital, vice Mrs. F. Blanche Cornely, of Madera, resigned, for a term of four years to compute from the date of confirmation, and until his successor is duly appointed and qualified.

GEORGE H. EARLE.

MEMBERS OF THE BOARD OF TRUSTEES OF THE WERNERSVILLE STATE HOSPITAL

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 18, 1936.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following:

Albert H. Smith, of Topton, Berks County, for appointment as a member of the Board of Trustees of the Wernersville State Hospital, vice Mrs. Stella Z. Livingood, of Robesonia, whose term expired, for a term of four years to compute from the date of confirmation, and until his successor is duly appointed and qualified.

Mrs. Naomi H. Moyer, of Wernersville, Berks County, for appointment as a member of the Board of Trustees of the Wernersville State Hospital, vice Dr. Margaret Hassler, of Reading, whose term expired, for a term of four years to compute from the date of confirmation, and until her successor is duly appointed and qualified.

GEORGE H. EARLE

EXECUTIVE SESSION

By unanimous consent,

A motion was made by Mr. SONES,

That Rule 38, which requires nominations made by the Governor, to lie on the table one day be dispensed with, and the Senate do now resolve itself into Executive Session, for the purpose of acting upon the foregoing nominations.

Which was agreed to.

Whereupon,

A motion was made by Mr. SONES,

That the Senate do advise and consent to the nominations reported.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—45

Aron,	Harris,	Prince,	Scott,
Batchelor,	Harvey,	Pytko,	Shapiro,
Baumer,	Huffman,	Rankin,	Sones,
Bean,	Lanius,	Reed,	Staudenmeier,
Buckman,	Law,	(Dauphin)	Thompson,
Cavalcante,	Mallery,	Reed,	(Centre)
Chapman,	McClure,	(Washington)	Thompson,
Covne,	McCreesh,	Rice,	(Westmoreland)
Ealy,	McGinnis,	Roberts,	Trainer,
Frey,	Miller,	Rodgers,	Woodward,
Gelder,	Owlett,	Rupp,	Zieserheim,
Graff,	Pierson,	Ruth,	Homsher,
		Salus,	Pres. Pro. Tem.

NAYS—0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

Mr. SONES. Mr. President, I move that the Executive Session do now rise.

Mr. RICE. Mr. President, I second the motion.

The motion was agreed to.

HOUSE MESSAGES

HOUSE ADOPTS COMMITTEE OF CONFERENCE REPORT ON HOUSE BILL NO. 19

The Clerk of the House of Representatives being introduced informed the Senate that the House has adopted the report of the Committee of Conference on House Bill No. 19, entitled:

An Act to amend section three of the act, approved the sixteenth day of May, one thousand nine hundred thirty-five (P. L. 208), entitled "Corporate Net Income Tax Act," by increasing the rate of tax for a limited period of time.

Which was laid on the table.

HOUSE NON-CONCURS IN AMENDMENTS TO HOUSE BILL NO. 156 AND APPOINTS COMMITTEE OF CONFERENCE

He also informed the Senate that the House has non-concurred in the amendments made by the Senate to House Bill No. 156, entitled:

An Act making an appropriation to the State Emergency Relief Board for direct relief, work relief, and expenses; defining the purposes for which such moneys may be expended; and prescribing the powers and duties of the State Emergency Relief Board and certain State departments

and has appointed Mr. Eberharter, Mr. Brownfield and Mr. Weideman, as a Committee of Conference on the part of the House to confer with a similar committee of the Senate (if the Senate shall appoint such committee) to consider the differences existing between the two Houses in relation to said bill.

APPOINTMENT OF COMMITTEE OF CONFERENCE

Mr. GELDER. Mr. President, I move that the Senate insist upon its non-concurrence in the amendments to the foregoing bill and that a Committee of conference be appointed to confer with a similar committee of the House (already appointed) to consider the differences existing between the two Houses in relation to said bill.

Mr. WOODWARD. Mr. President, I second the motion.

The motion was agreed to.

Ordered, That Mr. Gelder, Mr. Graff and Mr. Rice be said committee on the part of the Senate, and that the Clerk inform the House of Representatives accordingly.

CONTINUING SENATE COMMITTEE TO INVESTIGATE INDIANA STATE NORMAL SCHOOL

Mr. BATCHELOR. Mr. President, I desire to call up Senate Resolution Serial No. 43, on page 52 of the History of the Senate.

The resolution was read as follows:

In the Senate, July 21, 1936.

Whereas, On June 29, 1936, the Senate adopted a resolution (known as Senate Resolution No. 3) authorizing the appointment of a Sub-Committee of five members of the Committee on Education to make an investigation of the attempts that are being made to interfere with the orderly management of educational institutions that are receiving financial assistance from the people of this Commonwealth, notably the Indiana State Teachers College, and to report as speedily as possible to the Senate now in Extraordinary Session the results of its inquiry; and

Whereas, Pursuant to said resolution the President pro tempore of the Senate on June 30, 1936, appointed a Sub-Committee of five members of the Committee on Education to conduct said investigation; and

Whereas, Since the appointment of said Sub-Committee the press of business of the Senate in conducting its legislative activities in this Extraordinary Session has been such as to render impossible a meeting of this Sub-Committee to conduct hearings in order to fulfill its commission: and

Whereas, One of the members of the Sub-Committee has been so ill that he has been unable to participate in its activities; and

Whereas, The Sub-Committee has received such information that it deems it wise to pursue said investigation, in order that the evils complained of may be uncovered and appropriate remedies therefore suggested; therefore be it

Resolved, That the Sub-Committee of the Committee on Education heretofore appointed by the President pro tempore of the Senate, under and by virtue of Senate Resolution No. 3, to conduct a searching investigation of the situation complained of in said Senate Resolution, be continued and that said Sub-Committee shall make a report to the Senate at its next regular session; and be it further

Resolved, That the said Sub-Committee shall have power to issue subpoenas under the hand and seal of its chairman, requesting and commanding any person or persons to appear before it and to answer any question touching matters properly being inquired into by the Sub-Committee, and to produce such books, papers, records and documents as the Sub-Committee may deem necessary. Such subpoenas may be served upon any person and shall have the force and effect of subpoenas issued out of the courts of this Commonwealth. Each member of said Sub-Committee shall have the power to administer oaths and affirmations to witnesses appearing before the Sub-Committee. Any person who shall wilfully refuse or neglect to testify before such Sub-Committee or to produce any books, papers, records or documents shall be subject to the penalties provided by the laws of the Commonwealth in such cases; and be it further

Resolved, That the powers hereby conferred shall be exercised by the Sub-Committee during the recess of the Senate as well as during the sessions thereof; and be it further

Resolved, That in the event that the power hereby conferred upon the said Sub-Committee to subpoena witnesses and enforce its subpoenas during the recess of the Senate shall be held by any court to be unconstitutional, said Sub-Committee shall, nevertheless, continue its work and take the testimony of such persons as shall voluntarily appear before it.

The PRESIDENT. Will the Senate agree to the resolution?

Mr. CAVALCANTE. Mr. President, I desire to interrogate the Senator from Beaver, Mr. Batchelor.

The PRESIDENT. Will the Senator from Beaver, Mr. Batchelor, permit himself to be interrogated?

Mr. BATCHELOR. Mr. President, I will.

Mr. CAVALCANTE. Mr. President, is the purpose of this resolution to impose upon and require a sub-committee of the standing Committee on Education to perform special work during the recess of the Senate, as well as during the sessions thereof?

Mr. BATCHELOR. Mr. President, my answer to the Senator from Fayette is that I believe that the resolution speaks for itself.

Mr. CAVALCANTE. Mr. President, and is it the intention of the Senator from Beaver Mr. Batchelor, that the purpose of this resolution is to require the sub-committee of the standing Committee on Education to perform special work during the recess of the Senate?

Mr. BATCHELOR. Mr. President, in answer to the question of the Senator from Fayette, I would say that the resolution is printed and speaks for itself.

Mr. CAVALCANTE. Mr. President, the Senator from Fayette has read the resolution, and is he under the impression that it imposes upon the sub-committee of the standing Committee on Education to perform special work during the recess, or am I mistaken in that?

Mr. BATCHELOR. Mr. President, I think that the Senator from Fayette has enough intelligence to read and understand the resolution.

Mr. CAVALCANTE. Mr. President, apparently the Senator from Beaver, Mr. Batchelor, does not want to answer specifically the interrogations made. He is the author of this resolution and surely has in the recesses of his own mind the purposes which he expects to arrive at by the passage of this resolution.

Mr. PRESIDENT, I now rise to the question of parliamentary inquiry.

QUESTION OF PARLIAMENTARY INQUIRY

The PRESIDENT. The Senator from Fayette will state his question of parliamentary inquiry.

Mr. CAVALCANTE. Mr. President, the Senator from Beaver, Mr. Batchelor, the sponsor of this resolution, has stated that the resolution speaks for itself, the resolution states that the purpose, or intention, of the resolution is to impose upon a sub-committee of the Committee on Education of this Senate special work to be performed during the recess of the Senate, as well as during the sessions thereof. On page 203 of the Pennsylvania Manual, under the decisions of the Senate (Decision No. 100) we find that "On the passage of a resolution authorizing the Committee on Mines and Mining, of the two Houses, to make certain investigations, the President Pro Tempore * * * decides that as all committees of the Senate were to be appointed by the President Pro Tempore, and as the resolution provided for the appointment or naming of a committee, it involved a suspension of the Rule, and required a two-thirds vote to pass the same; an appeal was taken from said decision and the Chair sustained."

Now, this resolution imposes special work on the sub-committee of the standing Committee on Education of this Senate, and the Ruling made in this Senate under the decision cited by me requires a two-thirds vote for the adoption of such a resolution. Am I correct in my opinion that the present resolution will require a two-thirds vote for its passing?

The PRESIDENT. The question of the Senator from Fayette is so lengthy that the Chair has not been able to understand it thoroughly, and in order to answer it will have to request it be put in writing. It is a very long question of parliamentary inquiry; or does the Senator to let it go as part of the debate"

Mr. CAVALCANTE. Mr. President, may I be informed whether it is the opinion of the Chair that the resolution—I would like to know what the purpose of the resolution is.

The PRESIDENT. The Senator's inquiry is so lengthy that the Chair requests that it be put in writing.

Mr. CAVALCANTE. Mr. President, the President might satisfy the inquiry by answering the inquiry whether or not a two-thirds vote would be required for the passage of this resolution.

The PRESIDENT. The Chair must insist that the Senator from Fayette place the inquiry in writing.

RECESS

Mr. CAVALCANTE. Mr. President, I move at this time that the Senate recess for a period of fifteen minutes, so that we may determine whether this resolution will require a two-thirds vote of this Senate for its passage.

Mr. BUCKMAN. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS

The PRESIDENT. The Senator from Fayette, Mr. Cavalcante, presents a point of order, which will be read:

The point of order was read as follows:

"Since the resolution imposes special work on the subcommittee of the standing committee on Education during the recess of the Senate, a two-thirds vote is required for its passage, for the reason that the subject matter of the resolution involves a suspension of the rules, as decided by a decision of this Senate on pages 803-811 of the Senate Journal, 1897."

The PRESIDENT. The Chair rules that the decision does not apply in the Senate; the only questions that require a two-thirds vote are appropriations for charitable institutions, or the suspension of rules on executive nominations.

Mr. THOMPSON (Centre). Mr. President, I just want to make a few brief remarks on this resolution. Right at the head of the stairs—

The PRESIDENT. For what purpose does the Senator from Centre rise?

Mr. THOMPSON (Centre). Mr. President, I wish to speak on the question of the adoption of the resolution.

The PRESIDENT. On the resolution or on the ruling of the Chair?

Mr. THOMPSON (Centre). Mr. President, on the resolution.

The PRESIDENT. The Senator from Centre will proceed.

Mr. THOMPSON (Centre). Mr. President, as we come up the marble stairs leading up to the Senate and the House of Representatives, at the head of the stairs leading into the Senate Chamber is a statue of the god-father of my Republican colleagues on the left, their political god-father being the late Matthew Stanley Quay. The late Senator Quay had one oft-quoted remark which has come down to us historically. That remark was "What is the Constitution among friends?" This Batchelor resolution, and the resolution that was acted upon yesterday sponsored by the Senator from Tioga, are a perfect continuance of the policy instituted by Matt Quay for the Republican Party in any exigency to deliberately disregard the Constitution of the State of Pennsylvania or, as a matter of fact, of the United States.

Now, I just want the members of this Senate to consider for a minute how ridiculous one provision of this resolution is, and the same provision was in the Owlett resolution passed yesterday. We seem to have adopted this sort of resolutions as a course of conduct. Reading from the last paragraph: "Resolved, That in the event that the power hereby conferred upon the said sub-committee to subpoena witnesses and enforce its subpoenas during the recess of the Senate shall be held by any court to be unconstitutional, said sub-committee shall, nevertheless, continue its work and take the testimony of such persons as shall voluntarily appear before it." In other words, in the language of the late Matt Quay, it does not make any difference whether it is constitutional, whether it is legal, whether it is orderly, whether in conformity with the actions on the part of this Senate, or anything else," we will just flaunt the constitution and all forms of American system in the face of the public, that is to say, we will go on with our political snooping—we do not care for anything that is going on in the history of this country. Mr. President, I say that a resolution like that, and the passage of a resolution containing a provision of this kind, is ridiculous to the extreme, and it demonstrates perfectly to what length a political organization will go in that form of political chicanery.

Mr. McGINNIS. Mr. President, I would like to interrogate the Senator from Beaver, Mr. Batchelor.

The PRESIDENT. Will the Senator from Beaver, Mr. Batchelor, permit himself to be interrogated?

Mr. BATCHELOR. Mr. President, I will.

Mr. McGINNIS. Mr. President, this resolution states that attempts are being made to interfere with the orderly management of educational institutions, and I would appreciate it if the Senator from Beaver would advise us what those attempts are.

Mr. BATCHELOR. Mr. President, on the 28th of June last, this Senate adopted a resolution authorizing the appointment of a committee to make a certain investigation—that is the Graff resolution. Now, this resolution simply asks the Senate to extend the authority of that committee, which because of certain reasons stated in this resolution simply asks the Senate to extend the authority of that Committee because of certain reasons stated in this resolution. That is all this resolution does.

Mr. McGINNIS. Mr. President, does the Senator from Beaver mean to tell this Senate that he does not know of a single instance of an attempt to do what this resolution says is being done?

Mr. BATCHELOR. Mr. President, the resolution says that the Sub-Committee has some information.

Mr. McGINNIS. Mr. President, will the Senator give us a single instance?

Mr. BATCHELOR. Mr. President, if the Senate itself wants to make this investigation, I am quite sure that the committee appointed will receive all the information that is available.

Mr. McGINNIS. Mr. President, does the Senator from Beaver admit that he has no foundation for this resolution?

Mr. BATCHELOR. Mr. President, on the contrary, I say we have an abundance of information on which to base this resolution.

Mr. McGINNIS. Mr. President, will the Senator from

Beaver give us a single instance of interference with the educational institutions of Pennsylvania?

Mr. BATCHELOR. Mr. President, I just want to reiterate what I said to the Senator from Allegheny, Mr. McGinnis, that if the Senate wants to make this investigation, I will be glad to supply all the available information.

Mr. McGINNIS. Mr. President, does the Senator ask this Senate to vote on a resolution to investigate our educational institutions, or interference with them, without a scintilla of evidence to support that resolution?

Mr. BATCHELOR. Mr. President, I will answer the Senator from Allegheny by saying that the Senator from Beaver says that there is aboundant evidence to justify this resolution.

Mr. McGINNIS. Mr. President, what is it? I do not ask for a voluminous report, I merely want a single instance.

Mr. BATCHELOR. Mr. President, I repeat what I said before, that if the Senate wants to make this investigation, I will be glad to furnish it with all the available information. If this committee makes an investigation, then I think the committee should proceed in an orderly manner to make the investigation.

Mr. McGINNIS. Mr. President, will the Senator from Beaver advise us the names of that committee?

Mr. BATCHELOR. Mr. President, the committee that was appointed—well, I do not think that I can recall the names of the committee that was appointed, but I believe that Senator Frey is one of them, I believe Senator Chapman was one and Senator Thompson from Westmoreland was one, and Senator Bennett from Indiana County was one.

Mr. McGINNIS. Mr. President, does the Senator from Beaver know that Senator Frey is not on the Education Committee.

Mr. BATCHELOR. Mr. President, I did not appoint the committee.

Mr. McGINNIS. Mr. President, so that every other member on that committee is a Republican—is that right?

Mr. BATCHELOR. Mr. President, I presume they are, yes.

Mr. McGINNIS. Mr. President, and the members of the Education Committee there is not a single Democrat of the Education Committee on this sub-committee—is that right?

Mr. BATCHELOR. Mr. President, Senator Frey is on the committee. Now, Mr. President, I would like to interrogate the Senator from Allegheny, Mr. McGinnis.

The PRESIDENT. Will the Senator from Allegheny permit himself to be interrogated?

Mr. McGINNIS. Mr. President, yes.

Mr. BATCHELOR. Mr. President, I would just like to ask the Senator from Allegheny, Mr. McGinnis, what objections there would be to making an investigation of the attempts that are being made to interfere with the orderly management of educational institutions.

Mr. McGINNIS. Mr. President, if there are any attempts, I will vote for the resolution, but if no one on this floor can tell me of any attempts to do these things, I think it is just clap-trap and political camouflage. This resolution is similar to a number of resolutions, I believe a half a dozen, that have been offered in this Senate since I came here. These committees go out after we adjourn, they go out ostensibly with some official sanction and power, because I feel, personally and legally, they have no more right to go out and conduct what pretends to be an official investigation than four or five men who want to form a committee outside of this Senate; but the fact that it has the name of a Senatorial Committee has the effect of making the public believe it has some official standing, but so far these committees start out after we adjourn—we have no control over them—to conduct hearings they pretend to be official, but they have never made a single report. However, it is good newspaper copy, because when a Senatorial investigation committee comes into a town, of course, there is a lot of good news copy. As I recall, in the original resolution which was offered it was stated that this applied to the Indiana Normal School, and Dr. Foster was not retained as President at the last meeting of the Board. Now, he is a Republican, and I do not know of another single Republican in the State of Pennsylvania that was not retained in our educational institutions, although everyone of them could have been removed. Dr. Foster, at the last meeting of the Alumni Association of Indiana College, converted that meeting into a political rally, and he and John Fisher, former Governor, were the principal speakers, and they attacked the Trustees. Two members had previously asked for a meeting of the Board, to consider the retention of Dr. Foster, and when he turned this Alumni Association meeting into a political rally and began to stir up politics, particularly in the school, the two members that had asked for the meeting felt that it could not be considered calmly, and, therefore, they withdrew their request to have this meeting, but "political" Doctor Foster got very busy among the Trustees, and he thought he had enough to win, so he got his members of the Trustees whom he knew he could insist upon, and requested them to call a meeting of the Board, and they did, and to his utter amazement, after he had called his own meeting, he was not retained by a vote of five to four, and of those members of the Board who split on the question, three Democrats and two Republicans voted against Dr. Foster, and two Democrats and two Republicans voted for him.

Now, if that is interfering with our state educational institutions, after Dr. Foster had turned his Alumni Association meeting into a political harangue, and after he attacked the Trustees, and after the Trustees met, and after he had failed, in view of what he had stirred up, to be retained, I feel that there is not a member on the other side of this Senate who, in his heart and in his conscience, feels that that was not the proper thing to do. Therefore, Mr. President, it does seem to me that we ought to have in this body a little spirit of fairness and of sportsmanship.

When this original resolution was up, I asked the Department of Education, that is today manned mostly by Republicans—as it always was, and they reported to me that this administration had made no more changes than were made in a single year under any administration. In other words, this Democratic administration had made no more changes in our state institutions and in our schools than were made from year to year under Pinchot, Fisher, or any other Governor.

Now, it does seem to me, Mr. President, that when a Democratic administration after forty-five years has elected a Governor, and the people of this State say that they want these institutions run by the party that is in power, and when that party comes into power and makes

no more changes than were made in any year under a Republican administration, I say to you that it comes with bad grace and poor grace and poor sportsmanship, when an investigation is asked of a single President of a school that was not retained. It strikes me that we are making curselves ridiculous. It strikes me that it is not fair. Do you know what this will do to the town of Indiana? We have all lived in small towns at one time or another, perhaps, and if this committee goes up into Indiana, it will stir up neighbor against neighbor, family against family, and rehash what has already died down. In other words, they will go into a peaceful community like Indiana and will array neighbor against neighbor, and I say to you on the evidence you have heard, you should not do it.

Mr. WOODWARD. Mr. President, I just want to set right the Senator from Centre, Mr. Thompson, that if he were a candidate for Governor when Matthew Stanley Quay was political boss and supporting him for Governor, he would probably receive a message from Mr. Quay "Dear Mr. Thompson, don't talk." It is unfortunate that the Senator from Centre brought up this question about "What is the Constitution among friends?" The Senator from Centre dislikes ancient history; yesterday he was modernistic, so I would like to give it to him. He ought to remember that we are not operating under constitutional liberty, but under the New Deal, and the great apostle of the New Deal, President Roosevelt, and I remember distinctly reading in my paper that President Roosevelt sent a message to the committee considering the Guffey Coal Act, I think it was, that the legislation was probably unconstitutional, but not to be deterred from action by any such statement as that, to go ahead anyway. That is the New Deal way of going back to Matthew Stanley Quay.

Mr. REED (Washington). Mr. President, I would like to interrogate the Senator from Beaver, Mr. Batchelor.

The PRESIDENT. Will the Senator from Beaver, Mr. Batchelor, permit himself to be interrogated?

Mr. BATCHELOR. Mr. President, I will.

Mr. REED (Washington). I would like to ask the Senator from Beaver if I am correct in my understanding of the meaning of this resolution, that it applies specifically to the Indiana State Teachers College.

Mr. BATCHELOR. Mr. President, it applies to the Indiana State Teachers College, but it might also apply to other colleges.

Mr. REED (Washington). Mr. President, is it not true that the original resolution also included the University of Pittsburgh?

Mr. BATCHELOR. Mr. President, I did not introduce the original resolution.

Mr. REED (Washington). Mr. President, but the Senator knows that is a fact, does he not?

Mr. BATCHELOR. Mr. President, I think that was cut out of the bill before it was passed; that is my recollection.

Mr. REED (Washington). Mr. President, I am asking the Senator from Beaver if it were not in the original resolution.

Mr. BATCHELOR. Mr. President, the Senator from Washington may be more familiar with it than I am.

Mr. REED (Washington). Mr. President, I think the Senator from Beaver should be more familiar with the resolution than I, in view of the fact that it was his resolution.

Mr. BATCHELOR. Mr. President, no, it was not my resolution, the Senator from Washington is mistaken.

Mr. REED (Washington). Mr. President, I would like to know whether or not in the best judgment of the Senator from Beaver, if the University of Pittsburgh was also named in the original resolution.

Mr. BATCHELOR. Mr. President, my best judgment is that it was named in the original resolution, but that it was cut out before the resolution was reported to the floor.

Mr. REED (Washingon). Mr. President, does the Senator from Beaver know why the University of Pittsburgh was later eliminated from the resolution?

Mr. BATCHELOR. Mr. President, my recollection is that it was eliminated in committee, I would have no objection to including it. I might call the attention of the Senator from Washingon, and also the Senator from Allegheny, Mr. McGinnis, to the fact that the University of Pittsburgh was investigated, and it was investigated by a committee composed entirely of Democratic members of the House.

Mr. REED (Washington). Mr. President, but the University of Pittsburgh was in the original resolution and was later removed?

Mr. BATCHELOR. Mr. President, that is my recollection.

Mr. REED (Washington). Mr. President, does the Senator from Beaver know why it was removed?

Mr. BATCHELOR. Mr. President, I do not know other than what my recollection is, that it happened in committee, that is all I can say.

Mr. REED (Washington). Mr. President, when this resolution was before this body the first time, I voted against it, and I propose to vote against this resolution now, not for political reasons, but, in my opinion, for higher and better reasons. I believe when we start to investigate our public institutions when some official is removed, then we are establishing a very dangerous precedent which will give the people of this state very much trouble hereafter. I think this is a dangerous resolution on that account, and I think it should be voted down, and that is why I will vote against it.

Mr. CAVALCANTE. Mr. President, I was amused by the remarks of the Senator from Philadelphia, Dr. Woodward, in trying to compare some of the activities of President Roosevelt with a statement that was made here today. If the Senator from Philadelphia, Dr. Woodward, wants to be specific and correct, he must also state that the President of the United States informed the committee that was considering the Guffey-Snyder Coal Bill that if there were any doubt as to the constitutionality of the Act, that there is a tribunal to decide that proposition, that they should report the bill and pass the bill, and let the Supreme Court of the United States, the tribunal established for that purpose, say whether or not it was constitutional. But now, Mr. President, mark the words of the resolution that we are asked to vote upon:

"Resolved, That in the event that the power hereby conferred upon the said Sub-Committee to subpoena witnesses and enforce its subpoenas during the recess of the Senate shall be held by any court to be unconstitutional, said Sub-Committee shall, nevertheless, continue its work

and take the testimony of such persons as shall voluntarily appear before it."

These are identically the same words used in the resolution introduced by the Senator from Tioga, Mr. Owlett, for the appointment of a Senate Committee to investigate the Works Progress Administration. The difference between the conduct of the President of the United States and the Republican majority in this Senate is that when a tribunal of this Nation decides that the Act of any Legislature is unconstitutional, we who belong to the New Deal are Americans and we are willing to submit to the decision of the tribunal, but here we are asked to vote on a resolution that says "To hell with the decision of any tribunal," or whether any court declares it unconstitutional, "we are going on." That is the difference between what the President of the United States recommended to the committee that passed upon the Guffey-Snyder bill and this resolution before this Senate.

Mr. GRAFF. Mr. President, I do not know whether my godfather, the late Matthew Stanley Quay, ever made the remark "What is the Constitution among friends," but it seems to me, it very ill becomes the Senator from Centre to raise any question as to the disregarding of any Constitution, either Federal or State, after the debacle that we have been treated to, and are now meeting with, in Washington. It is one of the most flagrant and outrageous attempts, being made right along to disregard the Constitution, in a manner with which we are all familiar, and so I say again that it ill becomes the Senator from Centre to raise this question.

Now as to this resolution: I do not wish to prolong the debate on it, but as sponsor I am vitally interested, and I introduced the original resolution here in the Senate, which resolution was adopted on June 29th. At that time the Senate, in no uncertain terms, expressed itself in favor of this resolution by a vote of 30 to 17. This is not a political matter. I come from the area in which the State Teachers College in Indiana is located, and individuals regardless of party, a number of organizations, all appealed to me to introduce this resolution, and I assure you there were many, many Democrats who very strongly urged upon me the advisability of introducing this resolution. I had appeals from the Chamber of Commerce, the Kiwanis Club, the Alumni Association, representing 10,000 alumni of the institution, the Senior Class and the faculty.

The only thing that this resolution aims to do is to have a thorough and impartial investigation of the charges that there has been political interference with the orderly procedure of the administration of this Teachers' College in Indiana. The attempt of the Senator from Centre to becloud this issue, it seems to me, to be indefensible. No one who wants to be fair and square and on the up and up in this matter has anything to fear. We simply want to make an investigation and get to the bottom of this thing and if there are any irregularities, which, it seems to me, there is abundant evidence to prove that there are, we want to bring them out in the light of day, and if anyone has been under suspicion and is being accused wrongly he should have nothing to fear, but should like to have this thing cleared up.

I want to say, in conclusion, that I see no reason why anyone who wants to be fair and honest in this matter, has anything to fear, or has any real reason to object to the adoption of this resolution, and I hope the Senate will adopt it.

Mr. McGINNIS. Mr. President, I would like to interrogate the Senator from Armstrong.

The PRESIDENT. Will the Senator from Armstrong, Mr. Graff, permit himself to be interrogated?

Mr. GRAFF. Mr. President, I will.

Mr. McGINNIS. Mr. President, does the Senator not know that the Senator from Indiana, Mr. Bennett, in addressing this body, stated that Dr. Foster was up to his neck in politics before there was this administration?

Mr. GRAFF. Mr. President, I would like to answer the Senator from Allegheny, Mr. McGinnis, by saying that that is one of the reasons for this investigation.

Mr. McGINNIS. Mr. President, does the Senator from Armstrong wish to convey to this body that if the president of one of our State Colleges had been in politics and a Republican Senator would get up on this floor and tell the Senate that that is what he had been doing, and if that man had lost out by a vote of 5 to 4, he would tell this Senate that it is a matter for this Senate to get down in the gutter and investigate?

Mr. GRAFF. Mr. President, I simply want to reiterate what I have said on several occasions on this floor, that there have been charges and counter charges and the purpose, I would say again, of this resolution, is to bring about a fair and impartial investigation, let the chips fly where they may. This is not an investigation to whitewash anybody, nor to crucify anyone. We simply want to get to the foundation and the facts in this case, regardless of party politics.

Mr. McGINNIS. Mr. President, does the Senator from Armstrong say that this is a fair, impartial and non-political investigation when there is not a Democrat on the Education Committee?

Mr. GRAFF. Mr. President, there is, of course, as you know, a Democrat on this Committee, and I presume he was appointed with the thought that he was a member of the Committee on Education. If he is not, he is at least a member of the Democratic Party, and that is more than can be said of the Committee that investigated the University of Pittsburgh, where there was no Republican on the investigating committee. I think that the Committee will be fair and impartial.

Mr. McGINNIS. Mr. President, will the Senator from Armstrong agree that the Chairman of the Education Committee, if he wanted to be fair, would have appointed two Democrats and two Republicans, when they are going to delve into a State institution and our Education Department.

Mr. GRAFF. Mr. President, that is the prerogative of the President Pro Tempore of the Senate.

Mr. SHAPIRO. Mr. President, I am not interested in this controversy but I am interested in whether this proposition can be carried out. I am rising to a question of parliamentary inquiry. I am of the impression that the Committee on Education's functions expire on the first of December, and I am inquiring whether a sub-committee, appointed by a committee which expires, can function according to the rules of this Senate.

Please do not ask me to write that out on paper.

The PRESIDENT. The Chair answers the Senator from Philadelphia, Mr. Shapiro, by saying that the terms of

the Senators expire on December 1st, and any committee could function until that time, in the opinion of the Chair.

Mr. SHAPIRO. Mr. President, then after the first of December, my inquiry is, if this committee could not function longer, neither could the sub-committee.

The PRESIDENT. The Chair has answered the question correctly.

And the question recurring,

Will the Senate agree to the resolution?

The yeas and nays were required by Mr. CAVALCANTE and Mr. SHAPIRO and were as follows, viz:

YEAS—27

Aron,	Graff,	Rankin,	Thompson (Westmoreland)
Batchelor,	Harris,	Reed, (Dauphin)	Trainer,
Bean,	Harvey,	Rodgers,	Woodward,
Buckman,	Mallery,	Salus,	Ziesenheim,
Chapman,	McClure,	Scott,	Homsher,
Coyne,	Owlett,	Staudenmeier,	Pres. Pro. Tem.
Ealy,	Pierson,		
Gelder,	Prince,		

NAYS—18

Baumer,	Lanius,	Pytko,	Rupp,
Cavalcante,	Law,	Reed, (Washington)	Ruth,
Frey,	McCreesh,	Shapiro,	
Huffman,	McGinnis,	Rice,	Thompson, (Centre)
Kahle,	Miller,	Roberts,	

So the question was determined in the affirmative.

RECESS

Mr. BUCKMAN. Mr. President, I move that the Senate do now take a recess for thirty minutes.

Mr. GELDER. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS

The PRESIDENT. The time of recess having elapsed, the Senate will be in order.

NOMINATION BY THE GOVERNOR

The Secretary to the Governor being introduced, presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows, and referred to the Committee on Executive Nominations:

NOTARY PUBLIC

Commonwealth of Pennsylvania,
Governors Office, Harrisburg, August 6, 1936.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following person for appointment as a Notary Public, for the term of four years to compute from the date of confirmation:

McKEAN COUNTY

E. Kent Kane, Kane.

GEORGE H. EARLE.

HOUSE MESSAGE

HOUSE CONCURS IN SENATE RESOLUTION NO. 8

The Clerk of the House of Representatives being introduced informed the Senate that the House has concurred in Senate Resolution No. 8 as follows:

Whereas, There are at present waiting lists of approximately fifty-five thousand residents of the Commonwealth entitled to Old Age Assistance and

Whereas, The Commonwealth would have to expend the additional sum of one million seven hundred fifty thousand dollars called for by House Bill Number fifty-four in order to procure sufficient Federal money which together with the aforesaid sum of one million seven hundred fifty thousand dollars would be sufficient to furnish Old Age Assistance to those persons on said waiting lists during the remainder of the current biennium and

Whereas, It is the sense of the General Assembly not to provide this additional sum called for by House Bill Number fifty-four at this special session but to do so at its forthcoming regular session in one thousand nine hundred and thirty-seven and

Whereas, It will therefore be necessary for the Department of Welfare in order to take up such waiting lists at the present time to accelerate payments from the existing appropriation for Old Age Assistance with the result that such appropriation will be exhausted by the first of April one thousand nine hundred thirty-seven

Resolved (if the House of Representatives concur), That it is the sense of this special session of the General Assembly that the Department of Welfare accelerate payments from its current appropriation for Old Age Assistance in order to match sufficient Federal moneys which together with the State appropriation will enable the department to furnish in the manner provided by law Old Age Assistance to all eligible applicants therefor including those who are now on the waiting lists in the various counties because of insufficient State funds and

Resolved, Further, That it is the sense of this General Assembly that the General Assembly at its forthcoming regular session in one thousand nine hundred and thirty-seven appropriate at least one million seven hundred fifty thousand dollars to the Department of Welfare which together with contributions received from the Federal Government to match this sum will enable Old Age Assistance to be furnished to all eligible applicants therefor during the remainder of the one thousand nine hundred thirty-five and one thousand nine hundred thirty-seven biennium

BILL ON FINAL PASSAGE

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 114 (House Bill No. 161), as follows:

An Act making an appropriation to the Water and Power Resources Board for payment into the Flood Control Fund for flood control purposes

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of one hundred and fifty thousand dollars ($150,000) or so much thereof as is necessary is hereby specifically appropriated out of the General Fund to the Water and Power Resources Board for payment into the Flood Control Fund in the State Treasury for the purpose of making the same available for the purposes for which such Flood Control Fund is appropriated by law.

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—42

Aron,	Harvey,	Rankin,	Shapiro,
Batchelor,	Huffman,	Reed, (Dauphin)	Sones,
Baumer,	Kahle,	Reed, (Washington)	Staudenmeier,
Bean,	Lanius,	Rice,	Thompson, (Centre)
Buckman,	Law,	Roberts,	Thompson, (Westmoreland)
Cavalcante,	Mallery,	Rodgers,	Trainer,
Chapman,	McCreesh,	Rupp,	Ziesenheim,
Coyne,	McGinnis,	Ruth,	Homsher,
Frey,	Owlett,	Salus,	Pres. Pro. Tem.
Gelder,	Pierson,	Scott,	
Graff,	Prince,		
Harris,	Pytko,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

BILL RECOMMITTED

Mr. HUFFMAN. Mr. President, I move that Senate Bill No. 38 (House Bill No. 54), on third reading, entitled:

A Supplement to Act Number fifty-seven-A approved the nineteenth day of July one thousand nine hundred thirty-five (Appropriation Acts of one thousand nine hundred thirty-five page forty-one) entitled "An act making an appropriation to the Department of Welfare for Old Age Assistance" making an appropriation for the payment of old age assistance to applicants in counties which do not have sufficient funds available to pay assistance to such applicants and suspending the provisions of this act in case Federal grants for old age assistance shall fail for any reason

be recommitted to the Committee on Appropriations.

Mr. GELDER. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. GELDER. Mr. President, before the vote on the motion is taken, and for the information of the Senate, I would like to say that as you all know, recently we received a letter from the Secretary of Welfare, Commander Pennington, which involved the action of the Senate in putting these bills on the calendar, and the Committee on Appropriations was requested to take up with the Commander to find out whether or not the position he took at that time was the position that the Administration was taking on these bills, we having understood at the conference at the Executive Mansion, that the Attorney General and the Governor said it was not necessary to pass bills at this time.

I have, under date of August 5, a letter from Commander Pennington which I would like to read into the record:

Commonwealth of Pennsylvania
Department of Welfare
Harrisburg

August 5, 1936.

Honorable Frederick T. Gelder
Chairman, Senate Appropriations Committee
Harrisburg, Pennsylvania

Dear Sir:

On July 29th I addressed you requesting that the Senate Appropriations Committee report out House Bills No. 50 and 54, appropriating $600,000 for mother's assistance and $1,750,000 for old age assistance. At that time it was my belief that it was necessary that these funds be appropriated at once in order to make it possible for the State of Pennsylvania to avail itself immediately of the benefits of the Federal Social Security Act, and add approximately 55,000 additional cases to its active old age assistance list and approximately 7,000 cases to its active mother's assistance list.

Under the wording of the appropriations to the Department of Welfare for both these subjects, it is possible for us to anticipate expenditures which would otherwise be made at the end of the biennium and make those expenditures from now on. This will not interfere with our ability to obtain from the Federal Government funds for old age assistance in an amount equal to those which we would expend and for mother's assistance in an amount equal to one-third of the total expended in this state.

It must be understood, however, that unless the next General Assembly appropriates $1,750,000 before April 1, 1937 for old age assistance, our payments for old age assistance will cease entirely on or about April 1, 1937, both for those on the present and those on the added list and unless the next General Assembly appropriates $600,000 for mother's assistance before April 1, 1937, distribution to mother's assistance will cease entirely on or about April 1, 1937.

I feel that it is important that the Department of Welfare have the sense of this Legislature first on the acceleration of expenditures from the latter part of the biennium to the present part of the biennium and secondly that the Legislature commit itself on the necessity of the next General Assembly providing the two sums above mentioned. In other words it should be clear that what we are accomplishing is merely the postponement of the time of the appropriation.

Very truly yours,

JOHN D. PENNINGTON,
Secretary of Welfare.

Mr. President, action on these bills will be followed by a report from the Appropriations Committee on the resolution which was prepared by the Senator from Philadelphia, Mr. Shapiro, and also another resolution which he intends to introduce covering Mothers's Assistance, when and if those two resolutions are passed, apparently it will be perfectly safe for us to defer action on these bills at this time. It may be interesting to the members of the Senate to know that on mothers' assistance at the present time there are 8,000 mothers with 25,000 dependent children on the payroll. There is a waiting list of about 7,500, and after this legislation goes through, it is our understanding that this entire waiting list will be taken care of if they are found eligible. At the present time there are 39,716 persons receiving old age assistance, making an expenditure of $852,630, a month. There are 74,506 persons on the waiting list, and the Department thinks 55,000 will be eligible for assistance. These too will have immediate attention from the Department, under a resolution, with the funds named available in the Department, plus that which we will receive from the Federal Government.

At the present time 8,405 blind persons are receiving pensions of $30.00 per month, or were as of July 1, 1936. There are 381 additional cases on the list for the present month, or a total of 8,800 persons, all but fourteen receiving pensions. There are now 1,000 blind persons eligible and waiting to be considered. With the $200,000. appropriation bill which was passed by this Senate and now on the Governor's desk, the entire list of those entitled to blind pensions will also be cared for at this session.

I wonder if the members of this Senate and the people of Pennsylvania can conjure up the amount of money the Commonwealth of Pennsylvania is spending in this social service. If we took all these people who are receiving pensions for the blind, all these people receiving mothers' assistance and all of these people who are receiving old age assistance, and brought them into Harrisburg for a parade down Third Street, by the Capitol, it would certainly be an imposing spectacle, and I think it would convince the people of Pennsylvania, and of the other states throughout the nation that this state is not backward in its social service. This, Mr. President, has nothing whatever to do with the millions of dollars we are spending for direct relief.

And the question recurring,

Will the Senate agree to the motion?

The motion was agreed to.

RESOLUTION RELATIVE TO MOTHERS' ASSISTANCE FUND

Mr. SHAPIRO offered the following resolution which was twice read as follows:

CONCURRENT RESOLUTION

In the Senate, August 6, 1936.

Whereas, The Federal Social Security Act requires the Mothers Assistance Law to be mandatory in all counties of the Commonwealth before Federal moneys will be available for this purpose; and

Whereas, House Bill No. 59, now in conference committee, will make the Mothers Assistance Law mandatory on all counties if enacted; and

Whereas, at least eight counties have been heretofore and are financially unable to participate with the Commonwealth in furnishing assistance to needy mothers under the Mothers Assistance Law; and

Whereas, there are waiting lists of mothers eligible for assistance in those counties operating under the Mothers Assistance Law because of insufficient State and county funds available for this purpose; and

Whereas, it is the sense of the General Assembly that the additional funds necessary to meet the contributions required of the aforesaid eight counties and to take up the aforesaid waiting lists, should be provided for at its forthcoming regular session in 1937: and

Whereas, it will therefore be necessary for the Department of Welfare in order to extend the benefits of the Mothers Assistance Law to the aforesaid eight counties and to take up the waiting lists in the other counties, to accelerate payments from the existing appropriations for Mothers Assistance in order to match sufficient Federal moneys for this purpose with the result that such an appropriation will be exhausted by the first of April, one thousand nine hundred thirty-seven.

Resolved, (if the House of Representatives concur) that if it is the sense of this special session of the General Assembly, if House Bill No. 59, is enacted, that the Department of Welfare accelerate payments from its current appropriation for Mothers Assistance in order to match sufficient Federal moneys which, together with the State appropriation, will enable the department to furnish, in the manner provided by law, Mothers Assistance to all eligible applicants therefore in all counties of the Commonwealth; and

Resolved Further, that it is the sense of this General Assembly that the General Assembly, at its forthcoming regular session of 1937, appropriate sufficient money to the Department of Welfare, which, together with contributions received from the Federal government to match such money, will enable Mothers Assistance to be furnished to all eligible applicants therefore during the remainder of the 1935-1937 biennium.

Mr. SHAPIRO. Mr. President, I ask unanimous consent that Rule 39 which requires concurrent resolutions be referred to an appropriate committee, be suspended and that the Senate do now proceed to the immediate consideration of the resolution just read.

The PRESIDENT. Is there objection? The Chair hears none.

Will the Senate agree to the resolution?

It was agreed to.

Ordered, That the Clerk present same to the House of Representatives for concurrence.

BILL RECOMMITTED

Mr. HUFFMAN. Mr. President, I move that Senate Bill No. 40 (House Bill No. 50), on third reading, entitled:

A Supplement to the act approved the nineteenth day of July one thousand nine hundred thirty-five (Pamphlet Laws one thousand three hundred fifty-one) entitled "An act making appropriations to carry into effect the provisions of an act approved the tenth day of Jul9y one thousand and nineteen (Pamphlet Laws eight hundred ninety-three) entitled 'An act providing for assistance to certain mothers providing for the appointment of boards of trustees for the several counties of the Commonwealth and for the appointment of a State Supervisor and assistants and fixing the salaries of such State Supervisor and assistants defining the powers and duties of boards of trustees including the power of appropriating assistants and investigators and the distribution of funds at their disposal providing for the apportionment of the State appropriation among the several counties and requiring counties coming under the provisions of the act to appropriate certain moneys and providing penalties' as amended" making an appropriation for the payment of mothers' assistance to applicants in counties which do not have sufficient funds available to pay assistance to such applicants and suspending the provisions of this act in case Federal aid for dependent children shall fail for any reason

be recommitted to the Committee on Appropriations.

Mr. GELDER. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. HUFFMAN. Mr. President, this is Senate Bill No. 40 and I desire to say in respect to this bill that it is the Mothers' Assistance Bill, and the previous one was the Old Age Pension Bill. I think it is clear to all the members of the Senate that we are saving by both of these bills $350,000, because it is not necessary to pass them at this time, and I concur in all that was said by the Senator from Susquehanna, Mr. Gelder, with respect to the letter read and the comments that he made. We will be able to take care of all the Mothers' Assistance cases and all the Old Age Pension cases without passing these bills at this time.

And the question recurring,

Will the Senate agree to the motion?

It was agreed to.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 53 (House Bill No. 66), as follows:

An Act making an appropriation to the Department of Property and Supplies for increasing the capacity of overcrowded State institutions eliminating fire and other hazards to safety at State institutions providing for the purchase of safety and other equipment the erection and construction of new buildings and repairs alterations and additions to and replacement of existing buildings and equipment

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of one million two hundred twenty-five thousand dollars ($1,225,000) is hereby appropriated to the Department of Property and Supplies for the following purposes

For eliminating fire and other hazards to safety at State-owned institutions including repairs alterations additions to or replacement of existing buildings and the purchase of fire or other safety equipment the sum of five hundred thousand dollars ($500,000)

For the erection construction and equipment of buildings to comprise a farm colony at the Pennsylvania Industrial School at Huntingdon on lands of said school designated by the Secretary of Welfare the sum of seventy-five thousand dollars ($75,000)

For increasing the capacity of State-owned institutions

under the supervision of the Department of Health by the erection and construction of new buildings or by repairs alterations or additions to existing buildings the sum of one hundred and fifty thousand dollars ($150,000)

For the erection and construction of new armories and other buildings and repairs alterations additions to and replacement of existing armories and other buildings under the supervision of the Department of Military Affairs including buildings and utilities at the State Military Reservation the sum of five hundred thousand dollars ($500,000)

Section 2 Within the meaning of this act the erection and construction of or alterations or additions to buildings shall include the installation or replacement of fittings and equipment affixed to buildings and the installation or replacement of heating systems and heating sewage and other service lines within the grounds of an institution armory or stable for the accommodation of a building or buildings and the foregoing appropriations be and the same are hereby made available for the payment of the cost of necessary plans specifications advertising for bids supervision and architectural and engineering fees required for the purposes of this act

Section 3 The amount of any of the foregoing appropriations to be expended for or upon any building or buildings for any particular institution shall be determined with the approval of the Governor by the Department of Property and Supplies and the department of the State government operating such institution or with which the board of trustees of such institution is connected and the amount of the foregoing appropriation to be expended for any particular armory or the State Military Reservation shall be determined with the approval of the Governor by the Department of Property and Supplies and the Department of Military Affairs

Section 4 The remaining balance of any of the foregoing appropriations which on May thirty-first one thousand nine hundred thirty-nine are unobligated shall lapse on that date

Section 5 This act shall become effective immediately upon its final enactment

And said bill having been read at length the third time, and agreed to, and the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46

Aron,	Harvey,	Pytko,	Shapiro,
Batchelor,	Huffman,	Rankin,	Sones,
Baumer,	Kahle,	Reed,	Staudenmeier,
Bean,	Lanius,	(Dauphin)	Thompson,
Buckman,	Law,	Reed,	(Centre)
Cavalcante,	Mallery,	(Washington)	Thompson,
Chapman,	McClure,	Rice,	(Westmoreland)
Coyne,	McCreesh,	Roberts,	Trainer,
Ealy,	McGinnis,	Rodgers,	Woodward,
Frey,	Miller,	Rupp,	Ziesenheim,
Gelder,	Owlett,	Ruth,	Homsher,
Graff,	Pierson,	Salus,	Pres. Pro. Tem
Harris,	Prince,	Scott,	

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 68 (House Bill No. 70), as follows:

An Act relating to flood control prescribing the powers and duties of the Water and Power Resources Board of the Department of Forests and Waters in relation to the creation of flood control districts adoption of plans for flood control works and improvements carrying into effect of such plans assistance aid and cooperation with public and private agencies and the Federal Government in Federal flood control works and improvements and entering into compacts and agreements with other states for flood control works and improvements conferring the power of eminent domain imposing certain charges upon the Commonwealth providing for appeals and conferring certain powers on municipalities counties and townships the Department of Highways and the Department of Property and Supplies

Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That

Section 1 Definitions The word "board" as used in this act means the Water and Power Resources Board of the Department of Forests and Waters

The phrase "Flood Control Fund" means the fund provided for in section eighteen of this act

The word "person" as used in this act shall include individuals associations partnerships and corporations

The word "plans" as used in this act shall mean plans maps profiles estimates of costs descriptions of property to be taken damaged or destroyed and other data and descriptions prepared by the Water and Power Resources Board to establish the area and boundaries of a proposed flood control district to locate adequate proposed flood control works to determine the cost of the erection and construction of the same and to determine property to be taken damaged or destroyed by the construction of such works and shall also be construed to include similar plans prepared by any agency of the Federal Government which before adoption in this Commonwealth shall have been incorporated into and made a part of any State official plan

The word "municipality" as used in this act shall include counties cities boroughs incorporated towns and townships

Section 2 Surveys and Preliminary Plans The Water and Power Resources Board shall have power on its own motion or upon the petition of at least three municipalities or upon the petition of at least three hundred persons who are freeholders in any drainage area to make appropriate surveys and to prepare suitable preliminary plans for any proposed flood control district in such drainage area or any part thereof in order to control store preserve and regulate the flow of rivers and streams and diminish or eliminate floods inimical to the public health and safety and destructive to public and private property and works and for no other use or purpose

Section 3 Notice and Public Hearing Objections When such surveys and preliminary plans have been completed the board shall give notice in at least two newspapers in each county wholly or partially within such proposed flood control district if so many are published therein once a week for two consecutive weeks which notice shall state the place where such preliminary plans may be inspected and the time and place when and where such preliminary plans may be discussed at a public hearing before the board and written objections thereto filed by any person or municipality

The board shall have such preliminary plans printed and furnish copies thereof to persons interested upon request made

Section 4 Detailed Official Plans Notice When such hearing or hearings on the preliminary plans have been completed the board shall proceed to consider all objections filed to the preliminary plans and shall affirm revise modify or change said plans as in its judgment is deemed just and proper and shall then prepare detailed official plans for the proposed flood control district The board shall give public notice of the adoption of such official plan in the same newspapers and by the same number of insertions as hereinbefore provided for the preliminary plans Such official plans shall be printed and distributed

in the same manner as the preliminary plans and the board shall also give notice to all persons whose property may be taken damaged or destroyed in the completion of such plan by registered mail to the last known post office address of the owner or reputed owner of the property

Section 5 Appeals Procedure Any person or municipality aggrieved by the action of the board in the adoption of the official plans shall have a right to appeal from the action of the board to the Superior Court at any time within sixty days after the date of the last publication of the notice of the adoption of the official plans and not thereafter, Such appeal shall be by petition against the board officially as defendant filed with the Superior Court alleging therein in brief detail the action complained of and praying for a modification or reversal thereof Such petition shall specify the petitioners objections to the action of the board and no objection not so specified shall be considered by the court

A copy of such appeal shall be filed with the board on the same day it is filed with the Superior Court Thereupon the board shall file with the Superior Court at least ten copies of the official plans The board shall not later than fifteen days after the filing of the appeal petition file with the Superior Court an answer thereto and send a copy thereof by registered mail to the person filing the appeal petition or his counsel of record The answer shall deny or admit the allegations in the petition and the grounds for its action

The Superior Court shall fix a time and place of hearing of which due notice shall be given to the appellant and his counsel and to the board in such manner as the Superior Court shall prescribe

After hearing the Superior Court on its own independent judgment shall make such order affirming the official plans of the board or modifying or changing the same as to it appears just and proper for the purpose of flood control only

The Superior Court shall have power to consolidate any and all appeals taken from the action of the board and hear them in the same proceeding

Within thirty days after the entry of any final judgment order or decree of the aforesaid Superior Court any party to the record aggrieved thereby may appeal therefrom to the Supreme Court if the jurisdiction of the Superior Court is in issue or if the case involves the construction or application of the Constitution of the United States or of any statute or treaty of the United States or of any statute or treaty of the United States or if the case involves the construction or application of the Constitution of Pennsylvania or if the appeal to the Supreme Court be specially allowed by the Superior Court itself or by any one justice of the Supreme Court Such appeals shall be taken and prosecuted in the same manner and with the same effect as is provided in other cases of appeal from the Superior Court to the Supreme Court

Section 6 When Official Plans Effective Official plans shall become effective for a flood control district and the district shall be deemed established when the period for appeal has expired if no appeal has been taken or if an appeal has been taken then when all appeals have been finally adjudicated

The board may proceed with the exercise of the powers granted by this act whenever an official plan has become effective provided the General Assembly shall have made a specific appropriation to the Flood Control Fund if necessary for the execution of all or a part of such plan but no contract shall be let agreement executed or condemnation proceeding be begun requiring expenditures exceeding the amount of moneys in said fund

Section 7 General Powers of Board Payment of Taxes by Commonwealth In order to carry into effect the official plans for any flood control district the board shall have power to clean out widen alter deepen or change the course current or channel of any river or stream to fill up any abandoned canal or water course to construct and maintain levees dikes walls revetments dams lakes reservoirs and other works and improvements deemed necessary to prevent floods and to control preserve and regulate the flow of rivers and streams to construct or enlarge bridges and viaducts to construct relocate and elevate public highways to construct any of said works and improvements across through or over any public highway canal railroad right of way or track to remove or change the location of any fence building railroad canal or other improvement to acquire by donation lease purchase or condemnation and own or hold in the name of the Commonwealth real and personal property and easements and the public works erected and constructed under the authority of this act Provided however That nothing contained in this act shall be construed to authorize the construction maintenance or operation of any facilities works or improvements for the generation of any electric power or the development of water power

Whenever any lands easements rights of way or other property is acquired by the board the board for the assessment and revision of taxes or the county commissioners of the county wherein the same is located shall immediately after such acquisition certify to the Auditor General the assessed valuation of such lands easements rights of way and other property at the time of such acquisition After such acquisition the taxing authority of each political subdivision within which such lands easements rights of way or other property is located shall from year to year at the time of their annual levy of taxes certify to the Auditor General the rate of their respective levies for the next year Thereupon the Auditor General shall ascertain the amount of taxes which would have been collected upon the assessed valuation certified as hereinbefore provided at the respective rates of the levies so certified Upon the ascertainment of such amounts the same shall be paid by the Commonwealth to the several political subdivisions from time to time from the General Fund

Section 8 Board Designated As Agency To Receive Federal Moneys The Board is authorized to receive on behalf of the Commonwealth of Pennsylvania any and all Federal moneys grants contributions gratuities and loans available or hereafter made available by the government of the United States or any of its agencies or instrumentalities for State flood control works and improvements under such rules and regulations not inconsistent with the provisions of this act as may be prescribed by law of the Congress of the United States or any Federal agency or instrumentality and to pay the same over to the State Treasurer through the Department of Revenue as custodian All such moneys shall be paid into the Flood Control Fund created by this act

Section 9 Powers and Duties in Connection With Federal Works and Improvements In addition to the powers hereinbefore granted the board is hereby empowered and directed for and in behalf of the Commonwealth and its subdivisions to aid assist and cooperate in the carrying out of any Federal flood control program or plans and for such purposes shall have all of the powers conferred and shall be subject to all the limitations imposed by this act including the approval of plans as provided in this act with respect to the state created flood control districts and the execution of the official plans for such districts and all other powers consistent therewith necessary or required in order to enable the Commonwealth to participate in and receive the benefits of any Federal flood control program or plans in this Commonwealth subject to all the limitations imposed by this act It shall have power among others to enter into and execute any and all contracts and agreements with agencies of the Federal Government and to do and perform all acts necessary in connection therewith and to assist and cooperate in the construction erection financing maintaining using and operating any Federal public flood control works and improvements and to enter into and execute such contracts as may be deemed necessary and convenient to the exercise of the powers rights privileges and functions conferred by this act It shall have power to obligate the Commonwealth to pay a portion of the cost of such Federal flood control works and improvements not however exceeding amounts of money available for such purposes

The board is authorized and directed to conform and comply with all rules regulations and requirements of the

Federal Government and its agencies and instrumentalities subject to the limitations imposed by this act

Section 10 Contracts and Acquisition of Property All work of any character whatever performed under the authority of this act in connection with any state public flood control works and improvements involving an expenditure of more than one thousand dollars shall be performed under written contract let by the board to the lowest responsible bidder after due advertisement as prescribed by the board

All purchases of personal property shall be made by the Department of Property and Supplies as agent for the board in accordance with the provisions of the Administrative Code of one thousand nine hundred twenty-nine its amendments and supplements

All leases and purchases of real property and easements shall be made by the Department of Property and Supplies as agent for the board and shall be limited to the acquisition at not more than a fair rental or fair market value as the case may be

Section 11 Power of Eminent Domain The board shall have power to acquire any property easements rights of way and water courses except property easements rights of way or water courses devoted to or acquired for public or quasipublic purposes deemed necessary for the construction of any of its public works or improvements provided for in this act and for no other purpose by the right of eminent domain and shall have power to enter upon injure or destroy any such property deemed necessary for such purposes The proceedings for the condemnation of property and for the assessment of damages for property taken injured or destroyed shall be in accordance with the act approved the fifteenth day of July one thousand nine hundred and nineteen (Pamphlet Laws nine hundred seventy-six) entitled "An act to authorize the Board of Commissioners of Public Grounds and Buildings to acquire property for the Commonwealth by proceedings in eminent domain where the purchase of such property has either been authorized by law or determined by the Board of Commissioners of Public Grounds and Buildings under existing laws and an appropriation made therefor" and its amendments and supplements except that the Board may take possession of the property on the confirmation of the viewers report only after moneys sufficient to compensate therefore are available in the Flood Control Fund and the Board has paid or tendered payment of the amount awarded by the Board of View or in case the Board believes the amount awarded by the Board of View to be excessive then the amount to be tendered shall be the amount which the Board believes to be just and proper Provided the property owner may accept the amount awarded by the Board of View or the amount tendered by the Board if less than that awarded by the Board of View without prejudice to his right to prosecute an appeal therefrom for any excess that he may claim Upon the trial of any appeal if the party appealing does not obtain a verdict more favorable than was the report of the viewers he shall not recover costs Provided that where the Board shall make a tender of less than the amount awarded by the Board of View such tender shall not be construed to preclude the Board from appealing from or filing exceptions to the report of viewers

The board shall have like powers of eminent domain as hereinbefore granted in this section and in accordance with the same procedure provided by this section to acquire property easements rights of way and water courses except property easements rights of way or water courses devoted to or acquired for public or quasi-public purposes deemed necessary by the board to enable the Federal Government or any of its agencies or instrumentalities to erect and construct suitable public flood control works and improvements in this Commonwealth in the construction and erection of which the board has been authorized by this act to aid assist and cooperate and for no other purpose

The board shall have the power to authorize the Federal Government or any of its instrumentalities or agencies to acquire outside the Commonwealth such property easements rights of way and water courses as are deemed necessary for the construction of any public works or improvements provided for in this act and to order the payment therefor out of the Flood Control Fund to the Federal Government or its instrumentality or agency not however exceeding amounts of money available in the Flood Control Fund The board shall not agree to pay any tax on or rental for any such property easements rights of way or water courses nor shall the Commonwealth be liable therefor without the consent of the General Assembly

Section 12 United States Not to be Liable Federal Rules and Regulations All lands rights in lands rights of way and water courses acquired under the authority of this act for State or Federal flood control works and improvements shall be acquired without cost to the United States and no moneys made available for flood control in this Commonwealth by the United States shall be used for such purposes unless in either event the Government of the United States or any of its agencies or instrumentalities shall first consent thereto nor shall the Government of the United States be deemed liable for any damages by reason of its contribution arising in connection with the construction of any State or Federal public works or improvements The Commonwealth hereby agrees that after such state public works and improvements are constructed where the Federal Government has contributed the same will be operated and maintained in accordance with all rules and regulations prescribed by the Secretary of War of the United States subject to all the limitations imposed by this act

Section 13 Contracts and Agreements With Municipalities and Persons The board shall have power to enter into contracts and other agreements with municipalities and persons for cooperation and assistance in constructing financing maintaining using and operating any State or Federal public flood control works or improvements and to enter into and execute such contracts and agreements as may be necessary and convenient to the exercise of the powers rights privileges and functions conferred by this act

Section 14 Relocation of Roads Streets and Bridges The Department of Highways and municipalities may enter into agreements with the board of relocate roads streets bridges and viaducts necessitated by the construction of any State or Federal flood control works and improvements and may agree therein to construct new roads streets bridges and viaducts and pay the cost of the same or any part thereof from the Motor License Fund or municipal moneys without any charge or only part of the cost charged against the moneys in the Flood Control Fund The board may consent in any such agreement to pay the whole or any part of the cost of constructing such relocated roads streets bridges and viaducts from the moneys in the Flood Control Fund Such relocated roads streets bridges and viaducts may be constructed by the Department of Highways or by contract let by said department or the municipality or by the board as may be agreed upon

Section 15 Acceptance of Completed Federal Works and Improvements The board shall have power to accept on behalf of the Commonwealth all Federal flood control works and improvements constructed in accordance with the provisions of this act after the same have been completed and to agree with the Federal Government to maintain and operate such works and improvements for the primary purposes of flood control

Section 16 Water Power and Supply The rights of landowners municipalities and persons to the waters in a flood control district or in waters affected by any State or Federal flood control works or improvements for domestic use water supply industrial purposes water power or for any other lawful purposes shall be affected or impaired only to the extent absolutely necessary for flood control Whenever such public improvements and works make possible a greater better or more convenient use of or benefit from the waters in a flood control district as existed at the time of such public improvements or works the right of such greater better or more convenient use of or benefit from such waters shall be the property of the Commonwealth saving the rights of the

Federal Government as to navigation Such rights may be leased sold or assigned only as the Legislature may here after provide but at all times the primary purpose of flood control shall be preserved but such rights shall not be used in competition with existing public or private business All lands or property or both through or over which or bounding which are streams the beds of which streams are the property of the owners of said lands shall not be disturbed in or deprived of the natural flow of water in said streams unless (a) said lands or property or both are taken and used by the board for impounding waters and compensation to the extent to which said lands or property or both are damaged thereby has been made under the provisions of this act or (b) only a reasonable portion of the water in said streams is withheld during a flood period when the retention in the watershed of such reasonable portion is necessary temporarily to prevent a threatened flood

Section 17 Source of Finances The cost and expenses of making the surveys hereinbefore provided the preparation of preliminary and official plans all advertising the erection and construction of public works and improvements and of all other work of any kind and character authorized by this act the acquisition of any and all property in connection therewith and of all other necessary and incidental costs and expenses including the expenses of the members of the board salaries and expenses of engineers experts workmen clerks assistants and other employes all court and viewers' costs assessed against the Commonwealth and all other proper and necessary expenses of any kind and character deemed necessary by the board to carry into effect the provisions of this act shall be paid from appropriations made by the General Assembly to the Flood Control Fund from Federal moneys available or made available to this Commonwealth as grants contributions gratuities and loans for flood control works and improvements from gifts and donations received from persons from appropriations and contributions made to the board by municipalities from contributions by other states and their political subdivisions All moneys so made available shall likewise be available for expenditure by the board to aid and assist in the erection and construction of Federal public flood control works and improvements beneficial to the people of this Commonwealth of the type which may be constructed under the provisions of this act after such Federal flood control works and improvements have been incorporated into and made a part of an official state plan

Section 18 Flood Control Fund Created Appropriation of Moneys therein A special fund to be known as the Flood Control Fund is hereby established in the State Treasury into which shall be paid all moneys appropriated by the General Assembly and received from the Federal Government and other states and their political subdivisions for flood control work and projects and all moneys arising from gifts or donations from persons and municipalities

All moneys in the Flood Control Fund from time to time are hereby specifically appropriated to the board for the payment of any and all costs and expenses properly payable under the provisions of section seventeen of this act and for payments on account of any moneys which the board may have agreed to contribute to aid and assist in the erection and construction of any Federal flood control works and improvements and in the erection and construction of flood control works and improvements under compacts and agreements with other states in accordance with appropriations made by the General Assembly

Where more than one flood control district is created separate accounts shall be kept for each district and payments from the Flood Control Fund for or on account of any one district shall not exceed the amount credited to such district in said fund.

Section 19 Cooperation With Other States The Water and Power Resources Board is hereby designated as the agency of the Commonwealth with power to enter into reciprocal compacts and agreements with other states in developing flood control projects and works of the type which may be constructed under the provisions of this act to become effective only after the same have been approved by the General Assembly and shall have authority to expend moneys made available or appropriated by the General Assembly for interstate flood control works and improvements located within or without this Commonwealth on rivers and streams entering into or flowing out of or along the borders of this Commonwealth and to receive for payment into the Flood Control Fund from other states and their political subdivisions any moneys to aid and assist in the construction of flood control works and and improvements located in this State which are deemed beneficial to the inhabitants of other states Payments on account of such interstate works and improvements may be made by the board direct to the contractor or to the agency of such other state which let the contract or is performing the work of constructing such works or improvements or to the Federal Goyernment or any of its instrumentalities or agencies supervising the construction of such works or improvements

The board is further authorized to empower the Federal Government or any of its instrumentalities or agencies to supervise the construction of such interstate flood control works and improvements

Section 20 Constitutional Construction The provisions of this act shall be severable and if any of the provisions shall be held to be unconstitutional such decision shall not affect the validity of any of the remaining provisions of this act It is hereby declared as the legislative intent that this act would have been adopted had such unconstitutional provision not been included therein

And said bill having been read at length the third time, and agreed to, and the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

Mr. CHAPMAN. Mr. President, sponsors of this measure would make us believe that this is a panacea for flood control in the Commonwealth. I do not wish to talk politics; I wish to talk business concerning this Bill. From Coydon to Emlenton, a distance of about one hundred miles, including the communities of Warren and Franklin, are on the banks of the Allegheny River.

First when the Allegheny River was at its flood stage Pittsburgh was not flooded, and vice-versa when the Allegheny River was not at its flood stage the flood at Pittsburgh occurred. This has been my observation as a life long resident on the banks of this Allegheny River, that the flood of Pittsburgh was not caused by the Allegheny River.

The large expenditures of public funds are unwarranted. This creates a menace to my district, and if the dam should break my entire district will be completely wiped out, not only the oil refineries and industrial producing districts, but 75 per cent of the inhabitants in my district will be drowned, property devasted and the lives of citizens exterminated.

This measure will tax the people of my district for their own extermination and property destroyed. The most fertile lands in my district at the site of the proposed dam will be inundated. Inhabitants living in this flood area will be compelled to move from their homes; railroads and hundreds of millions of dollars of expense will be required in their reallocation.

Hard surface State roads will also have to be removed and re-built, the Allegheny scenic highway at its most picturesque site from Pittsburgh to Olean will be destroyed.

Relocation of roads, streets and bridges. The Department of Highways and municipalities may enter into agreements with the board to relocate roads, streets,

bridges and viaducts necessitated by the construction of any State or Federal flood control works and improvements and may agree therein to construct new roads, streets, bridges and viaducts and pay the cost of the same or any part thereof from the Motor License Fund or municipal moneys without any charge or only part of the cost charged against the moneys in the Flood Control Fund.

It is a colossal monstrosity with neither merit, prudence nor foresight.

Millions of dollars of public funds will be squandered in this unwarranted, unjust, iniquitous project proposed in this bill. I am just reiterating one phase of this bill which will embrace my own territory and I am of the opinion that in many other districts in the Commonwealth the same is adaptable.

This bill will create a Flood Control Board in Harrisburg sponsored by the Secretary of War at Washington.

The Water Resource Board will assume more centralized power at Harrisburg and Washington taking away Home Rule.

I hope you will all vote against the bill.

Mr. MALLERY. Mr. President, as Chairman of the sub-committee to whom this bill was referred by the Committee on Judiciary General in the Senate, I wish to state to the members of the Senate that I gave notice to everyone who I learned was interested or affected in any manner by this bill, and that we gave everyone, as I say, an opportunity to remedy different defects that were in this bill. In passing I might say that I, myself, saw many defects in this bill. You are used to hearing the word vicious but I think as this bill came into the Senate it was one of the most vicious bills I ever saw and read, but by appealing to the people who seemed to manifest some interest, and we were willing and anxious to consider any recommendations they had to make, I think that it helped us all and that we have now a bill that is a good one. In view of the importance of the matter I call upon the members of this Senate to support this bill.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—42

Aron,	Harvey,	Prince,	Scott,
Batchelor,	Huffman,	Pytko,	Shapiro,
Baumer,	Kahle,	Reed,	Sones,
Bean,	Lanius,	(Dauphin)	Staudenmeier,
Buckman,	Law,	Reed,	Thompson,
Cavalcante,	Mallery,	(Washington)	(Centre)
Coyne,	McClure,	Rice,	Thompson,
Ealy,	McCreesh,	Roberts,	(Westmoreland)
Frey,	McGinnis,	Rodgers,	Woodward,
Gelder,	Miller,	Rupp,	Homsher,
Graff,	Owlett,	Ruth,	Pres. Pro. Tem
Harris,	Pierson,		

NAYS—3

Chapman,	Trainer,	Ziesenheim,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 94 (House Bill No. 135), entitled:

An Act appropriating to the State Emergency Relief Board for unemployment relief all restitutions and overpayments collected by or for said board

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—38

Aron,	Huffman,	Rankin,	Sones,
Batchelor,	Kahle,	Reed	Staudenmeier,
Baumer,	Lanius,	(Washington)	Thompson,
Bean,	Law,	Rice,	(Centre)
Chapman,	McClure,	Roberts,	Thompson
Coyne,	McCreesh,	Rodgers,	(Westmoreland)
Ealy,	McGinnis,	Rupp,	Trainer,
Frey,	Miller,	Ruth,	Woodward,
Gelder,	Owlett,	Scott,	Homsher,
Harris,	Pierson,	Shapiro,	Pres. Pro. Tem.
Harvey,	Pytko,		

NAYS—7

Buckman,	Graff,	Prince,	Ziesenheim,
Cavalcante,	Mallery,	Reed, (Dauphin)	

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 109, (House Bill No. 58), as follows:

A Supplement to act number seventy-seven-A approved the twentieth day of July one thousand nine hundred thirty-five (One Thousand Nine Hundred Thirty-five Appropriation Acts page seventy-one) entitled "An act to provide for the ordinary expenses of the Executive Legislative and Judicial Departments of the Commonwealth interest on the public debt and the support of the public schools for two years beginning June first one thousand nine hundred and thirty-five and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred and thirty-five" providing for additional appropriations to certain departments boards and commissions and to the Legislative Department

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the following sums or so much thereof as may be necessary be and the same are hereby specifically appropriated to the several departments hereinafter named

To The Department of Labor and Industry

For the purpose of matching Federal funds available under the Federal Social Security Act or other Federal acts for vocational rehabilitation purposes and for the payment of salaries wages and other compensation of employes and general expenses of the department for the purchase of appliances and for the payment of incidental expenses in connection with educational vocational training the sum of one hundred thirty-four thousand six hundred sixty-six dollars and twenty-six cents ($134,666.26)

To the Department of Military Affairs

For the purpose of placing at the disposal of the

Governor and making the same available for replacement or repair such military stores and supplies issued to the Commonwealth of Pennsylvania by the Federal government as may be destroyed or damaged in whole or in part by fire flood storm or any other unavoidable cause for the payment of transportation pay of officers and enlisted men horse hire subsistance quartermaster stores and other proper and necessary expenses incident to field service rendered by the Pennsylvania National Guard under orders of the Governor in repelling invasion subduing insurrection riot tumult or disorder or the prevention of the same and when such Pennsylvania National Guard may be placed on duty under orders of the Governor under extraordinary circumstances for the protection of property or human life and in the event of all or any portion of said Pennsylvania National Guard being called into active service of the United States by the President of the United States or in furnishing the quota of volunteers from the Commonwealth of Pennsylvania under a call made by the President of the United States and for the payment of mileage and lawful expenses of commissioners to take the vote of Pennsylvania soldiers in Federal or State service when in the field on active duty for the payment of any and all expenses incident to furnishing men material and equipment to relieve unemployment or draught conditions throughout the State or when a disaster occurs for payment of claims against the Commonwealth of Pennsylvania for damages incurred by the operation or training of the Pennsylvania National Guard as provided by law for the payment of all necessary expenses including annual allowances for maintenance and armory rent individual pay officers' annual allowances passenger and freight transportation telegrams telephone toll charges subscriptions to The Pennsylvania National Guardsmen for distribution to officers and men of the Pennsylvania National Guard the expenses of operating and maintaining automobiles and other motor equipment the payment of mileage charges to the Department of Property and Supplies for the use of automobiles and other expenses necessary for the maintenance training government discipline and equipment for the Pennsylvania National Guard for the payment of claims made by the War Department based upon approved reports of survey covering loss damage or destruction of Federal property for the payment of salaries of members of the Armory Board of the State of Pennsylvania and inspectors for the payment of salaries wages or other compensation of employes for the payment of general expenses necessary for the proper conduct of the work of the Armory Board of the State of Pennsylvania for the maintenance and repair of armories and for the expenses of inspection of armories the sum of two hundred seventy-five thousand dollars ($275,000)

To the Department of Property and Supplies

For the purchase of supplies including medicines medical surgical laboratory chemical biological and electrical supplies military stores and supplies stationery and office supplies for the purchase of food and forage and other animal foods for the purchase of furniture and equipment including office chemical laboratory medical surgical biological and electrical equipment furniture furnishings utensils military and police equipment fire arms and other accoutrements artificial appliances fire protection and fire fighting equipment for the purchase of animals poultry seedlings and transplants for the purchase of legal and other books periodicals maps charts manuscripts pamphlets exchanges records lantern slides archaeological and historical markers and for the purchase of all other materials supplies or equipment as set forth in the schedules of the Department of Property and Supplies or for which requisition is made but the want of which was not anticipated at the time of the making of said schedules for the cost of repairing office equipment for the cost of miscellaneous services for the payment of rental charges for telephones and other patented leased office devices for the payment of the cost of printing and printing processes such as binding ruling lithographing color printing and engraving for the purchase of paper envelopes cloth and other substances on which printing is done cuts electrotypes dies stamps and other printing and binding supplies as may be required for the Executive Mansion and the several administrative departments boards and commissions of the State government except the Department of Highways the Department of Banking and the Department of Revenue to the extent to which appropriations for these purposes shall have been made to them from special funds the Department of the Auditor General the Treasury Department the Board of Fish Commissioners the Board of Game Commissioners the State Farm Products Show Commission the Pennsylvania Liquor Control Board the Milk Control Board the State Workmen's Insurance Board the department administrative boards or commissions having control of State institutions or supervision over or the duty of planting for State parks harbors or canals for the payment of the cost of making tests of materials supplies and equipment whether purchased by the Department of Property and Supplies directly or as purchasing agency for the payment of the cost of preparation of plans designs and specifications including necessary tests or borings and the preparation of same required for the performance of the work of the Department of Property and Supplies (when said cost is not otherwise provided for) including those to be purchased or altered at the expense of a fund other than the General Fund and for the payment of expenses incident to condemnation proceedings in the event such expenses are not provided for in any act of the General Assembly authorizing the acquisition of land for the Commonwealth the sum of one hundred thousand dollars ($100,000)

For the purchase of office supplies and equipment stationery printing printing supplies and printing processes for the purchase of legal books periodicals maps pamphlets for the purchase of all other materials supplies and equipment for the costs of repairing office equipment for the payment of rental charges of telephone and other leased devices for the payment of telephone toll charges and telegrams required by the General Assembly and the Judicial Department for the payment of costs including delivery expenses of documents and publications furnished to members and officers of the General Assembly for the payment of the costs of all printing incident to the sessions of the General Assembly including the printing of the Pamphlet Laws for the payment of costs of printing the Pennsylvania State Manual and for the payment of the cost of postage freight express paper and printing of departmental documents distributed to members of the Legislature in accordance with law the sum of one hundred thousand dollars ($100,000)

To The Department of Public Instruction

For the purpose of aiding financially handicapped and distressed school districts in such sums and in such manner as the Superintendent of Public Instruction shall determine the sum of one million dollars ($1,000,000)

To The Department of Revenue

For the payment of salaries wages or other compensation of a deputy secretary and other employes for the payment of general expenses necessary for the proper conduct of the work of the department for the payment of costs of filing liens for the purchase of tax stamps for the payment of costs of advertising required by any act of Assembly in connection with the escheat of moneys and property to the Commonwealth or in connection with the payment of unclaimed moneys into the State Treasury without escheat the sum of two hundred fifty thousand dollars ($250,000) Provided however That to the extent to which appropriations have been made to the department out of special funds for any of the foregoing purposes this appropriation shall not be used for such purposes

To The Pennsylvania State Police

For the payment of salaries wages or other compensation of the State Police Force a deputy superintendent and other employes for the payment of general expenses necessary for the proper conduct of the work of the Penn-

sylvania State Police for medical attendance and hospital charges not covered by insurance for members of the State Police Force injured in the line of duty and for the maintenance and operation of a radio broadcasting station the sum of nine thousand dollars ($9,000)

To the Department of Welfare

For the repair of flood damage to the grounds and buildings of the Western State Penitentiary at Pittsburgh including the repair and replacement of equipment the sum of one hundred thousand dollars ($100,000)

For the repair of flood damage to the grounds and buildings of the Danville State Hospital including the repair and replacement of equipment the sum of three thousand one hundred dollars ($3,100)

For the repair of flood damage to the grounds and buildings of the Pennsylvania Industrial School including the repair and replacement of equipment the sum of twenty-six thousand dollars ($26,000)

LEGISLATIVE DEPARTMENT

To the Senate

For deficiencies in the appropriation to the Senate for the payment of postage on the legislative journal bills and calendars for mileage of Senators for salaries of officers and employes the sum of twenty thousand five hundred dollars and twenty cents ($20,500.20) or so much thereof as may be necessary to be available for expenditure for the Extraordinary Session of the Legislature of one thousand nine hundred and thirty-six

Section 2 This act shall become effective immediately upon its final enactment

And said bill having been real at length the third time, and agreed to, and the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—45

Aron,	Harvey,	Pytko,	Shapiro,
Batchelor,	Huffman,	Rankin,	Sones,
Baumer,	Kahle,	Reed,	Staudenmeier,
Bean,	Lanius,	(Dauphin)	Thompson,
Buckman,	Law,	Reed,	(Centre)
Cavalcante	Mallery,	(Washington)	Thompson,
Chapman,	McClure,	Rice,	(Westmoreland)
Coyne,	McCreesh,	Roberts,	Trainer,
Ealy,	McGinnis,	Rodgers,	Woodward,
Frey,	Miller,	Rupp,	Ziesenheim,
Gelder,	Owlett,	Ruth,	Homsher,
Graff,	Pierson,	Salus,	Pres. Pro. Tem.
Harris,	Prince,	Scott,	

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 119, entitled:

An Act relieving real and personal property of recipients of mothers' and old age assistance from liability for assistance received

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—42

Aron,	Huffman,	Rankin,	Shapiro,
Batchelor,	Kahle,	Reed,	Sones,
Baumer,	Lanius,	(Dauphin)	Staudenmeier,
Bean,	Mallery,	Reed,	Thompson,
Cavalcante,	McClure,	(Washington)	(Centre)
Chapman,	McCreesh,	Rice,	Thompson,
Coyne,	McGinnis,	Roberts,	(Westmoreland)
Frey,	Miller,	Rodgers,	Trainer,
Gelder,	Owlett,	Rupp,	Woodward,
Graff,	Pierson,	Ruth,	Ziesenheim,
Harris,	Prince,	Salus,	Homsher,
Harvey,	Pytko,	Scott,	Pres. Pro Tem.

NAYS—3

Buckman,	Ealy,	Law,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives for concurrence,

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 120, entitled:

An Act to further amend section one of the act approved the fifteenth day of July one thousand eight hundred and ninety-seven (Pamphlet Laws two hundred ninety-two) entitled "An act to provide revenue by taxation" by providing that certain corporations shall not be subject to the tax

Mr. REED (Dauphin). Mr. President, before I vote on this bill, I desire to interrogate the Senator from Allegheny, Mr. McGinnis.

The PRESIDENT. Will the Senator from Allegheny, Mr. McGinnis, permit himself to be interrogated?

Mr. McGINNIS. Mr. President, I will.

Mr. REED (Dauphin). Mr. President, I desire to ask the Senator from Allegheny, Mr. McGinnis, as to what corporations are to be exempted by this tax.

Mr. McGINNIS. Mr. President, banking.

Mr. REED (Dauphin). Mr. President, what is the particular tax that it is amending?

Mr. McGINNIS. Mr. President, Bill No. 26 or 27, I do not know just the number of it.

Mr. REED (Dauphin). Mr. President, I desire to ask the Senator from Allegheny, Mr. McGinnis, as to how many banks are affected by this tax?

Mr. McGINNIS. Mr. President, I do not know.

Mr. REED (Dauphin). Mr. President, I desire to ask the Senator from Allegheny whether he represents any corporations that are exempted?

Mr. McGINNIS. Mr. President, none whatever.

An Act to further amend section one of the act approved the fifteenth day of July one thousand eight hundred and ninety-seven (Pamphlet Laws two hundred ninety-two) entitled "An act to provide revenue by taxation" by providing that certain corporations shall not be subject to the tax

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of the act approved the fifteenth day of July one thousand eight hun-

dred and ninety-seven (Pamphlet Laws two hundred ninety-two) entitled "An act to provide revenue by taxation" as last amended by the act approved the twenty-eighth day of July one thousand nine hundred and thirty-six (Act Number twenty-nine) is hereby further amended to read as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That from and after the passage of this act every bank or savings institution having capital stock incorporated by or under any law of this Commonwealth or under any law of the United States and located within this Commonwealth except any such corporations all of the shares of capital stock of which (other than shares necessary to qualify directors) are owned by a corporation which is liable to pay to the Commonwealth a tax on shares shall on or before the fifteenth day of February in each and every year make to the Department of Revenue a report in writing verified as required by law setting forth the full number of shares of the capital stock subscribed for or issued as of the preceding thirty-first day of December by such bank or savings institution and the actual value thereof as of the preceding thirty-first day of December which actual value shall be ascertained as hereinafter provided It shall be the duty of the Department of Revenue to assess such shares for taxation at the same rate as that imposed upon other moneyed capital in the hands of individual citizens of the State that is to say for the calendar year ending December thirty-first one thousand nine hundred thirty-six at the rate of eight mills upon each dollar of the actual value thereof and thereafter at the rate of four mills upon each dollar of the actual value thereof the actual value of each share of stock to be ascertained and fixed by adding together the amount of capital stock paid in the surplus and undivided profits and dividing this amount by the number of shares It shall be the duty of every bank or savings institution within a period of sixty days after the date of such settlement by the Department of Revenue to collect the amount of said tax from its shareholders and pay the same to the State Treasurer through the Department of Revenue Provided That in case any bank or savings institution having capital stock incorporated under the law of this State or of the United States shall collect annually from the shareholders thereof said tax of eight mills or four mills as the case may be on the dollar upon the actual value of all the shares of stock of said bank or savings institution according to the provisions of this act that have been subscribed for or issued and pay the same into the State Treasury through the Department of Revenue the shares and so much of the capital and profits of such bank and savings institution as shall not be invested in real estate shall be exempt from local taxation under the laws of this Commonwealth and such bank or savings institution shall not be required to make any report to the local assessor or county commissioners of its personal property owned by it in its own right for purposes of taxation and shall not be required to pay any tax thereon The procedure in case the Department of Revenue be not satisfied with the report made by any bank or savings institution and the penalties for failing to make such report and pay the tax shall be as provided by law

Section 2 If any provision of this act relieving any corporation in whole or in part from the payment of the tax imposed by this act is declared unconstitutional by final judgment order or decree of a court of competent jurisdiction or if any such provision is declared by a final judgment order or decree of a court of competent jurisdiction to discriminate against United States securities in such a manner as to require an exemption or deduction of the same proportionate or otherwise in the imposition assessment or settlement of the tax or to impose tax upon moneyed capital in the hands of individual citizens of this Commonwealth coming into competition with the business of national banks at a lesser rate than is imposed on shares of national banks the Legislature hereby declares its intent that any such provision shall thereupon become inoperative and inapplicable from the effective date of this act and the corporations subject to the tax imposed by this act shall for that period and thereafter be taxed to the same extent and in the same manner as if any such provision had not been enacted

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

HOUSE MESSAGE

SENATE BILL NO. 60 RETURNED WITH AMENDMENTS

The Clerk of the House of Representatives being introduced returned to the Senate, Senate Bill No. 60, entitled:

A Joint Resolution proposing an amendment to section one, article nine of the Constitution of the Commonwealth of Pennsylvania.

with the information that the House has passed same with amendments in which the concurrence of the Senate is requested.

The amendment was read as follows:

Amend section 1, page 2, by inserting after line 5, the following: "Income taxes and taxes measured by income shall be deemed to be excise taxes irrespective of the source from which the income is derived"

On the question,

Will the Senate concur in the amendment?

Mr. WOODWARD. Mr. President, this is the graduate income tax joint resolution, and it had to be offered at this Special Session because it is the last regular session. While a joint resolution passed both houses, the printer dropped a word out, which spoiled the sense of the joint resolution. Therefore we had to rip out and begin all over again. Then Mr. Fertig thought the original language was defective and asked us to add the amendment, which was done in the House, "That income taxes and taxes measured by income shall be deemed to be excise taxes irrespective of the source from which the income is derived." Mr. Fertig explained that the Supreme Court has never made up its mind clearly as to the difference between a property tax and an excise tax, and the addition of this language would be a help to the Supreme Court. The joint resolution passed the House 199-0 and I want to express my personal gratification because I have been very much interested in this subject since I came here.

Then I want to add a word, that it is very important measure for Allegheny County in order to continue the payrolls of those who administer relief in Allegheny County without a graduated income tax based on ability to pay, taxing the rich. I do not see how these 34 sheets, 30 names on a sheet, 1020 names to administer relief in Allegheny County, can be successfully financed. I made a calculation over the same period of time, I forget just how many weeks it was, made a comparison with my home county, which does all things so well, and administering relief in Allegheny County in that same period, with a fewer number of people on the roll was $400 in excess of the cost—

Mr. HUFFMAN. Mr. President, I would like to ask the Senator from Philadelphia, Mr. Woodward, if he will yield to an interrogation.

The PRESIDENT. Will the Senator from Philadelphia, Mr. Woodward, permit himself to be interrogated?

Mr. WOODWARD. Mr. President, I will.

Mr. HUFFMAN. Mr. President, I desire to ask the Senator from Philadelphia, Mr. Woodward, what the resolution provides for.

Mr. WOODWARD. Mr. President, the joint resolution provides for an amendment to the Constitution making constitutional graduated income inheritance tax.

Mr. HUFFMAN. Mr. President, does it contain the provision exempting certain real estate?

Mr. WOODWARD. Mr. President, no it does not.

Mr. HUFFMAN. Mr. President, it is just a plain graduated income tax resolution.

Mr. WOODWARD. Mr. President, quite right. While it is senseless to refer to Allegheny County, I have been reading some pages of the report of the Financial Division, and I thought—

POINT OF ORDER

Mr. HUFFMAN. Mr. President, this has gotten to be a serious session, and I make the point of order that the Senator from Philadelphia is not talking on the question before the House.

Mr. WOODWARD. Mr. President, I am perfectly willing to sit down, but I was showing the need for an income tax for Allegheny County.

Mr. HUFFMAN. Mr. President, I insist upon my point of order.

The PRESIDENT. The Chair rules that the point of order is well taken. The Senator from Philadelphia, Mr. Woodward, will confine himself to the question.

Mr. WOODWARD. Mr. President, I will simply ask one question: I hope the Senator from Monroe will allow me to ask one question for information: On the payrolls there are people that are called ushers, there are 38 ushers at $90 a month each....

Mr. HUFFMAN. Mr. President, I think that the Chair should call in the sheriff.

Mr. WOODWARD. Mr. President, I will sit down.

And the question recurring,

Will the Senate concur in the amendment?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—36

Aron,	Kahle,	Rankin,	Sones,
Bean,	Lanius,	Reed,	Staudenmeier,
Coyne,	Law,	(Dauphin)	Thompson,
Daly,	Mallery,	Reed,	(Centre)
Frey,	McClure,	(Washington)	Thompson,
Gelder,	McCreesh,	Roberts,	(Westmoreland)
Graff,	McGinnis,	Rodgers,	Trainer,
Harris,	Owlett,	Rupp,	Woodward,
Harvey,	Pierson,	Ruth,	Ziesenheim,
Huffman,	Prince,	Shapiro,	Homsher,
			Pres. Pro. Tem.

NAYS—3

Buckman,	Cavalcante,	Chapman,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

BILL SIGNED

The PRESIDENT PRO TEMPORE (Mr. John G. Homsher) announced that the Chief Clerk having reported that the following bill had passed both houses of the General Assembly and the same being correct, the title was publicly read as follows:

Senate Bill No. 60 entitled:

A Joint Resolution proposing an amendment to section one, article nine of the Constitution of the Commonwealth of Pennsylvania.

Whereupon,

The PRESIDENT PRO TEMPORE (Mr. John G. Homsher) in the presence of the Senate signed the same.

QUESTION OF PERSONAL PRIVILEGE

Mr. WOODWARD. Mr. President, I rise to a question of personal privilege.

The PRESIDENT. The Senator from Philadelphia, Mr. Woodward, will state his question of personal privilege.

Mr. WOODWARD. Mr. President, recurring to the question of ushers, I can understand that in the home of our new era statesmen Messrs. Guffey, Lawrence and Jones, that we require a larger staff to administer the New Deal in their homes. There are 38 ushers at $90.00 a month each. I had an idea of following the Senator from Allegheny, Mr. McGinnis, in drawing a picture of the next forty or fifty years of Democratic supremacy in this State that those people from time to time put another usher on the payroll. It helps to usher in the new day of the Democratic supremacy of this State, but the Senator from Allegheny, Mr. McGinnis, has a splendid vocabulary, and it would be a personal favor to me if he would rise and defend this word usher. The only usher I ever heard of is Archbishop Usher, who determined that from the creation of the world to B. C. was 4,004 years, and I could not see much hope that he would be alive those 4,004 years B. C., which means Before Cavalcante.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced presented communication in writing from His Excellency the Governor of the Commonwealth, which was read as follows and referred to the Committee on Executive Nominations:

NOMINATION OF E. KENT KANE WITHDRAWN

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, August 6, 1936.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In accordance with the authority and power vested in me as Governor of the Commonwealth, I do hereby recall my nomination made to your Honorable Body under date of August 6, 1936, for the appointment of E. Kent Kane as a Notary Public in the Borough of Kane, McKean County.

GEORGE H. EARLE.

Mr. OWLETT. Mr. President, for the purpose of the record, I desire to state that E. Kent Kane is the representative from McKean County, and that the recalling of this nomination is in no sense a reflection upon Mr. Kane, but is due to the discovery that he, being a member of the House of Representatives, is not entitled to be appointed a Notary Public under the Constitution. I desire to make that explanation in fairness to Mr. Kane.

Mr. SHAPIRO. Mr. President, I desire to interrogate the Senator from Tioga, Mr. Owlett.

The PRESIDENT. Will the Senator from Tioga, Mr. Owlett, permit himself to be interrogated?

Mr. OWLETT. Mr. President, I will.

Mr. SHAPIRO. Mr. President, am I to understand that Kane is not Abel?

HOUSE MESSAGE

FINAL ADJOURNMENT

The Clerk of the House of Representatives being introduced informed the Senate that the House has concurred in Resolution from the Senate as follows:

In the Senate, August 3, 1936.

Resolved (if the House of Representatives concur), That this Extraordinary Session of the General Assembly adjourn sine die, Thursday, August sixth, at twelve o'clock noon, Eastern Standard Time.

REPORT FROM COMMITTEE

Mr. COYNE. Mr. President, I ask unanimous consent to make a report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. COYNE, from the Committee on Executive Nominations reported with favorable recommendation certain nominations made by His Excellency the Governor of the Commonwealth:

ACTION ON NOMINATIONS DEFERRED

Mr. BUCKMAN. Mr. President, I move that action on the nominations be deferred until later.

Mr. COYNE. Mr. President, I second the motion.

The motion was agreed to.

RECESS

Mr. BUCKMAN. Mr. President, I move that the Senate do now take a recess until 11:30 A. M.

Mr. CHAPMAN. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS

The PRESIDENT. The time of recess having elapsed, the Senate will be in order.

HOUSE MESSAGES

HOUSE CONCURS IN AMENDMENTS MADE BY THE SENATE TO HOUSE BILL NO. 70

The Clerk of the House of Representatives being introduced presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 70, entitled:

An Act relating to flood control prescribing the powers and duties of the Water and Power Resources Board of the Department of Forests and Waters in relation to the creation of flood control districts adoption of plans for flood control works and improvements carrying into effect of such plans assistance aid and cooperation with public and private agencies and the Federal Government in Federal flood control works and improvements and entering into compacts and agreements with other states for flood control works and improvements conferring the power of eminent domain providing for assessment of benefits against property benefited and against municipalities counties and townships and for their collection providing for appeals conferring certain powers on municipalities counties and townships The Public Service Commission and the Department of Highways and making an appropriation

HOUSE CONCURS IN AMENDMENTS MADE BY THE SENATE TO HOUSE BILL NO. 58

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 58, entitled:

A Supplement to act number seventy-seven-A, approved twentieth day of July, one thousand nine hundred thirty-five, (One Thousand Nine Hundred Thirty-Five Appropriations Acts, page seventy-one), entitled "An act to provide for the ordinary expenses of the Executive, Legislative, and Judicial Departments of the Commonwealth, interest on the public debt, and the support of the public schools for two years beginning June first, one thousand nine hundred and thirty-five; and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first, one thousand nine hundred and thirty-five," providing for additional appropriations to certain departments, boards and commissions.

HOUSE CONCURS IN AMENDMENTS MADE BY THE SENATE TO HOUSE BILL NO. 161

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 161, entitled:

An Act making an appropriation to the Water and Power Resources Board for payment into the Flood Control Fund for flood control purposes.

HOUSE CONCURS IN AMENDMENTS MADE BY THE SENATE TO HOUSE BILL NO. 66

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 66, entitled:

An Act making an appropriation to the Department of Property and Supplies for increasing the capacity of overcrowded State institutions eliminating fire and other hazards to safety at State institutions providing for the purchase of safety and other equipment the erection and construction of new buildings and repairs alterations and additions to and replacement of existing buildings and equipment.

BILLS SIGNED

The PRESIDENT PRO TEMPORE (Mr. John G. Homsher) announced that the Chief Clerk having reported that the following bills had passed both Houses of the General Assembly and the same being correct, the titles were publicly read as follows:

House Bill No. 66, entitled:

An Act making an appropriation to the Department of Property and Supplies for increasing the capacity of overcrowded State institutions, eliminating fire and other hazards to safety at State institutions, providing for the purchase of safety and other equipment, the erection and construction of new buildings, and repairs, alterations and additions to, and replacement of, existing buildings and equipment.

House Bill No. 70, entitled:

An Act relating to flood control; prescribing the powers and duties of the Water and Power Resources Board of the Department of Forests and Waters in relation to the creation of flood control districts, adoption of plans for flood control works and improvements, carrying into effect of such plans, assistance, aid and cooperation with public and

private agencies and the Federal Government in Federal flood control works and improvements, and entering into compacts and agreements with other states for flood control works and improvements; conferring the power of eminent domain; providing for assessment of benefits against property benefited, and against municipalities, counties and townships, and for their collection; providing for appeals; conferring certain powers on municipalities, counties and townships, the Public Service Commission and the Department of Highways; and making an appropriation.

House Bill No. 58, entitled:

A Supplement to act number seventy-seven-A, approved the twentieth day of July, one thousand nine hundred thirty-five (One Thousand Nine Hundred Thirty-five, Appropriation Acts, page seventy-one), entitled "An act to provide for the ordinary expenses of the Executive, Legislative, and Judicial Departments of the Commonwealth, interest on the public debt, and the support of the public schools for two years beginning June first, one thousand nine hundred and thirty-five; and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first, one thousand nine hundred and thirty-five," providing for additional appropriations to certain departments, boards and commissions.

House Bill No. 135, entitled:

An Act appropriating to the State Emergency Relief Board for unemployment relief all restitutions and overpayments collected by and for said board.

House Bill No. 161, entitled:

An Act making an appropriation to the Water and Power Resources Board for payment into the Flood Control Fund for flood control purposes.

Whereupon,

The PRESIDENT PRO TEMPORE (Mr. John G. Homsher) in the presence of the Senate signed the same.

HOUSE MESSAGES

RESOLUTION RELATIVE TO MOTHERS ASSISTANCE

The Clerk of the House of Representatives being introduced informed the Senate that the House has concurred in Resolution from the Senate as follows:

In the Senate, August 6, 1936.

Whereas, The Federal Social Security Act requires the Mothers Assistance Law to be mandatory in all counties of the Commonwealth before Federal moneys will be available for this purpose; and

Whereas, House Bill No. 59, now in conference committee, will make the Mothers Assistance Law Mandatory on all counties if enacted; and

Whereas, At least eight counties have been heretofore and are financially unable to participate with the Commonwealth in furnishing assistance to needy mothers under the Mothers Assistance Law; and

Whereas, There are waiting lists of mothers eligible for assistance in those counties operating under the Mothers Assistance Law because of insufficient State and county funds available for this purpose; and

Whereas, It is the sense of the General Assembly that the additional funds necessary to meet the contributions required of the aforesaid eight counties and to take up the aforesaid waiting lists, should be provided for at its forthcoming regular session in 1937; and

Whereas, It will therefore be necessary for the Department of Welfare in order to extend the benefits of the Mothers Assistance Law to the aforesaid eight counties and to take up the waiting lists in the other counties, to accelerate payments from the existing appropriation for Mothers Assistance in order to match sufficient Federal moneys for this purpose with the result that such an appropriation will be exhausted by the first of April, one thousand nine hundred thirty-seven.

Resolved (if the House of Representatives concur), That it is the sense of this special session of the General Assembly, if House Bill No. 59 is enacted, that the Department of Welfare accelerate payments from its current appropriation for Mothers Assistance in order to match sufficient Federal moneys which, together with the State appropriation, will enable the department to furnish, in the manner provided by law, Mothers Assistance to all eligible applicants therefor in all counties of the Commonwealth; and

Resolved Further, That it is the sense of this General Assembly that the General Assembly, at its forthcoming regular session of 1937, appropriate sufficient money to the Department of Welfare, which, together with contributions received from the Federal government to match such money, will enable Mothers Assistance to be furnished to all eligible applicants therefor during the remainder of the 1935-1937 biennium.

OFFICERS OF STEEL CORPORATION REQUESTED TO READ SECTIONS 7 AND 8 OF NATIONAL LABOR RELATIONS ACT

He also presented extract from the Journal of the House of Representatives which was twice read as follows and referred to the Committee on Federal Relations.

In the House of Representatives, July 14, 1936.

Whereas, There has been launched a drive to unionize the steel employes of the United States; and

Whereas, Many steel employes are employed in the steel plants located within the Commonwealth of Pennsylvania; and

Whereas, The public of the Commonwealth of Pennsylvania have an interest in the safety and well being of all its citizens including those employed in the steel industry; and

Whereas, Those in authority of the Commonwealth of Pennsylvania have declared that the civil rights, liberties and freedom of the employes will be as vigorously protected as has been property interests heretofore so that there shall be no undue advantage taken by one side over in the other unionization plans; and

Whereas, Under the broad and sweeping liberties and freedom of America, it has always been regarded as elementary, that employers and employes possessed the right to form their own respective organization for their mutual and individual advantage; and

Whereas, The steel industry itself organized all the steel employers into the American Iron & Steel institute and this was done for the employer's own advantage and without interference from the employes; and

Whereas, It is equally important to the employes of the steel industry to organize themselves into their own form of unionization without interference from the employer; and

Whereas, So that no one would have any further doubt on the right of employes to unionize, the Congress of the United States in 1935 passed the "National Labor Relations Act," sometimes referred to as the "Wagner Labor Act"; therefore, be it

Resolved (if the Senate concur), That the General Assembly of the Commonwealth of Pennsylvania request the directors and officers of the American Iron and Steel Institute and the officers of the individual corporations engaged in the steel industry in Pennsylvania to read sections seven and eight of the National Labor Relations Act, Public Law No. 198, 74th Congress; and be it further

Resolved, That for the convenience of the aforesaid persons, sections seven and eight of the aforesaid act are as follows:

"Employees shall have the right to self-organization, to form, join, or assist labor organizations, to bargain collectively through representatives of their own choosing, and to engage in concerted activities, for the purpose of collective bargaining or other mutual aid or protection.

"It shall be an unfair labor practice for an employer:

(1) To interfere with, restrain, or coerce employees in the exercise of the rights guaranteed in section 157 of this title.

(2) To dominate or interfere with the formation or administration of any labor organization or contribute financial or other support to it: Provided, That subject to rules and regulations made and published by the Board pursuant to section 156 of this title, an employer shall not be prohibited from permitting employees to confer with him during working hours without loss of time or pay.

(3) By discrimination in regard to hire or tenure of employment or any term or condition of employment to encourage or discourage membership in any labor organization: Provided, That nothing in this chapter, or in sections 701 to 712 of Title 15, or in any code or agreement approved or prescribed thereunder, or in any other statute of the United States, shall preclude an employer from making an agreement with a labor organization (not established, maintained, or assisted by any action defined in this chapter as an unfair labor practice) to require as a condition of employment membership therein, if such labor organization is the representative of the employees as provided in section 159 (a) of this title, in the appropriate collective bargaining unit covered by such agreement when made.

(4) To discharge or otherwise discriminate against an employee because he has filed charges or given testimony under this chapter.

(5) To refuse to bargain collectively with the representatives of his employees, subject to the provisions of section 159 (a) of this title."

(July 5, 1935, c. 372, Secs. 7 and 8, 49 Stat. 452); and be it further

Resolved, That a copy of this resolution be sent to each of the officers of the American Iron & Steel Institute and to the president of each of the following corporations exercising the privilege of doing business in Pennsylvania:

Jones & Laughlin Steel Co., Pittsburgh, Pa.
Carnegie Steel Co., Pittsburgh, Pa.
Republic Steel Co., Pittsburgh, Pa.
Bethlehem Steel Co., Bethlehem, Pa.
Crucible Steel Co. of America, 405 Lexington Ave. New York City.
Pressed Steel Car Co., Pittsburgh, Pa.
McClintic Marshall Corp., Bethlehem, Pa.
Allegheny Steel Co., Pittsburgh, Pa.
National Tube Co., Pittsburgh, Pa.

HOUSE MESSAGE

AMENDMENT TO HOUSE BILL NO. 69 RECALLED FROM THE GOVERNOR

The Clerk of the House of Representatives being introduced, presented for concurrence bill of the House of Representatives, as follows:

House Bill No. 69, entitled:

An Act authorizing and directing the Department of Forests and Waters to investigate, survey and report on the location and availability for purchase of certain lands suitable for reforestation and flood control as the objective; and making an appropriation.

Said bill having been recalled from the Governor for amendment, the vote had on final passage and third reading were reconsidered in the House and the bill amended, in which amendments the concurrence of the Senate is requested.

Mr. BUCKMAN. Mr. President, I move that the communication be laid on the table.

Mr. OWLETT. Mr. President, I second the motion.

The motion was agreed to.

REPORT FROM COMMITTEE

Mr. STAUDENMIER. Mr. President, I ask unanimous consent to make a report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. STAUDENMEIER, from the Committee on Rules reported as amended, House Resolution No. 31, which was read as follows:

PUBLIC SERVICE COMMISSION TO INVESTIGATE THE STREET RAILWAYS COMPANY IN PHILADELPHIA COUNTY AS TO ISSUING TICKETS FOR SCHOOL PUPILS

In the House of Representatives, June 23, 1936.

Whereas, The cost of transportation of pupils to the school districts in this Commonwealth is a matter of grave concern to its citizens, and it is believed that it is far greater than the circumstances require, therefore be it

Resolved (if the Senate concur), That the Public Service Commission of Pennsylvania is hereby requested to make an investigation, through its existing facilities with the view of ascertaining whether, on the basis of valuation and income or on any other basis, the street railway companies operating in this Commonwealth may be required to issue tickets for school pupils only, at a rate not to exceed twenty-five cents (25c) per week.

Mr. STAUDENMEIER. Mr. President, inasmuch as we are at the close of the session I ask unanimous consent that Rule 39 which requires concurrent resolutions reported from Committee be suspended and that the Senate do now proceed to the immediate consideration of the resolution just read.

The PRESIDENT. Is there objection? The Chair hears none.

On the question,

Will the Senate agree to the Resolution?

It was agreed to.

Ordered, That the Clerk inform the House of Representatives accordingly.

COMMITTEE OF CONFERENCE ON HOUSE BILL NO. 55 BE DISCHARGED

Mr. COYNE. Mr. President, as chairman of the Committee of Conference on the Unemployment Insurance Bill I desire to report that the conferees cannot agree and I move that the Committee be discharged.

Mr. ARON. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

MOTION TO DISCHARGE COMMITTEE WITHDRAWN

Mr. COYNE. Mr. President, I want to recall the motion that I made for the discharge of the Committee of Conference.

Mr. ARON. Mr. President, I withdraw my second to the motion.

The PRESIDENT. The motion to discharge the Committee of Conference on House Bill No. 55, is withdrawn.

REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL NO. 19

Mr. OWLETT. Mr. President, I move that the Senate do now proceed to the consideration of the report of the Committee of Conference on House Bill No. 19, entitled:

An Act to amend section three of the act, approved the sixteenth day of May, one thousand nine hundred thirty-five (P. L. 208), entitled "Corporate Net Income Tax Act," by increasing the rate of tax for a limited period of time.

Mr. GRAFF. Mr. President, I second the motion.

The motion was agreed to.

The report was read as follows:

REPORT OF THE COMMITTEE OF CONFERENCE ON HOUSE BILL NO. 19

To the members of the Senate and House of Representatives:

We, the undersigned, Committee of Conference on the part of the Senate and House of Representatives for the purpose of considering House Bill Number nineteen, entitled: "An act to amend sections two and three of the act approved the sixteenth day of May, one thousand nine hundred thirty-five, (Pamphlet Laws two hundred eight), entitled 'An act to provide revenue for State purposes, by imposing an excise tax for a limited period of time on the net incomes of certain corporations, joint-stock associations and limited partnerships, providing for the assessment and collection of the tax and appeals to courts; conferring powers and imposing duties on certain persons, corporations, joint-stock associations, limited partnerships, State and county officers, boards and departments; making an appropriation; and providing penalties;' by further defining net income and increasing the rate of tax for a limited period of time," respectfully submit the following bill as our report:

An Act to amend sections two and three of the act approved the sixteenth day of May one thousand nine hundred thirty-five (Pamphlet Laws two hundred eight) entitled "An act to provide revenue for State purposes by imposing an excise tax for a limited period of time on the net incomes of certain corporations joint-stock associations and limited partnerships providing for the assessment and collection of the tax and appeals to courts conferring powers and imposing duties on certain persons corporations joint-stock associations limited partnerships State and county officers boards and departments making an appropriation and providing penalties" by further defining net income and increasing the rate of tax for a limited period of time

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That sections two and three of the act approved the sixteenth day of May one thousand nine hundred thirty-five (Pamphlet Laws two hundred eight) entitled "An act to provide revenue for State purposes by imposing an excise tax for a limited period of time on the net incomes of certain corporations joint-stock associations and limited partnerships providing for the assessment and collection of the tax and appeals to courts conferring powers and imposing duties on certain persons corporations joint-stock associations limited partnerships State and county officers boards and departments making an appropriation and providing penalties" be and the same are hereby amended to read as follows

Section 2 Definitions The following words terms and phrases when used in this act shall have the meaning ascribed to them in this section except where the context clearly indicates a different meaning

"Corporation" A corporation having capital stock joint-stock association or limited partnership either organized under the laws of this Commonwealth the United States or any other state territory or foreign country or dependency and doing business in this Commonwealth or having capital or property employed or used in this Commonwealth by or in the name of itself or any person partnership association limited partnership joint-stock association or corporation The word "corporation" shall not include building and loan associations banks bank and trust companies national banks savings institutions beneficial life and limited life insurance companies mutual fire mutual casualty and mutual life insurance companies and foreign stock companies registered in this Commonwealth and therein engaged in doing business as life fire and casualty insurance companies and surety companies and trust companies

"Department" The Department of Revenue of this Commonwealth

"Net Income" 1 In case the entire business of the c poration is transacted within this Commonwealth net come for the calendar year or fiscal year [as returned and ascertained by the Federal Government subject h ever to any corrections thereof for fraud evasion or er as finally ascertained by the Federal Government P vided That additional deductions shall be allowed from income on account of any taxes paid to the Governm of the United States and on account of any dividends ceived from any other corporation And provided furt That in the case of stock life fire casualty and indemr insurance companies doing business on the mutual participating plan the term "net income" shall not clude the dividends paid to policy holders out of income

2 In case the entire business of any corporation tra acted within this Commonwealth the tax imposed by t act shall be based upon such portion of the net inco of such corporation for the fiscal or calendar year as fined in clause one hereof as may be determined by allo tions an apportionments made as follows

(a) Gains realized from the sale of capital assets such assets consist of real estate or tangible perso property situated in the Commonwealth shall be alloca to this Commonwealth

(b) Gains realized from the sale of capital assets such assets consist of real estate or tangible personal pr erty situated outside of the Commonwealth shall not allocated in any part to this Commonwealth

(c) The remainder of such net income shall be divi into three equal parts

(1) Of one-third such portion shall be attributed business carried on within the Commonwealth as shall found by multiplying said one-third by a fraction wh numerator is the value of the corporation's tangible pr erty situated within this Commonwealth and whose nominator is the value of all the corporation's tang property wherever situated

(2) Of one-third such portion shall be attributed business carried on within the Commonwealth as shall found by multiplying said one-third by a fraction wh numerator is the expenditure of the corporation for wa salaries commissions and other compensation to its e ployes and assignable to this Commonwealth as here after provided and whose denominator is the total penditures of the corporation for wages salaries comn sions and other compensation to all its employes

(3) Of the remaining third such portion shall be tributed to business carried on within the Commonwe as shall be found by multiplying said third by a frac whose numerator is the amount of the taxpayer's g receipts from business assignable to this Commonwealt hereinafter provided and whose denominator is the amc of the taxpayer's gross receipts from all its business

In cases where only two of the foregoing three r are applicable the remainder of the net income of the poration shall be divided into two equal parts only e of which shall be apportioned in accordance with on the remaining two rules if only one of the three rule applicable the part of the net income received from b ness carried on within the Commonwealth shall be termined solely by that rule

The amount assignable to this Commonwealth of penditures of the corporation for wages salaries comr sions or other compensation to its employes shall be s expenditures for the taxable year as represent the wa salaries commissions or other compensation of empl not chiefly situated at connected with or sent out f premises for the transaction of business owned or re by the corporation outside the Commonwealth

The amount of the corporation's gross receipts from b ness assignable to this Commonwealth shall be the amc of its gross receipts for the taxable year from (1) s except those negotiated or effected in behalf of the poation by agents or agencies chiefly situated at nected with or sent out from premises for the transac of business owned or rented by the taxpayer outside Commonwealth and sales otherwise determined to be tributable to the business conducted on such premises (2) rentals or royalties from property situated or from

: of patents within this Commonwealth If a corporation intains an office warehouse or other place of business a state other than this Commonwealth for the purpose reducing its tax under this subsection the department ill in determining the amount of its gross receipts from siness assignable to this Commonwealth include therein gross receipts from sales attributed by the corporation the business conducted at such place of business in an- er state

A rule shall not be deemed to be inapplicable merely ause all the tangible property or the expenditures of orporation for wages salaries commissions or other com- nsation or the gross receipts of the corporation are nd to be situated incurred or received without the mmonwealth

'Person" Every natural person association or corpora- n Whenever used in any clause prescribing and impos- a fine or imprisonment or both the term "person" as plied to associations shall mean the partners or members reof and as applied to corporations the officers thereof he singular shall include the plural and the masculine ill include the feminine and neuter

Section 3 Imposition of Tax Every corporation shall subject to and shall pay for the privilege of doing siness in this Commonwealth a State excise tax at the e of six per centum per annum upon each dollar of t income of such corporation [Such tax shall first be ied collected and paid upon all net income] received and accruing to such corporation during the calendar ar one thousand nine hundred and thirty-five except ere a corporation reports to the Federal Government the basis of a fiscal year and has certified such facts the department as required by section four of this act in ich case such tax at the rate of six per centum shall st] be levied collected and paid upon all net income eived by and accruing to such corporation during the al year commencing in the calendar year one thousand e hundred and thirty-five and ending in the calendar ar one thousand nine hundred and thirty-six and a ilar tax at the rate of ten per centum per annum upon h dollar of the net income of such corporation received and accruing to such corporation during the calendar ar one thousand nine hundred and thirty-six except ere a corporation reports to the Federal Government the basis of a fiscal year and has certified such fact to department as required by section four of this act which case such tax at the rate of ten per centum shall levied collected and paid upon all net income received and accruing to such corporation during the fiscal year mmencing in the calendar year one thousand nine hun- d and thirty-six and ending in the calendar year one ousand nine hundred and thirty-seven

The tax hereby imposed shall be in addition to all es now imposed on any corporation under the pro- ions of existing laws

Section 2 This act shall become effective immediately on its final enactment

On the question,

Will the Senate agree to the report?

The yeas and nays were taken agreeably to the pro- ions of the Constitution.

Mr. SHAPIRO. Mr. President, I ask for a verification the roll.

The roll as verified and was as follows:

The yeas and nays were taken agreeably to the pro- ions of the Constitution:

YEAS—33

on,	Mallery,	Reed,	Sones,
an,	McClure,	(Washington)	Staudenmeier,
alcante,	McCreesh,	Rice,	Thompson,
he,	McGinnis,	Roberts,	(Centre)
y,	Miller,	Rodgers,	Thompson,
rris,	Owlett,	Ruth,	(Westmoreland)
rvey,	Pytko,	Salus,	Ziesenheim,
ffman,	Rankin,	Scott,	Homsher,
nius,	Reed,	Shapiro,	Pres. Pro. Tem.
w,	(Dauphin)		

NAYS—8

Batchelor,	Chapman,	Gelder,	Trainer,
Buckman,	Ealy,	Graff,	Woodward,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

CONSIDERATION OF HOUSE BILL NO. 69

Mr. GELDER. Mr. President, I move that the Senate do now proceed to the consideration of House Bill No. 69, recalled from the Governor, entitled:

An Act making an appropriation to the Department of Public Instruction for the purpose of rehabilitating and replacing real and personal property of free public nonsectarian libraries damaged or destroyed by flood; and providing procedure to ascertain the amount of damage.

Mr. BUCKMAN. Mr. President, I second the motion.

The motion was agreed to.

The amendments were read as follows: Amend title by striking out the bold-faced brackets appearing on line 5, also by removing the bold-faced brackets before the after Section 3; also section 3, page 3, line 12 by striking out the words "one hundred" and inserting in lieu thereof the word "fifty"; also line 13 by striking out the figures "$100,000" and inserting in lieu thereof "$50,000".

On the question,

Will the Senate concur in the amendments?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—41

Aron,	Harvey,	Reed,	Sones,
Batchelor,	Huffman,	(Dauphin)	Staudenmeier,
Bean,	Kahle,	Reed,	Thompson,
Buckman,	Lanius,	(Washington)	(Centre)
Cavalcante,	Law,	Rice,	Thompson,
Chapman,	Mallery,	Roberts,	(Westmoreland)
Coyne,	McCreesh,	Rodgers,	Trainer,
Ealy,	McGinnis,	Ruth,	Woodward,
Frey,	Miller,	Salus,	Ziesenheim,
Gelder,	Owlett,	Scott,	Homsher,
Graff,	Pytko,	Shapiro,	Pres. Pro. Tem.
Harris,	Rankin,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

RESOLUTION RELATIVE TO COST OF REPAIRS TO SENATE GALLERY

Mr. ZIESENHEIM. Mr. President, I ask unanimous consent to offer a resolution at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. ZIESENHEIM, offered the following resolution which was twice read:

In the Senate, August 6, 1936.

Whereas, For several weeks while this Senate has been earnestly struggling with the problem of unemployment relief and devising ways and means to raise by taxation public funds to pay relief assistance, organized and unrestrained demonstrations have occurred continuously in the galleries during sessions of the Senate, to the serious delay of public business; and

Whereas, Such demonstrations have not aided the cause of those unfortunate and worthy citizens who are the victims of economic forces beyond their control, who have

actually been unable to secure work, and who are entitled to public assistance; and

Whereas, The persons responsible for these demonstrations have caused serious damage to the galleries of the Senate and the property of the Commonwealth, which must be repaired at the expense of the taxpayers, who, at the same time, are maintaining those responsible for this damage; therefore, be it

Resolved, That the Secretary of the Senate shall issue his requisition to the Department of Property and Supplies, after the adjournment of this session of the General Assembly, to have the galleries of the Senate Chamber repaired;

Resolved, That the Secretary of Property and Supplies shall transmit to the Senate at the Regular Session of 1937 a statement showing the cost to the taxpayers of the Commonwealth for the repair of said galleries;

Resolved, That a copy of this resolution be transmitted to the Secretary of Property and Supplies by the Chief Clerk of the Senate.

Mr. ZIESENHEIM. Mr. President, I ask unanimous consent that Rule 39 which requires resolutions be referred to an appropriate committee, be suspended and that the Senate do now proceed to the consideration of the resolution just read.

The PRESIDENT. Is there objection?

Mr. FREY. Mr. President, I object.

Mr. CAVALCANTE. Mr. President, I object.

Mr. MILLER. Mr. President, I object.

The PRESIDENT. Objection being made to immediate consideration of the resolution, the resolution is referred to the Committee on State Government.

Mr. ZIESENHEIM. Mr. President, I desire to request that the resolution be noted in the Journal, together with the names of the Senators who objected to immediate consideration.

The PRESIDENT. The Senator from Erie is informed that this will be done.

RECESS

Mr. BUCKMAN. Mr. President, I move that the Senate do now take a recess for five minutes.

Mr. COYNE. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS

The PRESIDENT. The time of recess having elapsed, the Senate will be in order.

MOTION TO EXPUNGE

Mr. BUCKMAN. Mr. President, I move that the resolution with reference to the traffic lights at Third and Walnuts Streets, in the City of Harrisburg, and all remarks with reference thereto, be expunged from the record.

Mr. HUFFMAN. Mr. President, I second the motion.

The motion was agreed to.

CONSIDERATION OF EXECUTIVE NOMINATIONS

Mr. COYNE. Mr. President, I move that the Senate do now proceed to the consideration of the Nominations reported from Committee on Executive Nominations, on which action was deferred earlier today.

Mr. WOODWARD. Mr. President, I second the motion.

The motion was agreed to.

MEMBERS OF THE BOARD OF TRUSTEES OF BLOOMSBURG STATE TEACHERS COLLEGE

Clinton Herring, Orangeville, from February 25, 1936 for the term of four years, and until his successor is qualified.

(Mrs.) Ethel Noecker, Schuylkill Haven, from February 25, 1936, for the term of four years, and until her successor is qualified.

Grover C. Shoemaker, Bloomsburg, from February 25, 1936, for the term of four years, and until his successor is qualified.

H. V. Hower, Berwick, from February 27, 1936, for the term of four years, and until his successor is qualified.

Charles C. Evans, Berwick, from February 27, 1936, for the term of four years, and until his successor is qualified.

William W. Evans, Bloomsburg, from February 28, 1936 for the term of four years, and until his successor is qualified.

Thomas G. Vincent, Danville, from March 3, 1936, for the term of four years, and until his successor is qualified.

MEMBERS OF THE BOARD OF TRUSTEES OF NORRISTOWN STATE HOSPITAL

J. Elmer Porter, Pottstown, from October 2, 1935, for the term of four years, and until his successor is qualified.

Michael A. Burns, Bala-Cynwyd, from October 2, 1935 for the term of four years, and until his successor is qualified.

William D. Teefy, Merion, from October 2, 1935, for the term of four years, and until his successor is qualified.

Henry I. Fox, Norristown, from October 2, 1935, for the term of four years, and until his successor is qualified.

Samuel W. Marshall, Norristown, from October 2, 1935 for the term of four years, and until his successor is qualified.

(Mrs.) Marion Knode, Bryn Mawr, from October 2, 1935, for the term of four years, and until her successor is qualified.

(Mrs.) Mary D. Hoblitzelle, Wynnewood, from October 2, 1935, for the term of four years, and until her successor is qualified.

Joseph M. Patterson, Haverford, from October 2, 1935 for the term of four years, and until his successor is qualified.

Leonard B. Botfield, Merion Station, from January 14, 1936, for the term of four years, and until his successor is qualified.

MEMBERS OF THE VALLEY FORGE PARK COMMISSION

(Mrs.) Henrietta D. Sheppard, Hanover, from October 3, 1935, until the third Tuesday of January, 1939, and until her successor shall have been appointed and qualified.

(Mrs.) Serena M. North Hutchinson, Philadelphia, from October 3, 1935, until the third Tuesday of January, 1939 and until her successor shall have been appointed and qualified.

George W. Hensel, Jr., Quarryville, from October 3, 1935, until the third Tuesday of January, 1939, and until his successor shall have been appointed and qualified.

John A. McCarthy, Philadelphia, from October 3, 1935 until the third Tuesday of January, 1939, and until his successor shall have been appointed and qualified.

Lewis H. Parsons, Villanova, from October 3, 1935 until the third Tuesday of January 1939, and until his successor shall have been appointed and qualified.

(Mrs.) Gertrude Howard McCormick, Harrisburg, from October 3, 1935, until the third Tuesday of January, 1939 and until her successor shall have been appointed and qualified.

Samuel D. Riddle, Glen Riddle, from October 3, 1935 until the third Tuesday of January, 1939, and until his successor shall have been appointed and qualified.

Victor C. Mather, Haverford, from October 3, 1935, until the third Tuesday of January 1939, and until his successor shall have been appointed and qualified.

Thomas S. Gates, Philadelphia, from October 3, 1935

until the third Tuesday of January, 1939, and until his successor shall have been appointed and qualified.

William H. Taylor, West Chester, from October 3, 1935, until the third Tuesday of January, 1939, and until his successor shall have been appointed and qualified.

Edward C. Shannon, Columbia, from October 3, 1935, until the third Tuesday of January, 1939, and until his successor shall have been appointed and qualified.

William R. Tucker, Jr., Philadelphia, from November 8, 1935, until the third Tuesday of January, 1939, and until his successor shall been appointed and qualified.

Frank W. Melvin, Philadelphia, from April 9, 1936, until the third Tuesday of January, 1939, and until his successor shall have been appointed and qualified.

MEMBERS OF THE PENNSYLVANIA HISTORICAL COMMISSION

Paul W. Gates, Lewistown, from February 25, 1936, until the third Tuesday of January, 1939, and until his successor shall have been appointed and qualified.

Bruce A. Hunt, Williamsport, from February 25, 1936, until the third Tuesday of January, 1939, and until his successor shall have been appointed and qualified.

Frank W. Melvin, Philadelphia, from February 25, 1936, until the third Tuesday of January, 1939, and until his successor shall have been appointed and qualified.

Ross Pier Wright, Erie, from February 26, 1936, until the third Tuesday of January, 1939, and until his successor shall have been appointed and qualified.

(Miss) M. Atherton Leach, Philadelphia, from March 5, 1936, until the third Tuesday of January, 1939, and until her successor shall have been appointed and qualified.

MEMBERS OF THE STATE FOREST COMMISSION

Gordon Dorrance, Philadelphia, from February 21, 1936, until the third Tuesday of January, 1939, or until his successor shall have been appointed and qualified.

Robert E. Dengler, State College, from February 25, 1936, until the third Tuesday of January, 1939, or until his successor shall have been appointed and qualified.

F. B. Kinzey, Johnstown, from February 25, 1936, until the third Tuesday of January, 1939, or until his successor shall have been appointed and qualified.

Francis R. Taylor, Cheltenham, from February 27, 1936, until the third Tuesday of January, 1939, or until his successor shall have been appointed and qualified.

MEMBERS OF THE WASHINGTON CROSSING PARK COMMISSION

Cornelius Haggarty, Jr., Philadelphia, from November 12, 1935, until the third Tuesday of January, 1939, and until his successor shall have been appointed and qualified.

Harvey Childs Hodgens, Philadelphia, from April 2, 1936, until the third Tuesday of January, 1939, and until his successor shall have been appointed and qualified.

George MacReynolds, Doylestown, from April 2, 1936, until the third Tuesday of January, 1939, and until his successor shall have been appointed and qualified.

(Mrs.) Margaret S. B. Zantzinger, Philadelphia, from April 2, 1936, until the third Tuesday of January, 1939, and until her successor shall have been appointed and qualified.

Benjamin H. Lackey, New Hope, from April 3, 1936, until the third Tuesday of January, 1939, and until his successor shall have been appointed and qualified.

James Bush-Brown, Ambler, from April 8, 1936, until the third Tuesday of January, 1939, and until his successor shall have been appointed and qualified.

(Mrs.) May Blakey Ross, Doylestown, from April 8, 1936, until the third Tuesday of January, 1939, and until her successor shall have been appointed and qualified.

MEMBER OF THE STATE VETERANS COMMISSION

Louis Schmidt, Philadelphia, from April 8, 1936, until the third Tuesday of January, 1939, and until his successor shall have been appointed and qualified.

MEMBERS OF THE STATE BOARD OF MEDICAL EDUCATION AND LICENSURE

Irvin D. Metzger, Pittsburgh, from July 10, 1935, for the term of four years.

William Cullen Bryant, Pittsburgh, from December 24, 1935, for the term of four years.

G. Willis Hartman, Harrisburg, from December 24, 1935, for the term of four years.

Domer Slater Newill, Connellsville, from December 24, 1935, for the term of four years.

MEMBERS OF THE ADVISORY HEALTH BOARD

Moses Behrend, Philadelphia, from April 9, 1936, until the third Tuesday of January, 1939, and until his successor shall have been appointed and qualified.

Walter S. Brenholtz, Williamsport, from April 9, 1936, until the third Tuesday of January, 1939, and until his successor shall have been appointed and qualified.

E. S. Briggs, Warren, from April 9, 1936, until the third Tuesday of January, 1939, and until his successor shall have been appointed and qualified.

John A. Meehan, New Castle, from April 9, 1936, until the third Tuesday of January, 1939, and until his successor shall have been appointed and qualified.

MEMBERS OF THE PENNSYLVANIA LIQUOR CONTROL BOARD

Walter T. Grosscup, Philadelphia, from July 8, 1935, for the term of six years, and until his successor shall have been appointed and qualified.

Leo A. Crossen, Philadelphia, from July 8, 1935, for the term of six years, and until his successor shall have been appointed and qualified.

W. Worrell Wagner, Philadelphia, from March 7, 1936, for the term of six years, and until his successor shall have been appointed and qualified.

MEMBERS OF THE SANITARY WATER BOARD

Marion K. McKay, Pittsburgh, from June 22, 1935, until the third Tuesday of January, 1939, and until his successor shall have been appointed and qualified.

Frank D. McCue, Oil City, from April 3, 1936, until the third Tuesday of January, 1939, and until his successor shall have been appointed and qualified.

MEMBERS OF THE STATE WELFARE COMMISSION

(Mrs.) Catharine Hansell Earle, Philadelphia, from September 27, 1935, until the third Tuesday of January, 1939, and until her successor shall have been appointed and qualified.

(Mrs.) Emma Guffey Miller, Pittsburgh, from September 27, 1935, until the third Tuesday of January, 1939, and until her successor shall have been appointed and qualified.

Paul N. Schaeffer, Reading, from September 27, 1935, until the third Tuesday of January, 1939, and until his successor shall have been appointed and qualified.

S. J. Waterworth, Clearfield, from September 27, 1935, until the third Tuesday of January, 1939, and until his successor shall have been appointed and qualified.

Frank E. Baker, Bala-Cynwyd, from September 27, 1935, until the third Tuesday of January, 1939, and until his successor shall have been appointed and qualified.

MEMBER OF THE STATE PARKS COMMISSION

Ellwood B. Chapman, Philadelphia, from February 25, 1936, until the third Tuesday of January, 1939, and until his successor shall have been appointed and qualified.

MEMBERS OF THE BOARD OF TRUSTEES OF EASTERN STATE PENITENTIARY

Joseph Spatola, Philadelphia, from February 25, 1936, for the term of four years, and until his successor is qualified.

Edward W. Shober, Haverford, from April 20, 1936, for the term of four years, and until his successor is qualified.

MEMBERS OF THE BOARD OF TRUSTEES OF WESTERN STATE PENTITENTIARY

William H. Hyde, Ridgway, from July 10, 1935, for the term of four years and until his successor is qualified.

Henry Brockerhoff, Bellefonte, from January 14, 1936, for the term of four years, and until his successor is qualified.

MEMBER OF THE BOARD OF FISH COMMISSIONERS

Samuel J. Truscott, Dalton, from March 14, 1936, for the term of six years.

MEMBER OF THE STATE ART COMMISSION

Alexander J. Kostellow, Pittsburgh, from February 17, 1936, until the third Tuesday of January, 1939, and until his successor shall have been appointed and qualified.

MEMBERS OF THE STATE FARM PRODUCTS SHOW COMMISSION

Raymond B. Arnold, Milan, from September 3, 1935, for the term of four years.

Paul Thayer, Carlisle, from September 3, 1935, for the term of four years.

Fred H. Cook, Beaver, from September 3, 1935, for the term of four years.

MEMBERS OF THE BUSHY RUN BATTLEFIELD COMMISSION

John B. Brunot, Greensburg, from February 13, 1936, until the third Tuesday of January, 1939, and until his successor shall have been appointed and qualified.

James K. Clarke, Greensburg, from February 13, 1936, until the third Tuesday of January, 1939, and until his successor shall have been appointed and qualified.

H. Albert Lauffer, Jeannette, from February 13, 1936 until the third Tuesday of January, 1939, and until his successor shall have been appointed and qualified.

H. Burns Smith, New Kensington, from February 13, 1936, until the third Tuesday of January, 1939, and until his successor shall have been appointed and qualified.

M. A. Gillespie, Jeannnette, from February 14, 1936, until the third Tuesday of January, 1939, and until his successor shall have been appointed and qualified.

(Mrs.) Kittie Painter Laffoon, Irwin, from February 17, 1936, until the third Tuesday of January, 1939, and until her successor shall have been appointed and qualified.

MEMBER OF THE DELAWARE RIVER JOINT TOLL BRIDGE COMMISSION

D. M. Hawke, Easton, from November 18, 1935, until annulled.

MEMBERS OF THE BOARD OF COMMISSIONERS ON UNIFORM STATE LAWS

William M. Hargest, Harrisburg, from September 4, 1935, for the term of four years.

William A. Schnader, Philadelphia, from September 4, 1935, for the term of four years.

John E. Laughlin, Pittsburgh, from September 27, 1935, for the term of four years.

MEMBER OF THE BOARD OF TRUSTEES FOR THE CARE OF PERPETUAL ENDOWMENT FUND OF CONRAD WEISER MEMORIAL PARK ASSOCIATION

Lester K. Ade, Williamsport, from February 10, 1936, until annulled.

MEMBERS OF THE STATE BOARD OF PHARMACY

Fred J. Blumenschein, Uniontown, from February 21, 1936, for the term of six years.

George L. Keifer, Aliquippa, from February 28, 1936, for the term of six years.

John O'Neill Casey, South Ardmore, from April 15, 1936, for the term of six years.

MEMBERS OF THE BOARD OF TRUSTEES OF FARVIEW STATE HOSPITAL

Lewis G. Hill, Lookout, from August 26, 1935, for the term of four years, and until his successor is qualified.

Harold C. Edwards, Stroudsburg, from August 26, 1935, for the term of four years, and until his successor is qualified.

Philip T. Lonergan, Montrose, from August 26, 1935, for the term of four years, and until his successor is qualified.

Hiram E. Wood, Beach Lake, from August 28, 1935, for the term of four years, and until his successor is qualified.

Arthur Rohrman, Shohola, from August 30, 1935, for the term of four years, and until his successor is qualified.

A. M. Cook, South Canaan, from September 4, 1935, for the term of four years, and until his successor is qualified.

William Sredenchek, Forest City, from March 31, 1936, for the term of four years, and until his successor is qualified.

MEMBERS OF THE BOARDS OF TRUSTEES OF THE MOTHERS' ASSISTANCE FUND

ARMSTRONG COUNTY

(Mrs.) Edna R. Johnston, Apollo, from August 30, 1935, until June 1, 1941, and until her successor is duly appointed and qualified.

(Mrs.) Mary D. Bedson, Kittanning, from August 30, 1935, until June 1, 1941, and until her successor is duly appointed and qualified.

(Mrs.) Mary M. McLaughlin, Freeport, from September 4, 1935, until June 1, 1937, and until her successor is duly appointed and qualified.

BEAVER COUNTY

(Mrs.) Sally Patton Kenah, New Brighton, from October 7, 1935, until June 1, 1941, and until her successor is duly appointed and qualified.

(Mrs.) Nelle W. Wade, Beaver, from October 7, 1935, until June 1, 1941, and until her successor is duly appointed and qualified.

(Mrs.) Margaret I. Hurst, Rochester, from October 7, 1935, until June 1, 1937, and until her successor is duly appointed and qualified.

(Mrs.) Mary Agnes Perrott, Beaver Falls, from October 10, 1935, until June 1, 1937, and until her successor is duly appointed and qualified.

(Mrs.) Mayme Ley, Aliquippa, from October 10, 1935, until June 1, 1939, and until her successor is duly appointed and qualified.

BERKS COUNTY

(Mrs.) Minnie M. Mays, Weiser Park, from October 4, 1935, until June 1, 1941, and until her successor is duly appointed and qualified.

(Mrs.) Sara G. Miller, Reading, from October 4, 1935, until June 1, 1939, and until her successor is duly appointed and qualified.

(Mrs.) Anna R. Schmehl, Reading, from October 8, 1935, until June 1, 1939, and until her successor is duly appointed and qualified.

(Mrs.) Hilda Berger Troutman, Reading, from October 10, 1935, until June 1, 1941, and until her successor is duly appointed and qualified.

(Miss) Marie L. Keffer, Reading, from March 10, 1936, until June 1, 1941, and until her successor is duly appointed and qualified.

BRADFORD COUNTY

(Mrs.) Catherine Hartley Laux, Sayre, from August 28, 1935, until June 1, 1939, and until her successor is duly appointed and qualified.

(Mrs.) Charlotte Lewis Davidson, Towanda, from August 28, 1935, until June 1, 1941, and until her successor is duly appointed and qualified.

(Mrs.) Emma Buttles Bush, Towanda, from October 24,

1935, until June 1, 1937, and until her successor is duly appointed and qualified.

(Mrs.) Frances Knapp Murray, South Waverly, from October 24, 1935, until June 1, 1941, and until her successor is duly appointed and qualified.

(Miss) Katharine A. Moore, Athens, from October 25, 1935, until June 1, 1939, and until her successor is duly appointed and qualified.

CAMBRIA COUNTY

(Mrs.) Ella M. Kearns, Conemaugh, from October 3, 1935, until June 1, 1941, and until her successor is duly appointed and qualified.

(Mrs.) Naomi VanH. Shettig, Ebensburg, from October 8, 1935, until June 1, 1941, and until her successor is duly appointed and qualified.

(Mrs.) Bessie Gill Swope, Johnstown, from October 8, 1935, until June 1, 1937, and until her successor is duly appointed and qualified.

(Mrs.) Lucille Maurer, Patton, from October 8, 1935, until June 1, 1939, and until her successor is duly appointed and qualfied.

(Mrs.) Julia E. Patrick, Johnstown, from October 8, 1935, until June 1, 1939, and until her successor is duly appointed and qualified.

(Miss) Nelle Murphy, Carrolltown, from October 10, 1935, until June 1, 1937, and until her successor is duly appointed and qualified.

CAMERON COUNTY

(Mrs.) Perna Klees, Emporium, from June 22, 1935, until June 1, 1937, and until her successor is duly appointed and qualified.

(Mrs.) Margaret M. Branson, Emporium, from June 22, 1935, until June 1, 1937, and until her successor is duly appointed and qualified.

(Mrs.) Lucy Edelman, Emporium, from June 22, 1935, until June 1, 1939, and until her successor is duly appointed and qualified.

(Mrs.) Ella McLeod, Emporium, from June 22, 1935, until June 1, 1939, and until her successor is duly appointed and qualified.

(Mrs.) Kathleen Daley, Driftwood, from June 22, 1935, until June 1, 1941, and until her successor is duly appointed and qualified.

(Mrs.) Alice Dill, Sterling Run, from June 22, 1935, until June 1, 1941, and until her successor is duly appointed and qualified.

(Mrs.) Julia Lightner, Sinnamahoning, from June 22, 1935, until June 1, 1941, and until her successor is duly appointed and qualified.

CARBON COUNTY

(Mrs.) Rose Bonner, Summit Hill, from April 27, 1936, until June 1, 1941, and until her successor is duly appointed and qualified.

(Mrs.) Ida Burke, Lehighton, from April 27, 1936, until June 1, 1941, and until her successor is duly appointed and qualified.

(Mrs.) Mary Campbell, Nesquehoning, from April 27, 1936, until June 1, 1941, and until her successor is duly appointed and qualified.

(Mrs.) Josephine Quinn, Lansford, from April 27, 1936, until June 1, 1937, and until her successor is duly appointed and qualified.

CENTRE COUNTY

(Miss) Miriam Beck, Nittany, from June 22, 1935, until June 1, 1941, and until her successor is duly appointed and qualified.

(Mrs.) Julia C. Noll, Pleasant Gap, from June 22, 1935, until June 1, 1939, and until her successor is duly appointed and qualified.

(Mrs.) Sara A. Goodhart, Centre Hall, from October 8, 1935, until June 1, 1937, and until her successor is duly appointed and qualified.

(Mrs.) Mary H. Broderick, State College, from October 8, 1935, until June 1, 1937, and until her successor is duly appointed and qualified.

(Mrs.) Lona B. Johnston, Philipsburg, from October 8, 1935, until June 1, 1939, and until her successor is duly appointed and qualified.

(Mrs.) Catherine Kilpatrick, Bellefonte, from February 17, 1936, until June 1, 1941, and until her successor is duly appointed and qualified.

CLARION COUNTY

(Mrs.) Leda Romaine Keefer Elder, Clarion, from August 26, 1935, until June 1, 1941, and until her successor is duly appointed and qualified.

(Miss) Margaret Curll, Clarion, from August 26, 1935, until June 1, 1941, and until her successor is duly appointed and qualified.

(Mrs.) Naomi C. Williams, New Bethlehem, from August 26, 1935, until June 1, 1941, and until her successor is duly appointed and qualified.

(Mrs.) Ruth Johnson Hannon, East Brady, from September 3, 1935, until June 1, 1939, and until her successor is duly appointed and qualified.

(Miss) Sue Obenreder, Fryburg, from September 4, 1935, until June 1, 1937, and until her successor is duly appointed and qualified.

(Mrs.) Minnie W. Collner, Clarion, from February 26, 1936, until June 1, 1937, and until her successor is duly appointed and qualified.

CLEARFIELD COUNTY

(Mrs.) Sallie A. Owens, Clearfield, from October 7, 1935, until June 1, 1941, and until her successor is duly appointed and qualified.

(Mrs.) Esther T. Bartell, Curwensville, from October 7, 1935, until June 1, 1941, and until her successor is duly appointed and qualified.

(Miss) Mary White, Morrisdale, from October 7, 1935, until June 1, 1939, and until her successor is duly appointed and qualified.

(Mrs.) Hannah M. Hewett, DuBois, from October 8, 1935, until June 1, 1941, and until her successor is duly appointed and qualified.

(Mrs.) Mary Webb, Houtzdale, from October 10, 1935, until June 1, 1937, and until her successor is duly appointed and qualified.

CLINTON COUNTY

(Mrs.) Mary Irene Betts, Lock Haven, from April 8, 1936, until June 1, 1941, and until her successor is duly appointed and qualified.

(Mrs.) Anna M. Mann, Beech Creek, from April 8, 1936, until June 1, 1937, and until her successor is duly appointed and qualified.

(Mrs.) Grace Wait, Loganton, from April 8, 1936, until June 1, 1941, and until her successor is duly appointed and qualified.

(Mrs.) Edith Davis Bossert, Avis, from April 9, 1936, until June 1, 1937, and until her successor is duly appointed and qualified.

(Mrs.) Gertrude May Wheeler, Westport, from April 9, 1936, until June 1, 1939, and until her successor is duly appointed and qualified.

(Mrs.) Belle Hyde Dright, Renovo, from April 9, 1936, until June 1, 1939, and until her successor is duly appointed and qualified.

(Mrs.) Cora J. Nicholson, Lock Haven, from April 13, 1936, until June 1, 1941, and until her successor is duly appointed and qualified.

COLUMBIA COUNTY

(Mrs.) Inez Brewington, Benton, from June 22, 1935, until June 1, 1941, and until her successor is duly appointed and qualified.

(Mrs.) Anna Graham H. Law, Bloomsburg, from June 22, 1935, until June 1, 1939, and until her successor is duly appointed and qualified.

(Mrs.) Gertrude Hartman, Berwick, from June 22, 1935, until June 1, 1941, and until her successor is duly appointed and qualified.

(Mrs.) Anna J. Stees, Bloomsburg, from June 22, 1935, until June 1, 1939, and until her successor is duly appointed and qualified.

CUMBERLAND COUNTY

(Miss) Margaret Moser, Mechanicsburg, from August 30, 1935, until June 1, 1941, and until her successor is duly appointed and qualified.

(Mrs.) Merte G. Kehr, Camp Hill, from August 30, 1935, until June 1, 1937, and until her successor is duly appointed and qualified.

(Mrs.) Rachel B. Hollar, Shippensburg, from August 30, 1935, until June 1, 1939, and until her successor is duly appointed and qualified.

(Mrs.) Helen S. Faller, Carlisle, from August 30, 1935, until June 1, 1941, and until her successor is duly appointed and qualified.

(Miss) Marion Leib, New Cumberland, from August 30, 1935, until June 1, 1941, and until her successor is duly appointed and qualified.

ELK COUNTY

(Mrs.) Susie L. Geary, Johnsonburg, from October 17, 1935, for the term of six years, or until a Board of Trustees of the Mothers' Assistance Fund has been appointed

(Mrs.) Anna H. Hayes, Force, from October 17, 1935, for the term of six years, or until a Board of Trustees of the Mothers' Assistance Fund has been appointed.

(Miss) Winifred Maynard, Ridgway, from October 18, 1935, for the term of six years, or until a Board of Trustees of the Mothers' Assistance Fund has been appointed.

(Mrs.) Gladys G. Huson, Wilcox, from October 21, 1935, for the term of six years, or until a Board of Trustees of the Mothers' Assistance Fund has been appointed.

(Mrs.) Kathryn D. Willard, St. Marys, from October 21, 1935, for the term of six years, or until a Board of Trustees of the Mothers' Assistance Fund has been appointed.

(Mrs.) Sue M. Bonnert, St. Marys, from November 7, 1935, for the term of six years, or until a Board of Trustees of the Mothers' Assistance Fund has been appointed

(Mrs.) Bertha B. Phelps, Ridgway, from February 13, 1936, for the term of six years, or until a Board of Trustees of the Mothers' Assistance Fund has been appointed.

FAYETTE COUNTY

(Mrs.) Nellie B. Christy, Uniontown, from August 30, 1935, until June 1, 1939, and until her successor is duly appointed and qualified.

(Mrs.) Louise Frock, Uniontown, from August 30, 1935, until June 1, 1941, and until her successor is duly appointed and qualified.

(Mrs.) Margaret Swaney, Uniontown, from August 30, 1935, until June 1, 1941, and until her successor is duly appointed and qualified.

(Mrs.) Marie Carmela Canistra, Republic, from August 30, 1935, until June 1, 1941, and until her successor is duly appointed and qualified.

(Mrs.) Ruth Gladden, Uniontown, from August 30, 1935, until June 1, 1937, and until her successor is duly appointed and qualified.

(Mrs.) Mary C. Creedon, Connellsville, from August 30, 1935, until June 1, 1937, and until her successor is duly appointed and qualified.

(Mrs.) Sara Sloan Griffin, Brownsville, from August 30, 1935, until June 1, 1939, and until her successor is duly appointed and qualified.

FOREST COUNTY

(Mrs.) Ernestine B. Vail, Tionesta, from June 22, 1935, for the term of six years, or until a Board of Trustees of the Mothers' Assistance Fund has been appointed.

(Mrs.) Gertrude Mortimer, Marienville, from June 22 1935, for the term of six years, or until a Board of Trustees of the Mothers' Assistance Fund has been appointed.

(Miss) Leona Bowman, East Hickory, from June 22, 1935, for the term of six years, or until a Board of Trustees of the Mothers' Assistance Fund has been appointed

(Mrs.) Beulah M. Crider, East Hickory, from June 22, 1935, for the term of six years, or until a Board of Trustees of the Mothers' Assistance Fund has been appointed.

(Mrs.) Adelaide Seigworth, Tionesta, from June 22, 1935, for the term of six years, or until a Board of Trustees of the Mothers' Assistance Fund has been appointed.

(Mrs.) Anna Mensch, Marienville, from June 22, 1935, for the term of six years, or until a Board of Trustees of the Mothers' Assistance Fund has been appointed.

(Mrs.) June Herman Carringer, Tionesta, from June 22, 1935, for the term of six years, or until a Board of Trustees of the Mothers' Assistance Fund has been appointed.

FRANKLIN COUNTY

(Mrs.) Mary C. Gelwix, Chambersburg, from February 11, 1936, until June 1, 1941, and until her successor is duly appointed and qualified.

(Miss) Mary C. Rhodes, Greencastle, from February 11, 1936, until June 1, 1941, and until her successor is duly appointed and qualified.

(Mrs.) Mary Ruth Lyne Heefner, Waynesboro, from February 21, 1936, until June 1, 1939, and until her successor is duly appointed and qualified.

(Mrs.) Marie Bell Brown, Waynesboro, from February 21, 1936, until June 1, 1941, and until her successor is duly appointed and qualified.

GREENE COUNTY

(Mrs.) Elizabeth McNeely Eakin, Jollytown, from August 30, 1935, until June 1, 1941, and until her successor is duly appointed and qualified.

(Mrs.) Edith Baily Purman, Waynesburg, from August 30, 1935, until June 1, 1941, and until her successor is duly appointed and qualified.

(Mrs.) Anna Farmer, Greensboro, from August 30, 1935, until June 1, 1941, and until her successor is duly appointed and qualified.

(Mrs.) Brenda McClure Donley, Mt. Morris, from September 4, 1935, until June 1, 1937, and until her successor is duly appointed and qualified.

(Mrs.) Sarah B. Dinsmore, Aleppo, from September 4, 1935, until June 1, 1939, and until her successor is duly appointed and qualified.

(Mrs.) Amanda Cowell Gordon, Waynesburg, from September 4, 1935, until June 1, 1939, and until her successor is duly appointed and qualified.

(Mrs.) Rhue Moore, Waynesburg, from October 1, 1935, until June 1, 1937, and until her successor is duly appointed and qualified.

JUNIATA COUNTY

(Mrs.) Nelle B. Fasick, Mifflintown, from October 17, 1935, until June 1, 1941, and until her successor is duly appointed and qualified.

(Mrs.) Mllie B. McClure, Port Royal, from October 17, 1935, until June 1, 1941, and until her successor is duly appointed and qualified.

(Mrs.) Martha S. Guss, Mifflin, from October 18, 1935, until June 1, 1937, and until her successor is duly appointed and qualified.

(Mrs.) Anna L. Neely, Honey Grove, from October 21, 1935, until June 1, 1941, and until her successor is duly appointed and qualified.

MEMBER OF THE BOARD OF TRUSTEES OF MOTHERS' ASSISTANCE FUND OF LANCASTER COUNTY

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg May 4, 1936.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor to nominate for the advice and consent of the Senate the following appointment to compute from the date of confirmation:

Mrs. Bernice A. Shannon, 224 Fairfield Avenue, New Castle, Lawrence County, as a member of the Board of Trustees of the Mothers' Assistance Fund of Lawrence County, vice Mrs. Grace W. Crawford, resigned, until June

1, 1937, and until her successor is duly appointed and qualified.

LAWRENCE COUNTY

(Miss) Clare C. Duff, New Castle, from April 8, 1936, until June 1, 1941, and until her successor is duly appointed and qualified.

(Mrs.) Stella Haines, Ellwood City, from April 8, 1936, until June 1, 1941, and until her successor is duly appointed and qualified.

(Mrs.) Laura Holliday Miller, New Castle, from April 8, 1936, until June 1, 1941, and until her successor is duly appointed and qualified.

(Mrs.) Frances Hall Tomasson, Ellwood City, from April 8, 1936, until June 1, 1939, and until her successor is duly appointed and qualified.

LEHIGH COUNTY

(Mrs.) Edna S. Zweifel, Bethlehem, from October 4, 1935, until June 1, 1941, and until her successor is duly appointed and qualified.

(Mrs.) Marguerite Anewalt, Allentown, from October 7, 1935, until June 1, 1941, and until her successor is duly appointed and qualified.

(Mrs.) Anna Lena O'Brien, Allentown, from October 8, 1935, until June 1, 1939, and until her successor is duly appointed and qualified.

(Mrs.) Mabel Newhard McCollom, Allentown, from October 8, 1935, until June 1, 1939, and until her successor is duly appointed and qualified.

(Mrs.) Melba W. Hennemuth, Emaus, from February 25, 1936, until June 1, 1937, and until her successor is duly appointed and qualified.

(Mrs.) Elizabeth Gitt Schaeffer, Allentown, from February 25, 1936, until June 1, 1941, and until her successor is duly appointed and qualified.

LYCOMING COUNTY

(Mrs.) Ella Cummings, Williamsport, from August 30, 1935, until June 1, 1941, and until her successor is duly appointed and qualified.

(Mrs.) Clara Wihlmee Greevy, Williamsport, from August 30, 1935, until June 1, 1941, and until her successor is duly appointed and qualified.

(Mrs.) Lillian Reider, Williamsport, from September 4, 1935, until June 1, 1937, and until her successor is duly appointed and qualified.

(Mrs.) Mary Caroline Grittner, Montgomery, from September 4, 1935, until June 1, 1939, and until her successor is duly appointed and qualified.

(Mrs.) Laura Mansuy, Ralston, from April 8, 1936, until June 1, 1937, and until her successor is duly appointed and qualified.

MEMBERS OF THE BOARDS OF TRUSTEES OF THE MOTHERS' ASSISTANCE FUND McKEAN COUNTY

(Mrs.) Ida E. Johnson, Bradford, from February 10, 1936, until June 1, 1941, and until her successor is duly appointed and qualified.

(Mrs.) Lura B. Moss, Port Allegany, from February 13, 1936, and until June 1, 1937, and until her successor is duly appointed and qualified.

(Mrs.) Emma G. Bovaird, Bradford, from March 31, 1936, until June 1, 1941, and until her successor is duly appointed and qualified.

(Mrs.) Grace Paul Nunnemaker, Bradford, from April 17, 1936, until June 1, 1941, and until her successor is duly appointed and qualified.

MERCER COUNTY

(Mrs.) Maude Moreland, Jamestown, from August 30, 1935, until June 1, 1941, and until her successor is duly appointed and qualified.

(Mrs.) Martha Guthrie, Grove City, from September 4, 1935, until June 1, 1937, and until her successor is duly appointed and qualified.

(Mrs.) Helen Bryer, Sharon, from September 4, 1935, until June 1, 1937, and until her successor is duly appointed and qualified.

(Mrs.) Mabel Whistler, Mercer, from February 21, 1936, until June 1, 1941, and until her successor is duly appointed and qualified.

(Mrs.) Margaret Ferringer, Stoneboro, from February 25, 1936, until June 1, 1939, and until her successor is duly appointed and qualified.

MIFFLIN COUNTY

(Mrs.) Marion Ruth Illingworth Andrews, Burnham, from August 26, 1935, until June 1, 1939, and until her successor is duly appointed and qualified.

(Mrs.) Janet B. Sweigart, Belleville, from August 26, 1935, until June 1, 1941, and until her successor is duly appointed and qualified.

(Mrs.) Miriam Ullrich Hoffman, Lewistown, from August 26, 1935, until June 1, 1941, and until her successor is duly appointed and qualified.

(Mrs.) Florence Beckwith, Lewistown, from August 26, 1935, until June 1, 1937, and until her successor is duly appointed and qualified.

(Mrs.) Rebecca L. Snook, Lewistown, from August 30, 1935, until June 1, 1939, and until her successor is duly appointed and qualified.

(Mrs.) Margaret Mary Briggs, Newton Hamilton, from April 2, 1936, until June 1, 1941, and until her successor is duly appointed and qualified.

MONTGOMERY COUNTY

(Mrs.) Elizabeth Griffith Page, Bryn Mawr, from October 24, 1935, until June 1, 1939, and until her successor is duly appointed and qualified.

(Mrs.) Mary H. Longaker, Pottstown, from October 25, 1935, until June 1, 1937, and until her successor is duly appointed and qualified.

(Mrs.) Lena Sklar, Willow Grove, from October 26, 1935, until June 1, 1941, and until her successor is duly appointed and qualified.

(Mrs.) Mary E. Norton, Philadelphia, from October 26, 1935, until June 1, 1941, and until her successor is duly appointed and qualified.

(Mrs.) Lillian L. Strauss, Elkins Park, from November 15, 1935, until June 1, 1939, and until her successor is duly appointed and qualified.

(Miss) Marjorie N. MacCoy, Haverford, from November 15, 1935, until June 1, 1941, and until her successor is duly appointed and qualified.

(Mrs.) Mary E. Saylor, Norristown, from March 2, 1936, until June 1, 1937, and until her successor is duly appointed and qualified.

NORTHAMPTON COUNTY

(Miss) Carrie Hay, Easton, from April 20, 1936, until June 1, 1941, and until her successor is duly appointed and qualified.

(Mrs.) Mary Houck, Bangor, from April 20, 1936, until June 1, 1937, and until her successor is duly appointed and qualified.

(Mrs.) Elizabeth Reimer, Easton, from April 20, 1936, until June 1, 1941, and until her successor is duly appointed and qualified.

(Miss) Marie O'Donnell, Bethlehem, from April 20, 1936, until June 1, 1941, and until her successor is duly appointed and qualified.

(Mrs.) Sarah N. Silfies, Nazareth, from April 20, 1936, until June 1, 1939, and until her successor is duly appointed and qualified.

(Mrs.) Grace M. Ulrich, Bethlehem, from April 20, 1936, until June 1, 1939, and until her successor is duly appointed and quality.

MEMBERS OF THE BOARDS OF TRUSTEES OF THE OLD AGE ASSISTANCE FUND, PERRY COUNTY

(Mrs.) Ada Lewis Beale, Duncannon, from September 4, 1935, for the term of six years, or until a Board of Trustees of the Mothers' Assistance Fund has been appointed.

(Mrs.) Myra Kathryn Russell, Millerstown, from September 4, 1935, for the term of six years, or until a

Board of Trustees of the Mothers' Assistance Fund has been appointed.

(Mrs.) Lena Weaver Snyder, Liverpool, from September 4, 1935, for the term of six years, or until a Board of Trustees of the Mothers' Assistance Fund has been appointed.

(Mrs.) Margaret Naomi Welker, Marysville, from September 4, 1935, for the term of six years, or until a Board of Trustees of the Mothers' Assistance Fund has been appointed.

(Mrs.) May Smith Sharp, Newport, from December 5, 1935, for the term of six years, or until a Board of Trustees of the Mothers' Assistance Fund has been appointed.

(Miss) Pearl Rice, Elliottsburg, from December 6, 1935, for the term of six years, or until a Board of Trustees of the Mothers' Assistance Fund has been appointed.

(Miss) Catharine Johnston, New Bloomfield, from December 11, 1935, for the term of six years, or until a Board of Trustees of the Mothers' Assistance Fund has been appointed.

PHILADELPHIA COUNTY

(Mrs.) Nellie Lee Bok, Philadelphia, from August 26, 1935, until June 1, 1941, and until her successor is duly appointed and qualified.

(Mrs.) Goldie Paley, Philadelphia, from August 26, 1935, until June 1, 1941, and until her successor is duly appointed and qualified.

(Mrs.) Katharine M. Lukens, Philadelphia, from August 26, 1935, until June 1, 1939, and until her successor is duly appointed and qualified.

POTTER COUNTY

(Mrs.) Nellie Carpenter, Genesee, from June 22, 1935, until June 1, 1941, and until her successor is duly appointed and qualified.

(Mrs.) Mary Burt, Coudersport, from June 22, 1935, until June 1, 1941, and until her successor is duly appointed and qualified.

(Mrs.) Lucy Mulchay, Coudersport, from June 22, 1935, until June 1, 1941, and until her successor is duly appointed and qualified.

(Mrs.) Grace M. Lush, Galeton, from June 22, 1935, until June 1, 1939, and until her successor is duly appointed and qualified.

SOMERSET COUNTY

(Mrs.) Ruey Florence Picking, Somerset, from August 26, 1935, until June 1, 1941, and until her successor is duly appointed and qualified.

(Mrs.) Margaret Gilbert, Jennerstown, from August 26, 1935, until June 1, 1941, and until her successor is duly appointed and qualified.

(Mrs.) Kathryn Hayman, Confluence, from August 30, 1935, until June 1, 1939, and until her successor is duly appointed and qualified.

(Mrs.) Louise Kieffer Miller, Somerset, from September 27, 1935, until June 1, 1939, and until her successor is duly appointed and qualified.

(Mrs.) Elsie Rae Carter, Somerset, from October 1, 1935, until June 1, 1937, and until her successor is duly appointed and qualified.

SULLIVAN COUNTY

(Mrs.) Emma Murphy, Dushore, from June 22, 1935, until June 1, 1937, and until her successor is duly appointed and qualified.

(Miss) Marguerite C. Moran, Muncy Valley, from June 22, 1935, until June 1, 1937, and until her successor is duly appointed and qualified.

(Miss) Teresa V. Walsh, Lopez, from June 22, 1935, until June 1, 1939, and until her successor is duly appointed and qualified.

(Mrs.) Marguerite Gavitt, Lopez, from June 22, 1935, until June 1, 1939, and until her successor is duly appointed and qualified.

(Mrs.) Lenora M. Cott, Forksville, from June 22, 193 until June 1, 1941, and until her successor is duly ap pointed and qualified.

(Mrs.) Nora Kester, Hillsgrove, from June 22, 193 until June 1, 1941, and until her successor is duly ap pointed and qualified.

(Miss) Anna M. Finan, Mildred, from June 22, 193 until June 1, 19041, and until her successor is duly ap pointed and qualified.

SUSQUEHANNA COUNTY

(Mrs.) Sara E. Skelly, Susquehanna, from August 2 1935, until June 1, 1937, and until her successor is dul appointed and qualified.

(Mrs.) Catherine A. O'Brien, Montrose, from Augu 30, 1935, until June 1, 1941, and until her successor is dul appointed and qualified.

(Mrs.) Likuori S. Sherney, Forest City, from Augu 30, 1935, until June 1, 1941, and until her successor is dul appointed and qualified.

(Mrs.) Lora B. Riley, Springville, from August 30, 193 until June 1, 1941, and until her successor is duly ap pointed and qualified.

(Mrs.) Loretta McCormick, Forest City, from Septem ber 3, 1935, until June 1, 1939, and until her successo is duly appointed and qualified.

(Mrs.) Mary B. Donley, New Milford, from Februar 21, 1936, until June 1, 1937, and until her successor is dul appointed and qualified.

WARREN COUNTY

(Mrs.) Victoria M. Pequignot, Tidioute, from Octobe 4, 1935, until June 1, 1939, and until her successor is dul appointed and qualified.

(Mrs.) Emma D. Chrisman, Warren, from October 1935, until June 1, 1941, and until her successor is dul appointed and qualified.

(Mrs.) Bessie Elder, Sheffield, from October 8, 193 until June 1, 1941, and until her successor is duly ap pointed and qualified.

(Mrs.) Mary McCracken, Warren, from October 8, 193 until June 1, 1939, and until her successor is duly ap pointed and qualified.

(Mrs.) Minnie Haggerty, Sugar Grove, from Octobe 9, 1935, until June 1, 1941, and until her successor is dul appointed and qualified.

WAYNE COUNTY

(Mrs.) Veronica York, Forest City, from August 2 1935, until June 1, 1941, and until her successor is dul appointed and qualified.

(Mrs.) Emma Roslyn Martin, Gouldsboro, from Oc tober 8, 1935, until June 1, 1937, and until her successo is duly appointed and qualified.

(Mrs.) Lottie M. S. Brenneman, Honesdale, from No vember 7, 1935, until June 1, 1939, and until her suc cessor is duly appointed and qualified.

WYOMING COUNTY

(Mrs.) Edith Lydia Avery, Mill City, from April 8, 193 until June 1, 1937, and until her successor is duly ap pointed and qualified.

(Mrs.) Helen Stark Harding, Tunkhannock, from Apr 8, 1936, until June 1, 1941, and until her successor is dul appointed and qualified.

(Miss) Florence Marion Heitsman, Center Morelan from April 8, 1936, until June 1, 1941, and until her suc cessor is duly appointed and qualified.

(Mrs.) Mary Quinn, Meshoppen, from April 8, 193 until June 1, 1939, and until her successor is duly ap pointed and qualified.

(Mrs.) Flossie Leona Shupp, Factoryville, from Apr 8, 1936, until June 1, 1941, and until her successor is dul appointed and qualified.

(Mrs.) Lucy Catherine Vaughn, Mehoopany, from Ap 8, 1936, until June 1, 1937, and until her successor is dul appointed and qualified.

(Mrs.) Emily Geraldine Wright, Tunkhannock, from April 8, 1936, until June 1, 1939, and until her successor is duly appointed and qualified.

YORK COUNTY

(Mrs.) Edythe M. Brenneman, York, from October 21, 1935, until June 1, 1941, and until her successor is duly appointed and qualified.

(Mrs.) Helen P. Appell, York, from October 21, 1935, until June 1, 1941, and until her successor is duly appointed and qualified.

(Mrs.) Kathryn R. Fix, York, from November 7, 1935, until June 1, 1939, and until her successor is duly appointed and qualified.

(Mrs.) Lois O. Rinehardt, York, from November 7, 1935, until June 1, 1937, and until her successor is duly appointed and qualified.

(Mrs.) Lorna W. Myers, Hanover, from January 17, 1936, until June 1, 1937, and until her successor is duly appointed and qualified.

(Mrs.) Nellie B. Neely, Highrock, from April 2, 1936, until June 1, 1941, and until her successor is duly appointed and qualified.

MEMBERS OF THE BOARD OF TRUSTEES OF CLARION STATE TEACHERS COLLEGE

(Mrs.) Gladys B. Long, Clarion, from April 1, 1936, for the term of four years, and until her successor is qualified.

Chester J. Randolph, Rimersburg, from April 1, 1936, for the term of four years, and until his successor is qualified.

MEMBERS OF THE BOARD OF TRUSTEES OF EDINBORO STATE TEACHERS COLLEGE

C. E. Bordwell, Warren, from April 8, 1936, for the term of four years, and until his successor is qualified.

Ritchie T. Marsh, Erie, from April 8, 1936, for the term of four years, and until his successor is qualified.

Charles B. Stegner, Titusville, from April 8, 1936, for the term of four years, and until his successor is qualified.

F. A. Loveland, Corry, from April 13, 1936, for the term of four years, and until his successor is qualified.

Albert L. Thomas, Meadville, from April 14, 1936, for the term of four years, and until his successor is qualified.

(Miss) Rowena MacBride, Sharon, from April 17, 1936, for the term of four years, and until her successor is qualified.

MEMBER OF THE ARMORY BOARD OF THE STATE OF PENNSYLVANIA

Edward C. Shannon, Columbia, from October 3, 1935, until the third Tuesday of January, 1939, or until his successor shall have been appointed and qualified.

MEMBER OF THE PUBLIC SCHOOL EMPLOYES' RETIREMENT BOARD

Samuel M. Goodyear, Carlisle, from October 11, 1935, until his successor is apponted.

MEMBERS OF THE BOARD OF TRUSTEES OF THE PENNSYLVANIA STATE COLLEGE

P. J. Denman, Bradford, from August 7, 1935, until July 1, 1938.

Frederick A. Heim, Williamsport, from December 9, 1935, until July 1, 1938.

S. Forry Laucks, York, from February 21, 1936, until July 1, 1937.

MEMBERS OF THE BOARD OF TRUSTEES OF LOCK HAVEN STATE TEACHERS COLLEGE

Mervin A. Burkett, Lock Haven, from March 9, 1936, for the term of four years, and until his successor is qualified.

J. Fred Katzmaier, Williamsport, from March 9, 1936, for the term of four years, and until his successor is qualified.

(Miss) Elizabeth H. Peale, Lock Haven, from March 10, 1936, for the term of four years, and until her successor is qualified.

Chas. R. Lauer, Lock Haven, from March 10, 1936, for the term of four years, and until his successor is qualified.

Hartman B. Herr, Lock Haven, from March 10, 1936, for the term of four years, and until his successor is qualified.

J. W. Sweeney, St. Marys, from March 11, 1936, for the term of four years, and until his successor is qualified.

(Mrs.) Daisy B. Henderson, Bellefonte, from March 12, 1936, for the term of four years, and until her successor is qualified.

E. Clair Davis, Clearfield, from March 14, 1936, for the term of four years, and until his successor is qualified.

MEMBERS OF THE BOARD OF TRUSTEES OF POLK STATE SCHOOL

Harry B. Mitchell, Emlenton, from October 24, 1935, for the term of four years, and until his successor is qualified.

Samuel Messer, Oil City, from October 24, 1935, for the term of four years, and until his successor is qualified.

Richard H. Lamberton, Franklin, from October 24, 1935, for the term of four years, and until his successor is qualified.

George W. Feldman, Franklin, from October 24, 1935, for the term of four years, and until his successor is qualified.

M. A. Garvey, Sharon, from October 24, 1935, for the term of four years, and until his successor is qualified.

John L. Nesbit, Franklin, from October 24, 1935, for the term of four years, and until his successor is qualified.

Michael Nevant, Farrell, from February 13, 1936, for the term of four years, and until his successor is qualified.

MEMBERS OF THE BOARD OF TRUSTEES OF CALIFORNIA STATE TEACHERS COLLEGE

David M. McCloskey, Charleroi, from March 2, 1936, for the term of four years, and until his successor is qualified.

Harry E. Price, Charleroi, from March 3, 1936, for the term of four years, and until his successor is qualified.

William Soisson, Jr., Connellsville, from March 4, 1936, for the term of four years, and until his successor is qaulified.

George B. Frantz, Coal Center, from April 9, 1936, for the term of four years, and until his successor is qualified.

Addison B. Linhart, California, from April 9, 1936, for the term of four years, and until his successor is qualified.

MEMBERS OF THE BOARD OF TRUSTEES OF PENNHURST STATE SCHOOL

E. G. Brownback, Trappe, from August 26, 1935, for the term of four years, and until his successor is qualified.

H. B. Shearer, Worcester, from August 26, 1935, for the term of four years, and until his successor is qualified.

MEMBERS OF THE BOARD OF TRUSTEES OF SLIPPERY ROCK STATE TEACHERS COLLEGE

John H. Wilson, Butler, from October 4, 1935, for the term of four years, and until his successor is qualified.

(Mrs.) Agnes B. Howley, New Castle, from February 25, 1936, for the term of four years, and until her successor is qualified.

F. A. Barkley, Beaver, from February 26, 1936, for the term of four years, and until his successor is qualified.

W. R. Hockenberry, Slipery Rock, from February 26, 1936, for the term of four years, and until his successor is qualified.

Charles G. Campbell, Beaver, from February 28, 1936, for the term of four years, and until his successor is qualified.

John Laing Wise, Butler, from March 9, 1936, for the term of four years, and until his successor is qualified.

MEMBERS OF THE BOARD OF TRUSTEES OF KUTZTOWN STATE TEACHERS COLLEGE

Irvin A. Seltzer, Pottsville, from October 15, 1935, for the term of four years, and until his successor is qualified.

Charles A. Bachman, Emaus, from October 16, 1935, for the term of four years, and until his successor is qualified.

(Mrs.) Marguerite L. Krauss, Kutztown, from October 16, 1935, for the term of four years, and until her successor is qualified.

Dawson H. Muth, Shillington, from October 16, 1935, for the term of four years, and until his successor is qualified.

Charles E. Benfield, Allentown, from October 16, 1935, for the term of four years, and until his successor is qualified.

E. M. Knerr, Allentown, from October 17, 1935, for the term of four years, and until his successor is qualified.

Herman A. Fister, Kutztown, from October 21, 1935, for the term of four years, and until his successor is qualified.

Hanns Gramm, West Reading, from February 11, 1936, for the term of four years, and until his successor is qualified.

MEMBERS OF THE BOARD OF TRUSTEES OF PENNSYLVANIA INDUSTRIAL SCHOOL

E. M. Huyett, Centre Hall, from October 1, 1935, for the term of four years, and until his successor is qualified.

Daniel Leffler, Clearfield, from October 9, 1935, for the term of four years, and until his successor is qualified.

MEMBERS OF THE BOARD OF TRUSTEES OF PENNSYLVANIA TRAINING SCHOOL

Challen Waychoff, Waynesburg, from August 26, 1935, for the term of four years, and until his successor is qualified.

D. C. Brown, McDonald, from August 26, 1935, for the term of four years, and until his successor is qualified.

T. J. O'Donovan, Coraopolis, from August 26, 1935, for the term of four years, and until his successor is qualified.

R. W. Knox, Washington, from August 27, 1935, for the term of four years, and until his successor is qualified.

(Mrs.) Ruth Cleland, Washington, from August 30, 1935, for the term of four years, and until her successor is qualified.

Leo J. Schmitt, Pittsburgh, from September 4, 1935, for the term of four years, and until his successor is qualified.

Geo. B. Sprowls, Claysville, from December 9, 1935, for the term of four years, and until his successor is qualified.

MEMBERS OF THE BOARD OF TRUSTEES OF INDIANA STATE TEACHERS COLLEGE

David Dale McMaster, Johnstown, from March 31, 1936, for the term of four years, and until his successor is qualified.

R. H. Philson, Meyersdale, from March 31, 1936, for the term of four years, and until his successor is qualified.

MEMBERS OF THE BOARD OF TRUSTEES OF DANVILLE STATE HOSPITAL

Frank E. McArran, Danville, from October 8, 1935, for the term of four years, and until his successor is qualified.

D. E. Edmondson, Danville, from October 9, 1935, for the term of four years, and until his successor is qualified.

William B. Seibert, Hughesville, from October 11, 1935, for the term of four years, and until his successor is qaulified.

C. E. Ervin, Danville, from October 14, 1935, for the term of four years, and until his successor is qualified.

M. E. Reeder, Muncy, from October 14, 1935, for the term of four years, and until his successor is qualified.

Edward J. Mullen, Bloomsburg, from December 19, 1935, for the term of four years, and until his successor is qaulified.

M. G. Youngman, Danville, from April 21, 1936, for the term of four years, and until his successor is qualified.

MEMBERS OF THE BOARD OF TRUSTEES OF WARREN STATE HOSPITAL

C. W. Elder, Sheffield, from August 27, 1935, for the term of four years, and until his successor is qualified.

Fred W. Moser, Greenville, from August 27, 1935, for the term of four years, and until his successor is qualified.

James K. Bell, Warren, from August 28, 1935, for the term of four years, and until his successor is qualified.

James G. Paul, Bradford, from August 28, 1935, for the term of four years, and until his successor is qualified.

Merle L. Russell, Marienville, from August 28, 1935, for the term of four years, and until his successor is qualified.

Merritt H. Davis, Clarion, from August 28, 1935, for the term of four years, and until his successor is qualified.

R. A. Cartright, Ridgway, from August 30, 1935, for the term of four years, and until his successor is qualified.

MEMBERS OF THE BOARD OF TRUSTEES OF PHILIPSBURG STATE HOSPITAL

Constantine Auroroff, Hawk Run, from October 10, 1935, for the term of four years, and until his successor is qaulified.

(Mrs.) Daisy B. Katen, Philipsburg, from October 14, 1935, for the term of four years, and until her successor is qaulified.

H. A. Callahan, Philipsburg, from February 26, 1936, for the term of four years, and until his successor is qualified.

William W. Litke, Winburne, from February 28, 1936, for the term of four years, and until his successor is qualified.

MEMBERS OF THE BOARD OF TRUSTEES OF SELINSGROVE STATE COLONY FOR EPILEPTICS

Isaac Headings, McAlisterville, from August 27, 1935, for the term of four years, and until his successor is qualified.

Clair Groover, Lewisburg, from August 27, 1935, for the term of four years, and until his successor is qualified.

Curtis C. Lesher, Lewisburg, from August 27, 1935, for the term of four years, and until his successor is qualified.

Lyman Guss, Mifflintown, from August 28, 1935, for the term of four years, and until his successor is qualified.

D. Edwin Ditzler, Selinsgrove, from September 3, 1935, for the term of four years, and until his successor is qualified.

T. G. Herrold, Port Trevorton, from September 4, 1935, for the term of four years, and until his successor is qualified.

Samuel R. Bashore, Port Royal, from December 19, 1935, for the term of four years, and until his successor is qualified.

MEMBERS OF THE BOARD OF TRUSTEES OF TORRANCE STATE HOSPITAL

George K. Brennen, Scottdale, from August 21, 1935, for the term of four years, and until his successor is qualified.

Charles B. Hollingsworth, Greensburg, from August 27, 1935, for the term of four years, and until his successor is qualified.

(Mrs.) Dora M. Dunn, Greensburg, from August 27, 1935, for the term of four years, and until her successor is qualified.

Thomas St. Clair, Latrobe, from August 27, 1935, for the term of four years, and until his successor is qualified.

(Mrs.) N. Elizabeth Sherbine, Johnstown, from February 13, 1936, for the term of four years, and until her successor is qualified.

MEMBERS OF THE BOARD OF TRUSTEES OF COALDALE STATE HOSPITAL

James C. McCready, Summit Hill, from June 22, 1935, for the term of four years, and until his successor is qualified.

Andrew Chuchran, Lansford, from June 22, 1935, for the term of four years, and until his successor is qualified.

Thomas Sharpe, Nesquehoning, from June 22, 1935, for the term of four years, and until his successor is qualified.

MEMBERS OF THE BOARD OF TRUSTEES OF SHAMOKIN STATE HOSPITAL

Richard P. Bridy, Mt. Carmel, from November 7, 1935, for the term of four years, and until his successor is qualified.

Wm. Penn Kemble, Mt. Carmel, from February 6, 1936, for the term of four years, and until his successor is qualified.

Victor Marietta, Shamokin, from February 6, 1936, for the term of four years, and until his successor is qualified.

James J. Hanlon, Kulpmont, from April 8, 1936, for the term of four years, and until his successor is qualified.

A. E. Konopka, Shamokin, from April 8, 1936, for the term of four years, and until his successor is qualified.

John F. Kramer, Mt. Carmel, from April 8, 1936, for the term of four years, and until his successor is qualified.

MEMBERS OF THE BOARD OF TRUSTEES OF WERNERSVILLE STATE HOSPITAL

J. L. Balthaser, Hamburg, from February 10, 1936, for the term of four years, and until his successor is qualified.

J. Stanley Hill, Stony Creek Mills, from February 11, 1936, for the term of four years, and until his successor is qualified.

Ed. Z. Ruth, Stouchsburg, from February 11, 1936, for the term of four years, and until his successor is qualified.

(Mrs.) Katharine F. Ancona, Reading, from February 13, 1936, for the term of four years, and until her successor is qualified.

GEORGE H. EARLE

MEMBER OF THE BOARD OF TRUSTEES OF MOTHERS' ASSISTANCE FUND

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, July 7, 1936.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Nancy Spahr, of Mechanicsburg, Cumberland County, for appointment as a member of the Board of Trustees of the Mothers' Assistance Fund of Cumberland County (to fill a vacancy), until June 1, 1939, and until her successor is duly appointed and qualified.

GEORGE H. EARLE.

NOTARIES PUBLIC

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, August 6, 1936.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

ALLEGHENY COUNTY

Geo. A. Hagenlocher, 830 Grant Bldg., Pittsburgh.
Miss Marie Schindewolfe, 1409 Park Bldg., Pittsburgh.
George A. Slater, 821 Idlewood Ave., Pittsburgh.

BEAVER COUNTY

Mrs. Jean F. Dowdell, New Brighton.

GEORGE H. EARLE.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, August 6, 1936.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following person for appointment as a Notary Public, for the term of four years to compute from the date of confirmation:

LANCASTER COUNTY

Nelson K. Myers, Lancaster.

GEORGE H. EARLE.

MEMBER OF THE STATE BOARD OF PHARMACY

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 12, 1936.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Harry H. Buch, of Harrisburg, Dauphin County, for appointment as a member of the State Board of Pharmacy, for the term of six years (to fill a vacancy).

GEORGE H. EARLE.

MEMBERS OF THE BOARD OF TRUSTEES OF CLARION STATE TEACHERS COLLEGE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, August 6, 1936.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following:

Miss Leona Bowman, of East Hickory, Forest County, for appointment as a member of the Board of Trustees of the Clarion State Teachers College, vice Mrs. Ruth D. Bovard, of Tionesta, removed from office, for a term of four years to compute from the date of confirmation, and until her successor is duly appointed and qualified.

Leslie Roberts Hmes, of New Bethlehem, Clarion County for appointment as a member of the Board of Trustees of the Clarion State Teachers College, vice P. C. Andrews, of New Bethlehem, whose term expired, for a term of four years to compute from the date of confirmation, and until his successor is duly appointed and qualified.

H. J. Mitchell, of Knox, Clarion County, for appointment as a member of the Board of Trustees of the Clarion State Teachers College, vice R. L. R. Snyder, of Shippenville, removed from office, for a term of four years to compute from the date of confirmation, and until his successor is duly appointed and qualified.

Mrs. Mabel R. Pentz, of DuBois, Clearfield County, for appointment as a member of the Board of Trustees of the Clarion State Teachers College, vice Mrs. Lillian N. Trezise, of DuBois, whose term expired, for a term of four years to compute from the date of confirmation, and until her successor is duly appointed and qualified.

GEORGE H. EARLE.

EXECUTIVE SESSION

By unanimous consent,

A motion was made by Mr. SONES,

That Rule 38, which requires nominations made by the Governor, to lie on the table one day be dispensed with, and the Senate do now resolve itself into Executive Session, for the purpose of acting upon the foregoing nominations.

Which was agreed to.

Whereupon,

A motion was made by Mr. SONES,

That the Senate do advise and consent to the nominations reported.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—44

Aron,	Harvey,	Pytko,	Scott,
Batchelor,	Huffman,	Rankin,	Shapiro,
Bean,	Kahle,	Reed,	Sones,
Buckman,	Lanius,	(Dauphin)	Staudenmeier,
Cavalcante,	Law,	Reed,	Thompson,
Chapman,	Mallery,	(Washington)	(Centre)
Coyne,	McClure,	Rice,	Thompson,
Ealy,	McCreesh,	Roberts,	(Westmoreland)
Frey,	McGinnis,	Rodgers,	Trainer,
Gelder,	Miller,	Rupp,	Woodward,
Graff,	Owlett,	Ruth,	Ziesenhelm,
Harris,	Pierson,	Salus,	Homsher,
			Pres. Pro. Tem.

NAYS—0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

Mr. SONES. Mr. President, I move that the Executive Session do now rise.

Mr. RICE. Mr. President, I second the motion.

The motion was agreed to.

HOUSE MESSAGES

HOUSE CONCURS IN AMENDMENTS MADE BY THE SENATE TO HOUSE RESOLUTION No. 31

The Clerk of the House of Representatives being introduced presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Resolution No. 31.

HOUSE ADOPTS REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 59

He also presented communication from the House of Representatives informing the Senate that the House has adopted the report of the Committee of Conference on the subject of the differences existing between the two Houses in relation to House Bill No. 59 entitled

An Act to amend sections one, three, four, seven, nine, ten, fourteen, fifteen, sixteen and eighteen, and to repeal section two of the act, approved the tenth day of July, one thousand nine hundred and nineteen (P. L. 893), entitled "An act providing for assistance to certain mothers; providing for the appointment of boards of trustees for the several counties of the Commonwealth, and for the appointment of a State supervisor and assistants, and fixing the salaries of such State supervisor and assistants; defining the powers and duties of boards and trustees, including the power of appointing assistants and investigators, and the distribution of funds at their disposal; providing for the apportionment of the State appropriation among the several counties, and requiring counties coming under the provisions of the act to appropriate certain moneys; and providing penalties," by providing for the appointment of a board of trustees for each county; changing the qualifications of mothers eligible for assistance; requiring all counties to appropriate moneys for mothers assistance, except under certain circumstances; providing for additional grants of State moneys in lieu of appropriations by counties unable to meet State appropriations; providing for cooperation by the Department of Welfare with the Federal Social Security Board; and authorizing the Department of Welfare to cooperate with, and to accept and disburse moneys received from, the United States government for aid to dependent children.

Mr. REED (Dauphin). Mr. President, I move that the Senate do now proceed to the consideration of the report of the Committee of Conference on House Bill No. 59.

Mr. PYTKO. Mr. President, I second the motion.

The motion was agreed to.

The report was read as follows:

REPORT OF THE COMMITTEE OF CONFERENCE ON HOUSE BILL No. 59

To the Members of the Senate and House of Representatives:

We, the undersigned, Committee of Conference on the part of the Senate and House of Representatives for the purpose of considering House Bill Number fifty-nine, entitled: "An act to amend sections one, three, four, seven, nine, ten, fourteen, fifteen, sixteen and eighteen, and to repeal section two of the act approved the tenth day of July, on thousand nine hundred and nineteen, (Pamphlet Laws eight hundred ninety-three), entitled 'An act providing for assistance to certain mothers; * * *,' by providing for the appointment of a board of trustees for each county and for the appointment of boards of trustees in all counties jointly by the Governor, the courts of common pleas and the county commissioners; prohibiting political activity by members and employes of such boards; changing the qualifications of mothers eligible for assistance; requiring all counties to appropriate moneys for mothers' assistance except under certain circumstances; providing for additional grants of State moneys in lieu of apropriations by counties unable to meet State appropriations; providing for cooperation by the Department of Welfare with the Federal Social Security Board, and authorizing the Department of Welfare to cooperate with, and to accept and disburse moneys received from, the United States government for aid to dependent children, providing substitute provisions in case Federal grants for aid to dependent children shall fail for any reason," respectfully submit the following bill as our report:

GEORGE L. REED
WALTER S. PYTKO
Committee on the part of the Senate

ANNA M. BRANCATO
HERBERT B. COHEN
ARNOLD M. BLUMBERG
Committee on the part of the House of Representatives

An Act to amend sections one three four seven nine ten fourteen fifteen sixteen and eighteen to add section eighteen point one and to repeal section two of the act approved the tenth day of July one thousand nine hundred and nineteen (Pamphlet Laws eight hundred ninety-three) entitled "An act providing for assistance to certain mothers providing for the appointment of boards of trustees for the several counties of the Commonwealth and for the appointment of a State supervisor and assistants and fixing the salaries of such State supervisor and assistants defining the powers and duties of boards of trustees including the power of appointing assistants and investigators and the distribution of funds at their disposal providing for the apportionment of the State appropriation among the several counties and requiring counties coming under the provisions of the act to appropriate certain moneys and providing penalties" by providing for the appointment of a board of trustees for each county prohibiting political activity by members and employes of such boards changing the qualifications of mothers eligible for assistance requiring all counties to appropriate moneys for mothers assistance except under certain circumstances providing for additional grants of State moneys in lieu of appropriations by counties unable to meet State appropriations providing for cooperation by the Department of Welfare with the Federal Social Security Board authorizing the Department of Welfare to cooperate with and to accept and disburse moneys received from the United States Government for aid to dependent children providing substitute provisions in case Federal grants for aid to dependent children shall fail for any reason

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of the act approved the tenth day of July one thousand nine hundred and nineteen (Pamphlet Laws eight hundred ninety-three)

entitled "An act providing for assistance to certain mothers providing for the appointment of boards of trustees for the several counties of the Commonwealth and for the appointment of a State supervisor and assistants and fixing the salaries of such State supervisor and assistants defining the powers and duties of boards of trustees including the power of appointing assistants and investigators and the distribution of funds at their disposal providing for the apportionment of the State appropriation among the several counties and requiring counties coming under the provisions of the act to appropriate certain moneys and providing penalties" as amended by the act approved the twenty-second day of May one thousand nine hundred and twenty-three (Pamphlet Laws three hundred seven) is hereby further amended to read as follows

Section 1 Be it enacted by the Senate and House of Representative of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same that in each county of the Commonwealth [which by the action of its county commissioners accepts the provisions of this act] the Governor shall appoint a board of trustees composed of seven women residents of the county to be called the Board of Trustees of the Mothers' Assistance Fund

Except as herein otherwise provided such trustees shall hold office for a term of six years and until their successors are duly appointed and qualified

[Whenever any county shall hereafter accept the provisions of this act the] The first board of trustees of a county shall be appointed as follows two for two years each two for four years each and three for six years each from the first day of June next succeeding

In all counties which have [heretofore accepted the provisions of this act the board] boards of trustees now in office such boards shall continue in office as heretofore unless removed by the Governor [but the Governor shall before the first day of June one thousand nine hundred and twenty-three designate two of said trustees to hold office for two years each two for four years each and three for six years each and where such board has less than seven trustees the Governor shall appoint additional trustees so that the total number may be seven and he shall accordingly fix their terms]

If the terms of trustees shall expire the Governor shall appoint successors for terms of six years each.

Vacancies other than those due to the expiration of a term shall be filled by appointment by the Governor for the unexpired term.

[All counties which have heretofore availed themselves of the provisions of the acts repealed by this act shall be deemed to have accepted the provisions of this act and shall be entitled to the benefits thereof]

No member of the board and no investigator clerk or other employee of the board shall be a member of or delegate or alternate delegate to any political convention nor be present at any such convention as an employe or in any official capacity nor serve as a member of or attend meetings of any political committee of any political party or take any active part in political management or in political campaigns or use his or her position to influence political movements or to use his or her position to influence the political action of any other person nor in any way or manner interfere with the conduct of any election or the preparation therefor at the polling place or with the election officers while the vote is being counted or the vote or ballot box is being returned save only for the purpose of marking and depositing his ballot nor be within fifty feet of any polling place during voting hours and the counting of the ballots except for the purpose of residence or travel No member of the board and no investigator clerk or other employe of the bard shall directly or indirectly demand solicit collect or receive or be in any manner concerned in demanding soliciting or receiving any assessment subscripton or contribution whether voluntary or involuntary intended for any political purpose whatever Any person who shall violate any of the foregoing provisions shall be guilty of a misdemeanor and shall upon conviction thereof be punished by a fine not exceeding five hundred dollars ($500) and forfeit his or her position or office

Section 2 That section three of said act as amended by the act approved the twenty-second day of May one thousand nine hundred and twenty-three (Pamphlet Laws three hundred seven) is hereby further amended to read as follows

Section 3 The [State Supervisor] Department of Welfare shall have general supervision over the boards of trustees of the several counties [and shall act as general field organizer She shall be on the staff of the Department of Public Welfare]

The [State Supervisor] Department of Welfare shall formulate and issue to the boards of trustees of the various counties rules of procedure by which they shall be governed to the end that uniformity of interpretation and practice shall obtain throughout the Commonwealth [She] The department by its duly authorized agents shall visit at least twice each year the boards of trustees of each county [accepting the provisions of this act]

[She shall as general field organizer visit the county commissioners of those counties which have not availed themselves of the provisions of this act and shall explain to such commissioners the benefits accruing from the act and the advantages of coming within its provisions and shall assist such county commissioners in the organization of boards of trustees

She shall make public a report annually to the Commission of Public Welfare reviewing the work done under the provisions of this act by the trustees of the various counties laying special stress upon educational conditions of the assisted families]

Section 3 That section four of said act is hereby amended to read as follows

Section 4 Subject to the general supervision of the Department of Welfare [The] the administration of this act within the several counties shall be solely in the hands of the boards of trustees appointed by the Governor [subject however to the rules adopted and issued by the State Supervisor] The members of the boards of trustees shall serve without compensation but shall receive all actual and necessary expenses incurred in the performance of their duty

Section 4 That section seven of said act is hereby amended to read as follows

Section 7 In order to prevent the alienation of the citizenship of those who may receive the benefits under this act no family shall be a beneficiary thereunder unless the mother [has been a resident continuously of the State] [for a period of two years and of the county in which she applies for assistance for a period of one year] is a resident of the State at the time of making application for such assistance and unless the child assisted (1) has resided in this Commonwealth for one year immediately preceding the date of application for such assistance or (2) was born in this Commonwealth within one year immediately preceding the date of the application for assistance and whose mother has resided in the Commonwealth for one year immediately preceding the birth

No family entitled to receive the benefits of this act in any county shall be deemed to have lost its residence in such county within one year after removal therefrom but any such family shall if it returns to the county in which it was entitled to receive assistance within said year be immediately entitled to assistance in such county

Section 5 That section nine of said act is hereby amended to read as follows

Section 9 The [combined] maximum [payment] assistance allowed by any board of trustees shall in no case exceed [twenty] eighteen dollars per month for the first dependent child and [ten] twelve dollars per month for each additional dependent child in the same family A mother shall be entitled to assistance under this act for an unborn child in like manner as for other children if she has one or more children living which entitle her to the benefits of this act

Section 6 That section ten of said act is hereby amended to read as follows

Section 10 Before any payment is made to any family under the provisions of this act a complete report of such family shall be made in quadruplicate giving the name of the mother the number of children with their full

names their ages and place of residence. One copy of such report shall be placed on file in the office of the board of trustees as a record and if the application is approved one copy shall be forwarded to the [State Supervisor] Department of Welfare and two copies shall be forwarded with each application for a warrant for the use of the Auditor General and the county treasurer The copies forwarded to the Auditor General and the county treasurer shall be sworn to by the investigator and shall be approved by a majority of the board of trustees The affidavit on any such report may be taken before any member or employe of the board

Section 7 That section fourteen of said act as amended by the act approved the twenty-seventh day of May one thousand nine hundred and twenty-one (Pamphlet Laws one thousand one hundred seventy-five) is hereby further amended to read as follows

Section 14 [No county shall receive its allotment of the State appropriation available for any year under the classification appointed by the act making an appropriation to carry into effect the provisions of this act unless such county has accepted the provisions of this act and has placed at the disposal of the board of trustees a sum equal to the amount available from the State appropriation for such year] It shall be mandatory upon each county of the Commonwealth to place at the disposal of the board of trustees a sum equal to the amount available from the State appropriation (exclusive of Federal moneys) for such county for such year Provided That if any county is financially unable to place at the disposal of the board of trustees a sum equal to the amount available from the State appropriation for such county in such year the county commissioners of that county shall file a written application with the Department of Welfare on a form prescribed by it asking further appropriation of State funds to that county of a sum equal to the whole or any portion of the amount already allocated under this act to said county for said year such further State appropriation to be in lieu of all or a part of the appropriation required by this act to be made by said county for said year The Department of Welfare shall thereupon conduct an administrative inquiry on a day and at a time fixed of which at least ten days' written notice shall be given to all parties interested and shall hear the testimony of the county commissioners and of such other county officials and other persons as the department may in its discretion require to appear before it and after considering the financial condition of the said county the department shall determine whether the said county is entitled to the additional State appropriation requested or any part thereof in lieu of an appropriation by the said county and the department shall thereupon allocate from any appropriation available for the purpose whatever amount the department shall have determined

Section 8 That section fifteen of said act is hereby amended to read as follows

Section 15 [On the first day of June of the second fiscal year following each State appropriation the State Treasurer shall apportion among the various counties which have accepted the provisions of this act before the end of the first fiscal year a sum equal to the amount apportioned to such county during the first fiscal year according to the aforesaid classification including therein all unexpended balances from the previous fiscal year credited to the several counties accepting the provisions of this act which unexpended moneys shall remain available during the second fiscal year for use by the counties to which theretofore credited and excluding all moneys apportioned to the several counties which have not availed themselves of the provisions of this act he shall likewise exclude from said apportionment all moneys appropriated for the second fiscal year for counties which have not accepted the provisions of this act before the end of the first fiscal year] Any mother of a dependent child may within six months after notice by the county board of trustees that her application for assistance has been refused or that the assistance if formerly a beneficiary has been discontinued take an appeal from the action of the county board of trustees to the Department of Welfare The department on a day and at a time fixed by it of which at least ten days' written notice shall be given to all parties interested shall hear such testimony as may be offered for and against the allowance of assistance or for and against the continuation of assistance and shall determine whether or not the said mother is entitled to assistance if an applicant or to the continuation of assistance if a beneficiary The Department of Welfare shall report its findings to the county board of trustees from whose action the appeal has been taken which board of trustees shall carry into effect the order of the department The action of the department on any appeal shall be final

Section 9 That section sixteen of said act is hereby amended to read as follows

Section 16 [All funds set aside from year to year for counties which have not availed themselves of the provisions of this act shall be set aside into a surplus fund The surplus fund shall be available during the second fiscal year in the counties which have availed themselves of the provisions of this act before the end of the first fiscal year but no county shall be entitled to an amount from such fund in excess of twenty-five per centum of the aggregate sum apportioned and set aside by the State Treasurer to that county for the two year period and no such county shall participate in such surplus fund unless it shall in addition to the appropriations hereinbefore required appropriate a sum equal to the amount which it desires from the surplus fund] The Department of Welfare is empowered and directed to cooperate with the Federal Social Security Board in carrying out the provisions and purposes and in administration of title four of the act of the Congress of the United States approved the fourteenth day of August one thousand nine hundred and thirty-five entitled "An act to provide for the general welfare by establishing a system of Federal old-age benefits and by enabling the several states to make more adequate provisions for aged persons blind persons dependent and crippled children maternal and child welfare public health and the administration of their unemployment compensation laws to establish a Social Security Board to raise revenue and for other purposes" and is further empowered to make such reports in such form and containing such information as the Federal Board may from time to time require and to comply with such orders and regulations as the said board may from time to time make to assure the correctness and verification of such reports

Section 10 That section eighteen of said act is hereby amended to read as follows

Section 18 [A detailed report of the number of beneficiaries the amount expended and the advantages and disadvantages of the system with recommendations for improvement shall be made by the State Supervisor to the General Assembly at the beginning of each session of the General Assembly Such report shall be printed by the State Printer upon requisition by the Superintendent of Public Instruction to the Department of Printing and Binding] The Department of Welfare is hereby empowered and authorized to cooperate and enter into cooperative agreements with and to receive contributions from the United States government for aid to dependent children eligible for assistance under this act All contributions received hereunder from the United States government shall be paid into the State Treasury through the Department of Revenue and credited to the current appropriations to the Department of Welfare for the payment of assistance to mothers eligible for assistance under the act

Section 11 That said act is hereby further amended by adding thereto the following section

Section 18.1 The purpose of the foregoing amendments is to bring the Mothers' Assistance Law of this Commonwealth in accord with Title four of the said Social Security Act and to enable the Commonwealth to receive Federal grants for aid to dependent children

In the event that Title four of the said Social Security Act shall be held unconstitutional by the Supreme Court of the United States or shall be repealed and Federal grants for aid to dependent children shall fail for such or for any other reason whatever then so long as Federal grants for aid to dependent children shall not be available to this Commonwealth the Department of Welfare and the boards of trustees of the several counties of this Com-

monwealth shall administer this act in accordance with the following provisions of this section and to the extent of any inconsistency the foregoing provisions of this act shall for the time being be suspended

(1) It shall not be mandatory upon each county of the Commonwealth to place at the disposal of the board of trustees a sum equal to the amount available from the State appropriation for such year but no county shall receive its allotment of the State appropriation available for any year under the act making an appropriation to carry into effect the provisions of this act unless such county has placed at the disposal of the board of trustees a sum equal to the amount available from the State appropriation for such year

(2) The Department of Welfare shall have no power to receive and consider in accordance with section fourteen of this act as amended written applications from county commissioners of counties financially unable to place at the disposal of the board of trustees a sum equal to the amount available from the State appropriation for such county in such year asking further appropriation of State funds to that county nor any power to allocate any such additional appropriations to such counties

(3) No family shall be a beneficiary hereunder unless the mother has been a resident continuously of the State for a period of two years and of the county in which she applies for assistance for a period of one year

(4) The combined maximum payment allowed by any board of trustees shall in no case exceed twenty dollars ($20) per month for the first child and ten dollars ($10) per month for each additional child A mother shall be entitled to assistance under this act for an unborn child in like manner as for other children if she has one or more children living which entitle her to the benefits of this act

Section 12 That section two of said act and the amendment thereto be and the same is hereby repealed

Section 13 The provisions of this act shall become effective immediately upon final enactment and shall be retroactive to the first day of June one thousand nine hundred and thirty-six

On the question,

Will the Senate agree to the report?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—43

Aron,	Harris,	Pytko,	Scott,
Batchelor,	Harvey,	Rankin,	Shapiro,
Baumer,	Huffman,	Reed,	Sones,
Bean,	Kahle,	(Dauphin)	Staudenmeier,
Buckman,	Lanius,	Reed,	Thompson,
Cavalcante,	Law,	(Washington)	(Westmoreland)
Chapman,	Mallery,	Rice,	Trainer,
Coyne,	McClure,	Roberts,	Woodward,
Ealy,	McCreesh,	Rodgers,	Ziesenheim,
Frey,	McGinnis,	Rupp,	Homsher,
Gelder,	Miller,	Ruth,	Pres. Pro. Tem.
Graff,	Owlett,	Salus,	

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

HOUSE MESSAGE

AMENDMENT TO HOUSE BILL No. 15 RECALLED FROM THE GOVERNOR

The Clerk of the House of Representatives being introduced, presented for concurrence bill of the House of Representatives, as follows:

House Bill No. 15, entitled:

An Act transferring money from the Liquid Fuels Tax Fund to the General Fund; and providing for the subsequent return from the General Fund of the transferred money.

Said bill having been recalled from the Governor for amendment, the vote had on final passage and third reading were reconsidered in the House and the bill amended, in which amendments the concurrence of the Senate is requested.

Said amendment having been printed as requird by the Constitution, were twice read as follows: Amend section 1, page 2, line 17 by inserting before the word "Motor" the following: "State Stores Fund and the"; also section 2, page 2, line 21 by inserting before the word "Motor" the following: "State Stores Fund and the"; also line 22 by inserting at the end of the line the following: "State Stores Fund and the".

On the question,

Will the Senate agree to the amendment?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—43

Aron,	Harris,	Pytko,	Scott,
Batchelor,	Harvey,	Rankin,	Shapiro,
Baumer,	Huffman,	Reed,	Sones,
Bean,	Kahle,	(Dauphin)	Staudenmeier,
Buckman,	Lanius,	Reed,	Thompson,
Cavalcante,	Law,	(Washington)	(Westmoreland)
Chapman,	Mallery,	Rice,	Trainer,
Coyne,	McClure,	Roberts,	Woodward,
Ealy,	McCreesh,	Rodgers,	Ziesenheim,
Frey,	McGinnis,	Rupp,	Homsher,
Gelder,	Miller,	Ruth,	Pres. Pro. Tem.
Graff,	Owlett,	Salus,	

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

REPORT FROM COMMITTEE

Mr. COYNE. Mr. President, I ask unanimous consent to make a report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. COYNE, from the Committee on Executive Nominations reported with favorable recommendation the following nominations made by His Excellency the Governor of the Commonwealth:

MEMBER OF THE BOARD OF TRUSTEES OF BLOOMSBURG STATE TEACHERS COLLEGE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, Pa., May 4, 1936.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor to nominate for the advice and consent of the Senate, the following: W. P. Gallagher, Wilkes-Barre, from February 26, 1936, for the term of four years, and until his successor is qualified.

GEORGE H. EARLE.

EXECUTIVE SESSION

By unanimous consent,

A motion was made by Mr. SONES.

That Rule 38, which requires nominations made by the Governor, to lie on the table one day be dispensed with, and the Senate do now resolve itself into Executive Session, for the purpose of acting upon the foregoing nomination.

Which was agreed to.

Whereupon,

A motion was made by Mr. SONES.

That the Senate do advise and consent to the nominations reported.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—43

Aron,	Harris,	Pytko,	Scott,
Batchelor,	Harvey,	Rankin,	Shapiro,
Baumer,	Huffman,	Reed,	Sones,
Bean,	Kahle,	(Dauphin)	Staudenmeier,
Buckman,	Lanius,	Reed	Thompson,
Cavalcante,	Law,	(Washington)	(Westmoreland)
Chapman,	Mallery,	Rice,	Trainer,
Coyne,	McClure,	Roberts,	Woodward,
Ealy,	McCreesh,	Rodgers,	Ziesenheim,
Frey,	McGinnis,	Rupp,	Homsner,
Gelder,	Miller,	Ruth,	Pres. Pro. Tem.
Graff,	Owlett,	Salus,	

NAYS—0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

Mr. SONES. Mr. President, I move that the Executive Session do now rise.

Mr. LAW. Mr. President, I second the motion.

The motion was agreed to.

HOUSE ADOPTS REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 156

The Clerk of the House of Representatives being introduced, informed the Senate that the House has adopted the report of the Committee of Conference on the subject of the differences existing between the two Houses in relation to House Bill No. 156, entitled:

An Act making an appropriation to the State Emergency Relief Board for direct relief, work relief, and expenses; defining the purposes for which such moneys may be expended; and prescribing the powers and duties of the State Emergency Relief Board and certain State departments.

REPORT OF THE COMMITTEE OF CONFERENCE ON HOUSE BILL No. 156

To the Members of the Senate and House of Representatives:

We, the undersigned, Committee of Conference on the part of the Senate and House of Representatives for the purpose of considering House Bill No. 156, entitled: "An Act making an appropriation to the State Emergency Relief Board for direct relief, work relief and expenses; defining the purposes for which such moneys may be expended; prescribing the powers and duties of the State Emergency Relief Board, and certain State Departments; prohibiting political activity by employes of the State Emergency Relief Board; and prescribing penalties," respectfully submit the following bill as our report:

F. T. GELDER
PETER GRAFF, III
J. S. RICE
(Committee on the Part of the Senate)

HERMAN P. EBERHARTER
HARRY J. BROWNFIELD
THOMAS WEIDEMAN
(Committee on the part of the House of Representatives)

An Act making an appropriation to the State Emergency Relief Board for direct relief work relief and expenses defining the purposes for which such moneys may be expended prescribing the powers and duties of the State Emergency Relief Board and certain State departments prohibiting political activity by employes of the State Emergency Relief Board and prescribing penalties

Whereas It is the intent of the General Assembly to appropriate the total sum of forty-five million dollars ($45,000,000) for unemployment relief for the period ending January thirty-first one thousand nine hundred and thirty-seven and

Whereas By Act Number nine approved June twenty-fourth one thousand nine hundred and thirty-six the sum of seven million seven hundred sixteen thousand two hundred eleven dollars ($7,716,211) was appropriated to the State Emergency Relief Board for unemployment relief and by Act Number nineteen approved July fourteenth one thousand nine hundred and thirty-six the further sum of five million dollars ($5,000,000) was appropriated and by Act Number thirty-four approved August fifth one thousand nine hundred thirty-six the further sum of ten million dollars ($10,000.000) was appropriated for said puposes therefore

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of twenty-two million two hundred eighty-three thousand seven hundred eighty-nine dollars ($22,283,789) is hereby specifically appropriated from the General Fund to the State Emergency Relief Board to provide direct relief work relief and for administrative expenses as hereinafter provided during the period ending January thirty-first one thousand nine hundred and thirty-seven but the moneys hereby appropriated may be used for the payment of bills contracted by or with the authority of the State Emergency Relief Board for direct relief work relief or administrative expenses contracted prior to the effective date of this act Of the amount hereby appropriated not more than twelve per centum expended during the month of September one thousand nine hundred thirty-six not more than eleven per centum during the month of October one thousand nine hundred thirty-six not more than ten per centum during the month of November one thousand nine hundred thirty-six not more than nine per centum during the month of December one thousand nine hundred thirty-six and not more than eight per centum during the month of January one thousand nine hundred thirty-seven shall be used for administration expenses of the State Emergency Relief Board

Section 2 The State Emergency Relief Board shall make allocations from time to time out of the moneys appropriated to it among the several counties of this Commonwealth for work-relief and direct relief on the basis of need and payments shall be made under such system of requisitioning and accounting as the Governor Auditor General and State Treasurer shall determine

Section 3 The money so allocated to a county over and above the sum set aside by the State Emergency Relief Board for work relief shall be available for expenditure in that county for direct relief for the unemployed who are without means of support through such agencies as shall be designated by the State Emergency Relief Board and under such rules and regulations as the board shall adopt

Section 4 Out of the appropriation made by this act

the State Emergency Relief Board shall from time to time allocate to the State Veterans' Commission an aggregate of one hundred seventy-six thousand two hundred and fifty dollars ($176,250) for the payment of traveling expenses and for other authorized disbursements of the State Veterans' Commission and to furnish funds to provide the necessities of life for and to assist otherwise such Pennsylvania veterans of any war or the widows and infant children or dependents of such veterans as are sick disabled or indigent and who are without means

Section 5 The State Emergency Relief Board may from time to time expend or authorize the expenditure of such sums as may be necessary out of the appropriation made by this act not exceeding the limitations hereinbefore prescribed for the payment of salaries wages or other compensation of the director and other employes or assistants for the payment of postage traveling expenses mileage charges to the Department of Property and Supplies for the use of automobiles telephone rentals telephone toll charges telegrams expenses of operating and maintaining automobiles and other motor equipment newspaper advertising and notices freight express cartage for the purchase of automobiles furniture furnishings and equipment for the purchase of supplies printing binding patent indices for the payment of premiums on surety bonds for such officers and employes as may be required by statue or otherwise to furnish them for the faithful performance of their official or to account for funds in their possession for the payment of a premium or premiums on a policy or policies of liability insurance covering all motor vehicles owned and operated by the board which policy or policies shall protect both the Commonwealth and State officers or employes operating such motor vehicles against claims for damages for injury to person or property for the payment of a premium or premiums on a policy or policies of insurance insuring the Commonwealth against workmens compensation liability to employes for injuries and to dependents of deceased employes of the board for payment to the State Work Relief Compensation Fund of such moneys as may be necessary under the provisions of the act approved the third day of June one thousand nine hundred thirty-three (Pamphlet Laws one thousand five hundred fifteen) for the payment of rents for such buildings offices rooms storage space and lands as may be required for the accommodation or performance of the work of the board and for such other uses as the State Emergency Relief Board may in its discretion deem necessary to carry out the purposes for which the appropriation is made under this act

Section 6 No investigator clerk or other employe of the State Emergency Relief Board shall be a member of or delegate or alternate delegate to any political convention nor be present at any such convention as an employe or in any official capacity nor serve as a member of or attend meetings of any committee of any political party or take any active part in political managament or in political campaigns or use his position to influence political movements or use his position to influence the political action of any other person nor in any way or manner interfere with the conduct of any election or the preparation therefor at the polling place or with the election officers while the vote is being counted or the vote or ballot box is being returned save only for the purpose of marking and depositing his ballot nor be within fifty feet of any polling place during voting hours and the counting of the ballots except for the purpose of residence or travel Any person who shall violate any of the foregoing provisions shall be guilty of a misdemeanor and shall upon conviction thereof be punished by a fine not exceeding five hundred dollars ($500) and forfeit his position

Section 7 This act shall become effective immediately upon final enactment

On the question,

Will the Senate agree to the report?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—44

Aron,	Harris,	Pierson,	Salus,
Batchelor,	Harvey,	Pytko,	Scott,
Baumer,	Huffman,	Rankin,	Shapiro,
Bean,	Kahle,	Reed,	Sones,
Buckman,	Lanius,	(Dauphin)	Staudenmeier,
Cavalcante,	Law,	Reed,	Thompson,
Chapman,	Mallery,	(Washington)	(Westmoreland)
Coyne,	McClure,	Rice,	Trainer,
Ealy,	McCreesh,	Roberts,	Woodward,
Frey,	McGinnis,	Rodgers,	Ziesenheim,
Gelder,	Miller,	Rupp,	Homsher,
Graff,	Owlett,	Ruth,	Pres. Pro. Tem.

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

SENATE BILL NO. 75 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 75, entitled:

A Joint Resolution proposing an amendment to article nine of the Constitution of the Commonwealth of Pennsylvania, by adding thereto section one C

with the information that the House has passed same with amendments in which the concurrence of the Senate is requested.

Said amendments having been printed as required by the Constitution, were twice read as follows:

Amend page 2, line two by striking out the word "fifteen" and inserting in lieu thereof the word "ten"; also line 6 by striking out the word "fifteen" and inserting in lieu thereof the word "ten."

On the question,

Will the Senate agree to the amendments?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—44

Aron,	Harris,	Pierson,	Salus,
Batchelor,	Harvey,	Pytko,	Scott,
Baumer,	Huffman,	Rankin,	Shapiro,
Bean,	Kahle,	Reed,	Sones,
Buckman,	Lanius,	(Dauphin)	Staudenmeier,
Cavalcante,	Law,	Reed,	Thompson,
Chapman,	Mallery,	(Washington)	(Westmoreland)
Coyne,	McClure,	Rice,	Trainer,
Ealy,	McCreesh,	Roberts,	Woodward,
Frey,	McGinnis,	Rodgers,	Ziesenheim,
Gelder,	Miller,	Rupp,	Homsher,
Graff,	Owlett,	Ruth,	Pres. Pro. Tem.

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

HOUSE RECEDES FROM AMENDMENTS TO HOUSE BILL No. 69, RECALLED FROM THE GOVERNOR

He also informed the Senate that the House has receded from the amendments non-concurred in by the Senate, to House Bill No. 69, entitled:

An Act authorizing and directing the Department of Forests and Waters to investigate, survey and report on the location and availability for purchase of certain lands suitable for reforestation and flood control as the objective; and making an appropriation.

Said bill having been recalled from the Governor for the purpose of amendment.

FEDERAL ADMINISTRATION URGED TO CONSTRUCT MORE SHIPS IN THE NORTHEAST SECTION OF PHILADELPHIA

He also, presented extract from the Journal of the House of Representatives which was twice read as follows:

In the House of Representatives, June 16, 1936.

Whereas The present Federal Administration seeks to create employment naturally in industry, and

Whereas The Mayor of Philadelphia Continuously seeks to improve the conditions Humanely and Industrially, and

Whereas This Session provides an unemployment relief program, and

Whereas The unemployed at a Hearing requested and Desired action by Legislation of relief measures that created employment, and

Whereas In this Commonwealth prevails many closed industries non-operating, and

Whereas Amidst the Port of Philadelphia the Northeast Section remain on the Map with a defunct shipyard containing land wetdocks cranes buildings and shipways as a going concern would be capable of bidding on contracts for ship construction and

Whereas This Nation would and should be compensated by the creation of employment in general, and

Whereas Any project granted to pay real wages on real work over a lengthy period of time would establish domestic happiness, and therefore be it

Resolved (If the Senate concur) that this method of creating purchasing power to many communities by employment is of vital importance to the unemployed, therefore be it further

Resolved The General Assembly of this Commonwealth Respectfully urge the construction of more ships by the Federal Administration in the one section formerly known as the work shop of the world, therefore be it further

Resolved A copy of this resolution be forwarded to his Honor the President of the United States His Excellency the Governor of this Commonwealth His Honor the Mayor of Philadelphia and those who constitute the Authority concerning the Development of Ship construction Labor and employment.

Mr. PYTKO. Mr. President, I ask unanimous consent that Rule 39 which requires concurrent resolutions be referred to an appropriate committee, be suspended and that the Senate do now proceed to the immediate consideration of the resolution just read.

The PRESIDENT. Is there objection? The Chair hears none.

On the question,

Will the Senate agree to the resolution?

It was agreed to.

Ordered, That the Clerk inform the House of Representatives accordingly.

QUESTION OF PERSONAL PRIVILEGE

Mr. SHAPIRO. Mr. President, I rise to a question of personal privilege.

The PRESIDENT. The Senator from Philadelphia, Mr. Shapiro, will state his question of personal privilege.

Mr. SHAPIRO. Mr. President, the Unemployment Insurance Bill in Pennsylvania is killed. I feel compelled to place on record the fact as to how its death was brought about and the consequences flowing therefrom. The amendments offered by the Republican majority to House Bill No. 55, Senate Bill No. 41, the Unemployment Insurance Bill, created the two following major difficulties:

1. Under the bill as passed by the House, administration of the Unemployment Insurance Act was placed under the control of the Department of Labor and provided for an impartial Board of Review consisting of three members, one of these members representing Labor, one representing Industry and one the Public. The Board was to be appointed by the Governor with the advice and consent of the Senate.

2. The benefits provided for under the Act were to be distributed by the Unemployment Service Bureau in the Department of Labor and Industry. Under the amendments introduced by the Republican majority of the Senate the following was provided:

(a) The administration of Unemployment Insurance was placed in the hands of a Board of five members appointed as follows:

One by the Governor with the advice and consent of the Senate. One by the President Pro Tem of the Senate, one by the Speaker of the House, one by the Auditor General and one by the State Treasurer.

(b) The Employment Service Bureau of the Department of Labor is ripped out of that Department by the Republican Majority Amendment and transferred to a place under the jurisdiction of the five members of the above Unemployment Insurance Board created by the Republican Majority Amendment. No provision is made by the Republican Majority Amendments to set up an impartial Board with equal representation for Labor, for Industry and for the public. When this Bill was presented to the Conference Committee its only purpose was to attempt to iron out the difficulties. The Committee consisted of Senators Coyne, Chapman and myself, and Representatives Moomaw, Dent and Wickersham, and was therefore made up of three Democrats and three Republicans. After several conferences the following compromise was suggested by the Democratic conferees:

1. That the plan of administration suggested by the Democratic House as well as the plan suggested by the Republican majority in the Senate be abandoned and an impartial board be set up consisting of three members to be appointed by the Governor by and with the consent and approval of the Senate. The appointed Board to represent respectively Labor, Industry and the Public. That all employes of the Board be appointed on the merit system; that the appointment of the members of the Commission be made by the Governor before the Bill is passed by the Senate at an informal conference to be held with the Governor and Committee of the Republican majority of the Senate. The Republican majority to be given the right to nominate one member of the Board for a six year term. The Republican conferees refused to accept this compromise and this gives full credence to the claim that the Republican majority is and always has been opposed to the adoption of Unemployment Insurance. The attitude of the Republican members of that Committee and the persistence of the Republican conferees in supporting a plan which is violation of all precedent to the State and contrary to the plans so far adopted by those states which have passed unemployment insurance laws, is proof positive of the fact that the Republican majority never intended to approve an Unemployment Insurance Bill and were merely looking for an excuse to avoid such approval.

Since the adoption of the Constitution in 1874 the Governor of the Commonwealth has always appointed administrative bodies. The Administrative Code of 1929

provides for this method and for the past 40 years, as long as Republican Governors occupied the chair, that procedure was followed.

At the public hearing on this bill several hours were devoted to arguments on the constitutionality of the Federal Social Security Act, and a lawyer who resented the fact that outsiders were telling his State what laws to pass, nevertheless came here to tell us what laws not to pass. A representative of industry made the same argument and publicly stated that they preferred to have the workers of Pennsylvania lose $22,000,000 of taxes which would otherwise go to the Federal government, than to pass this legislation which he called questionable.

The appointment of the members of the Board by the fiscal officers of the State was unheard of in Pennsylvania or elsewhere until last year when it was first introduced into the so-called Authority Bill which was declared unconstitutional by the Supreme Court of Pennsylvania. In view of the fact that under the Republican Majority Amendment on this subject, the term of office of the Board was coextensive wth the term of office of the appointers. Two members of the Board appointed, except the member appointed by the Governor, would be obliged to retire from office before December 1, 1936 and the term of two others would expire on the first Monday of May, 1937. That is because the terms of the President pro tem and the Speaker of House expire December 1st, 1936 and the present Auditor General and State Treasurer will retire from office on the first Monday in May, 1937. It follows that the activities of practically the whole Board would end before they even began. In the month of December and until the new Legislature acted there would be two vacancies on the Board.

The Employment Service Bureau of the Department of Labor and Industry was created 15 years ago by Republicans. It has been an active agency, performing the service of placing unemploye in various industries and operating through thirteen offices throughout the State of Pennsylvania. Approximately 350,000 persons were placed in private industry through this service last year, and in addition thereto it operates as a transfer agency transferring persons on relief to the WPA projects. For this service last year it received from the Federal Government over $900,000 and under a contract with the Federal Government will receive this year $450,000 and approximately as equal amount for next year. It was this service that the Republican Majority Amendment proposed to rip out of the Department of Labor and Industry with the consequent loss not only of its important activities which it could not exercise under the Unemployment Compensation Act but the large sums of money which it is receiving and would receive from the Federal Government. It should be noted that there could be no substantial objection to defer the ripping out of this service for a period of two years, because under the terms of the Unemployment Insurance Act there would be no active duties for the employment agency until two years after the date of the passage of the Act. The employment Agency is the body which under the Unemployment Insurance Act would distribute benefits to employes, and no benefits are distributable to employes under the law until two years after its adoption. The refusal of the Republican conferees to recede from their position in view of these facts which cannot be controverted is arbitrary, and, of course, is consistent with the plan to block unemployment insurance. No fair minded body believing in Unemployment Insurance could come to any other conclusion, but I am forced to the conclusion, as I have already said, that the Republican majority does not believe in and does not want unemployment insurance. What other conclusion could one reach when one conferee appointed by the Republican majority voted against the unemployment insurance in the Senate? I say this with all due respect to Senator Chapman, but I argue what compromise on procedure can be suggested to a man who does not believe in the principle. I say this further because the appointment of one of the members of the Board by the Republican majority amendment is given to the President pro tem for whom I have the highest regard and whose opinion I respect, but who too voted against Unemployment Insurance and does not believe in principle. And the votes of both of these gentlemen against the bill were not only against the bill as prepared by the Democratic House, but as amended by the Republican majority in the Senate. The result of all this is first that the workers in Pennsylvania will lose the benefits to be derived from approximately $22,000,000 which will nevertheless be paid by industry in Pennsylvania and transmitted to Washington.

Secondly, it deprives Pennsylvania of the buying power represented by the value of that fund. It postpones for a further additional year benefits to Pennsylvania workers under an Act because, as I have already pointed out, the benefits are not payable until two years after.

Fifteen States have already adopted Unemployment Insurance. The administration of the Acts in those states is either under he Department of Labor and Industry or under a commission whose members are appointed by the Governor. No state has ever suggested apointment of the members by fiscal officers. I want to say as emphatically as I can and without any desire to engage in personalities, that the responsibility for the death of this Act, the loss to Pennsylvania citizens, workers and industry is chargeable to the Republican majority. The facts which I have presented here warrant me in reaching this conclusion and in making this charge.

Unemployment Insurance is just as important as Old Age Pensions and Mothers' Assistance. Progressive States, such as Wisconsin and New York adopted Unemployment Insurance as a State program before Federal intervention. While I did not work or vote for the Governor of Pennsylvania, in fairness it must be admitted that the majority of the people voted for him and he was elected upon a platform which promised progressive social legislation. Approximately 1,500,000 people in Pennsylvania voted for this progressive program and less than 30 Republican Senators have been able to thwart the will of the majority of the people. I wonder if the people will permit this to go unchallenged or unpunished?

RESOLUTION TO INFORM THE GOVERNOR THAT THE SENATE IS READY TO ADJOURN SINE DIE

Mr. FREY. Mr. President, I ask unanimous consent to offer a resolution at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. FREY, offered the following resolution which was twice read, considered and agreed to:

In the Senate, August 6, 1936.

Resolved, That a committee of three Members of the

Senate be appointed to wait upon His Excellency, the Governor, and inform him that the Senate is now ready to adjourn sine die and inquire if he has any further communications to make.

The PRESIDENT. The Chair appoints as such committee Mr. Frey, Mr. Graff and Mr. Harvey.

CONCURRENT RESOLUTION CONCERNING THE PRINTING OF THE JOURNALS OF THE TWO HOUSES

Mr. THOMPSON (Westmoreland). Mr. President, I ask unanimous consent to offer a resolution at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. THOMPSON (Westmoreland), offered the following resolution which was twice read considered and agreed to:

In the Senate, August 6, 1936.

Resolved (if the House of Representatives concur), That the Chief Clerks of the Senate and House of Represntatives be directed to have the copy of the Journals of the two Houses of this session prepared and placed in the hands of the Director of the Bureaus of Publications within thirty days after the close of the session, and Director of the Bureau of Publications is hereby directed to have said Journals printed, bound and delivered to the Chief Clerks of the Senate and House of Representatives within ninety days after the receipt of the copy therefor.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

HOUSE MESSAGE

PLEDGING REPAYMENT AT 1937 SESSION OF MONEYS TRANSFERRED FROM SPECIAL FUNDS

The Clerk of the House of Representatives being introduced, presented extract from the Journal of the House of Representatives which was twice read as follows:

In the House of Representatives, July 30, 1936.

Whereas, The General Assembly transferred to the General Fund by House Bill No. 168, the sum of One Million Dollars ($1,000,000) from the State Insurance Fund and by House Bill No. 170, the sum of One Million Five Hundred Thousand Dollars ($1,500,000) from the State School Fund, for the purpose of providing immediate funds to meet appropriations from the General Fund.

Resolved (if the Senate concur), That the General Assembly hereby pledges that at its session in 1937 it will raise revenue by taxation or otherwise for the purpose of repaying the moneys transferred from the aforesaid funds and will enact appropriate legislation to effectuate the repayment of such moneys transferred from such funds.

Mr. BUCKMAN. Mr. President, I ask unanimous consent that Rule 39 which requires concurrent resolutions be referred to an appropriate committee, be suspended and that the Senate do now proceed to the immediate consideration of the resolution just read.

The PRESIDENT. Is there objection? The Chair hears none.

On the question,

Will the Senate agree to the resolution?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—44

Aron,	Harris,	Pierson,	Salus,
Batchelor,	Harvey,	Pytko,	Scott,
Baumer,	Huffman,	Rankin,	Shapiro,
Bean,	Kahle,	Reed,	Sones,
Buckman,	Lanius,	(Dauphin)	Staudenmeier,
Cavalcante,	Law,	Reed,	Thompson,
Chapman,	Mallery,	(Washington)	(Westmoreland)
Coyne,	McClure,	Rice,	Trainer,
Ealy,	McCreesh,	Roberts,	Woodward,
Frey,	McGinnis,	Rodgers,	Ziegenheim,
Gelder,	Miller,	Rupp,	Homsher,
Graff,	Owlett,	Ruth,	Pres. Pro. Tem.

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives for concurrence.

COMMITTEE TO NOTIFY THE HOUSE THAT THE SENATE IS READY TO ADJOURN SINE DIE

Mr. BATCHELOR. Mr. President, I ask unanimous consent to offer a resolution at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. BATCHELOR offered the following resolution which was twice read, considered and agreed to:

In the Senate, August 6, 1936.

Resolved, That a committee of two Senators be appointed to notify the House of Representatives that the Senate is ready to adjourn sine die.

The PRESIDENT. The Chair appoints as such committee Mr. Batchelor and Mr. Ruth.

REPORT OF COMMITTEE TO WAIT UPON THE GOVERNOR

Mr. FREY. Mr. President, the Committee appointed to act with a like committee from the House of Representatives to wait upon His Excellency, the Governor of the Commonwealth, desires to report that they have fulfilled the duties of their appointment and that the Governor has indicated to your Committee that he has no further communication to deliver to this session of the Legislature.

The PRESIDENT. The Committee is discharged with the thanks of the Senate.

REPORT OF COMMITTEE TO NOTIFY HOUSE THAT SENATE IS READY TO ADJOURN

Mr. BATCHELOR. Mr. President, the Committee appointed to notify the House of Representatives that the Senate is ready to adjourn sine die desires to report to the Senate that they have fulfilled the duties of their appointment.

The PRESIDENT. The Committee is discharged with the thanks of the Senate.

NOTIFICATION THAT THE HOUSE IS READY TO ADJOURN

Mr. Flinchbaugh, Mr. Roan and Mr. Coolahan, a committee of the House of Representatives being introduced, informed the Senate that the House of Representatives will be ready to adjourn sine die at 12 o'clock noon, and were extended the thanks of the Senate.

RESOLUTION RETURNING TO THE GOVERNOR HOUSE BILL No. 69

The Clerk of the Hosue of Representatives being introduced, presented extract from the Journal of the House

of Represntatives which was twice read as follows, considered and agreed to:

Resolved, (if the Senate concur) that House bill No. 69, Printer's No. 232, entitled:

An Act authorizing and directing the Department of Forests and Waters to investigate, survey and report on the location and availability for purchase of certain lands suitable for reforestation and flood control as the objective; and making an appropriation.

which was recalled from the Governor July 15 for further consideration, be returned to the Governor without amendment.

Ordered, That the Clerk inform the House of Representatives accordingly.

HOUSE CONCURS IN RESOLUTION RELATIVE TO PRINTING OF LEGISLATIVE JOURNAL

He also informed the Senate that the House has concurred in Resolution from the Senate as follows:

In the Senate, August 6, 1936.

RESOLVED (if the House of Representatives concur), That the Chief Clerks of the Senate and House of Representatives be directed to have the copy of the Journals of the two Houses of this session prepared and placed in the hands of the Director of the Bureau of Publications within thirty days after the close of the session, and the Director of the Bureau of Publications is hereby directed to have said Journals printed, bound and delivered to the Chief Clerks of the Senate and House of Representatives within ninety days after the receipt of the copy therefor.

BILLS SIGNED

The PRESIDENT PRO TEMPORE (Mr. John G. Homsher) announced that the Chief Clerk having reported that the following bills had passed both Houses of the General Assembly and the same being correct, the titles were publicly read as follows:

House Bill No. 15, entitled:

An Act transferring money from the Liquid Fuels Tax Fund to the General Fund; and providing for the subsequent return from the General Fund of the transferred money.

House Bill No. 19, entitled:

An Act to amend section three of the act, approved the sixteenth day of May, one thousand nine hundred thirty-five (P. L. 208), entitled "Corporate Net Income Tax Act," by increasing the rate of tax for a limited period of time.

House Bill No. 59, entitled:

An Act to amend sections one, three, four, seven, nine, ten, fourteen, fifteen, sixteen and eighteen, and to repeal section two of the act, approved the tenth day of July one thousand nine hundred and nineteen (P. L. 893), entitled "An act providing for assistance to certain mothers; providing for the appointment of boards of trustees for the several counties of the Commonwealth, and for the appointment of a State supervisor and assistants, and fixing the salaries of such State supervisor and assistants; defining the powers and duties of boards and trustees, including the power of appointing assistants and investigators, and the distribution of funds at their disposal; providing for the apportionment of the State appropriation among the several counties, and requiring counties coming under the provisions of the act to appropriate certain moneys; and providing penalties," by providing for the appointment of a board of trustees for each county; changing the qualifications of mothers eligible for assistance; requiring all counties to appropriate moneys for mothers assistance, except under certain circumstances; providing for additional grants of State moneys in lieu of appropriations by counties unable to meet State appropriations; providing for cooperation by the Department of Welfare with the Federal Social Security Board; and authorizing the Department of Welfare to cooperate with, and to accept and disburse moneys received from the United States government for aid to dependent children.

House Bill No. 69, entitled:

An Act authorizing and directing the Department of Forests and Waters to investigate, survey and report on the location and availability for purchase of certain lands suitable for reforestation and flood control as the objective; and making an appropriation.

House Bill No. 156, entitled:

An Act making an appropriation to the State Emergency Relief Board for direct relief, work relief, and expenses; defining the purposes for which such moneys may be expended; and prescribing the powers and duties of the State Emergency Relief Board and certain State departments.

Whereupon,

The PRESIDENT PRO TEMPORE (Mr. John G. Homsher) in the presence of the Senate signed the same.

REPORT OF CHIEF CLERK ON COMPARING BILLS

Mr. BUCKMAN. Mr. President, on behalf of the Chief Clerk I desire to report having compared and found correct bills number and entitled as follows, as having passed both branches of the Legislature and signed by the presiding officers thereof:

Senate Bill No. 6, entitled:

A Joint Resolution proposing an amendment to article nine section eight of the Constitution of the Commonwealth of Pennsylvania.

Senate Bill No. 8, entitled:

A Joint Resolution proposing an amendment to section one article eighteen of the Constitution of the Commonwealth of Pennsylvania.

Senate Bill No. 14, entitled:

An Act providing for and regulating assistance to and the burial of certain aged indigent persons and the administration of this act by the Department of Welfare and the boards of trustees of the mothers' assistance funds of the several counties authorizing the Department of Welfare to cooperate with and to accept and disburse moneys received from the United States Government for assistance to such persons authorizing the appointment of trustees for certain persons providing for the recovery of moneys expended for assistance in certain cases prohibiting substitute provisions in case Federal grants for old age assistance shall fail for any reason providing penalties and repealing inconsistent acts.

Senate Bill No. 60, entitled:

A Joint Resolution proposing an amendment to section one article nine of the Constitution of the Commonwealth of Pennsylvania.

Senate Bill No. 67, entitled:

An Act to provide for the public sale by cities of the first class of tax anticipation certificates representing registered delinquent taxes and authorizing the appropriation for current or other purposes funds realized or estimated to be collectible from the sale thereof.

Senate Bill No. 75, entitled:

A Joint Resolution proposing an amendment to article nine of the Constitution of the Commonwealth of Pennsylvania by adding thereto section one C.

Senate Bill No. 87, entitled:

An Act abating under certain circumstances tax penalties and interest on certain city taxes in cities of the first class school districts of the first class and prohibiting the sale of real property for the non-payment of any such taxes for a certain period and preserving certain tax liens and providing for the extension thereof and for payment of costs in connection therewith.

House Bill No. 1, entitled:

An Act abating certain tax penalties and interest on county city (except city of the first class) borough town township school district (except school district of the first class) and poor district taxes prohibiting the sale of real property for the non-payment of any such taxes for a certain period and preserving certain tax liens and providing for the extention thereof.

House Bill No. 3, entitled:

An Act abolishing the office of collector of delinquent county taxes where the same now exists in counties of the second class providing for the collection of such taxes by the county treasurers and deputies and the payment of compensation and expenses therefor transferring employes from the office of the delinquent tax collector to the county treasurer's office and credits upon joining the county retirement system.

House Bill No. 14, entitled:

Ratifying confirming and validating the transfer of money from the Motor License Fund to the General Fund and providing for the subsequent return from the General Fund of the transferred money.

House Bill No. 15, entitled:

An Act ratifying confirming and validating the transfer of money from the State Stores Fund and the Motor License Fund to the General Fund and providing for the subsequent return from the General Fund of the transferred money.

House Bill No. 17, entitled:

An Act making an appropriation to the State Emergency Relief Board for direct relief work relief and expenses defining the purposes for which such moneys may be expended and prescribing the powers and duties of the State Emergency Relief Board and certain State Departments and ratifying confirming and validating the action of the Governor and the fiscal officers in making moneys available for unemployment relief prior to the adoption of this act.

House Bill No. 18, entitled:

An Act making an appropriation to the State Emergency Relief Board for direct relief work relief and expenses defining the purposes for which such monies may be expended and prescribing the powers and duties of the State Emergency Relief Board and certain State Departments and ratifying confirming and validating the action of the Governor and the fiscal officers in making moneys available for unemployment relief prior to the adoption of this act.

House Bill No. 19, entitled:

An Act to amend section three of the act approved the sixteenth day of May one thousand nine hundred thirty-five (Pamphlet Laws two hundred eight) entitled "An act to provide revenue for State purposes by imposing an excise tax for a limited period of time on the net incomes of certain corporations joint-stock associations and limited partnerships providing for the assessment and collection of the tax and appeals to courts conferring powers and imposing duties on certain persons corporations joint-stock associations limited partnerships State and county officers boards and departments making an appropriation and providing penalties" by increasing the rate of tax for a limited period of time

House Bill No. 26, entitled:

An Act to further amend section one of the act approved the thirteenth day of June one thousand nine hundred seven (Pamphlet Laws six hundred forty) entitled "An act to provide revenue by levying a tax upon the shares of stock of companies incorporated under the provisions of section twenty-nine of an act entitled 'An act to provide for the incorporation and regulation of certain corporations' approved April twenty-ninth one thousand eight hundred and seventy-four and the supplements thereto for the insurance of owners of real estate mortgages and others interested in real estate from loss by reason of defective titles liens and encumbrances and of companies entitled to the benefits of and of companies having any of the powers of companies entitled to the benefits of an act entitled 'An act conferring upon certain fidelity insurance safety deposit trust and savings companies the powers and privileges of companies incorporated under the provisions of section twenty-nine of an act entitled "An act to provide for the incorporation and regulation of certain corporations" approved April twenty-ninth Anno Domini one thousand eight hundred and seventy-four and of the supplements thereto' approved June twenty-seventh one thousand eight hundred and ninety-five commonly known as title insurance or trust companies" by increasing the rate of tax for a limited period of time by further modifying the method of computing the tax

House Bill No. 27, entitled:

An Act to amend the act approved the twenty-second day of June one thousand nine hundred thirty-five (Pamphlet Laws four hundred fourteen) entitled "An act to provide revenue for State purposes imposing taxes upon certain classes of personal property providing for the assessment collection and lien of the same and the distribution of the proceeds thereof imposing duties on executors administrators registers of wills recorders of deeds prothonotaries and court clerks and on persons copartnerships associations banks national banks trust companies and other corporations receiving deposits of money and on certain corporations and limited partnerships conferring powers and imposing duties on certain State officers and departments imposing penalties and making an appropriation" by increasing the rate of tax removing certain exemptions changing the listing date the date of filing reports and the date and manner of payment of the tax providing certain exemptions from said tax and making further provision with regard to penalties.

House Bill No. 28, entitled:

An Act to further amend section one of the act approved the fifteenth day of July one thousand eight hundred and ninety-seven (Pamphlet Laws two hundred ninety-two) entitled "An act to provide revenue by taxation" by increasing the rate of tax.

House Bill No. 29, entitled:

An Act to provide for the expenses of the Extraordinary Session of the Legislature assembled May fourth Anno Domini one thousand nine hundred thirty-six in pursuance of the proclamation of the Governor of the Commonwealth dated April twenty-seventh Anno Domini one thousand nine hundred thirty-six.

House Bill No. 39, entitled:

An Act to provide for the participation of the Commonwealth of Pennsylvania in a National Celebration of the One Hundred Fiftieth Anniversary of the Framing, the Signing, the Ratification by Pennsylvania, and the Final Adoption and Promulgation, of the Constitution of the United States, to be held at Philadelphia, and elsewhere, on the fifteenth, sixteenth and seventeenth days of September, one thousand nine hundred thirty-seven, and subsequent anniversary dates, in connection therewith; and making an appropriation.

House Bill No. 40, entitled:

An Act to provide for the commemoration by the Commonwealth of Pennsylvania of the Three Hundredth Anniversary of the Earliest Settlement the First Courts of Law and the First Capital within what is now Pennsylvania and making an appropriation

House Bill No. 45, entitled:

An Act validating certain proceedings and elections of political subdivisions had and held pursuant to the provisions of an act approved the twentieth day of April one thousand eight hundred and seventy-four (Pamphlet Laws sixty-five) entitled "An act to regulate the manner of increasing the indebtedness of municipalities to provide for the redemption of the same and to impose penalties for the illegal increase thereof" and the amendments and supplements thereto and validating bonds or other security issued or authorized to be issued in pursuance of such proceedings and elections.

House Bill No. 46, entitled:

An Act making an appropriation to the Department of Forests and Waters for the purpose of repairing existing dikes and river bank protections and building and constructing new dikes and river bank protection along the Delaware River at Matamoras and Milford, Pike County.

House Bill No. 49, entitled:

An Act to amend sections four and five of the act approved the nineteenth day of July one thousand nine hundred and thirty-five (Pamphlet Laws one thousand three hundred fifty-one) entitled "An act making appropriations to carry into effect the provisions of an act approved the tenth day of July one thousand nine hundred and nineteen (Pamphlet Laws eight hundred ninety-three) entitled 'An act providing for assistance to certain mothers providing for the appointment of boards of trustees for the several counties of the Commonwealth and for the appointment of a State Supervisor and assistants and fixing the salaries of such State Supervisor and assistants defining the powers and duties of boards of trustees including the power of appointing assistants and investigators and the distribution of funds at their disposal providing for the apportionment of the State appropriation among the several counties and requiring counties coming under the provisions of the act to appropriate certain moneys and providing penalties' as amended" by providing for the payment to newly organized counties of amounts set aside for unorganized counties or both the first and second fiscal years of the current biennium and suspending certain provisions of this act in case Federal aid for dependent children shall fail for any reason

House Bill No. 52, entitled:

An Act providing for the reduction of interest rates outstanding callable bonds of the Commonwealth under certain conditions in lieu of the redemption thereof and defining the powers and duties of the Governor the Auditor General the State Treasurer and the duly authorized loan and transfer agent of the Commonwealth in relation thereto.

House Bill No. 53, entitled:

An Act providing for the issue and sale of bonds to the amount of the outstanding callable bonds of loan of the Commonwealth of Pennsylvania Series "D" for the purpose of refunding redeeming and retiring said Series "D" authorizing the exchange of bonds of said Series "D" for those issued hereunder defining the powers and duties of the Governor the Auditor General and the State Treasurer in relation thereto providing for the payment of interest on and the redemption of such bonds and making an appropriation.

House Bill No. 56, entitled:

An Act making an appropriation to the Department of Health to defray the cost of pumping the water from slate quarries and anthracite and bituminous coal mines which have been flooded directly or indirectly by the high waters during March one thousand nine hundred and thirty-six.

House Bill No. 58, entitled:

A Supplement to act number seventy-seven A approved the twentieth day of July one thousand nine hundred thirty-five (One Thousand Nine Hundred Thirty-five Appropriation Acts page seventy-one) entitled "An act to provide for the ordinary expenses of the Executive Legislative and Judicial Departments of the Commonwealth interest on the public debt and the support of the public schools for two years beginning June first one thousand nine hundred thirty-five and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred and thirty-five" providing for additional appropriation to certain departments boards and commissions and to the legislative department.

House Bill No. 59, entitled:

An Act to amend sections one three four seven nine ten fourteen fifteen sixteen and eighteen and to repeal section two of the act approved the tenth day of July one thousand nine hundred and nineteen (Pamphlet Laws eight hundred ninety-three) entitled "An act providing for assistance to certain mothers providing for the appointment of boards of trustees for the several counties of the Commonwealth and for the appointment of a State supervisor and assistants and fixing the salaries of such State supervisor and assistants defining the powers and duties of boards of trustees including the power of appointing assistants and investigators and the distribution of funds at their disposal providing for the apportionment of the State appropriation among the several counties and requiring counties coming under the provisions of the act to appropriate certain moneys and providing penalties" by providing for the appointment of a board of trustees for each county and for the appointment of boards of trustees in all counties jointly by the Governor the courts of common pleas and the county commissioners prohibiting political activity by members and employes of such boards changing the qualifications of mothers eligible for assistance requiring all counties to appropriate moneys for mothers' assistance except under certain circumstances providing for additional grants of State moneys in lieu of appropriations by counties unable to meet State appropriations providing for cooperation by the Department of Welfare wth the Federal Social Security Board and authorizing the Department of Welfare to cooperate with and to accept and disburse moneys received from the United States government for aid to dependent children providing substitute provisions in case Federal grants for aid to dependent children shall fail for any reason

House Bill No. 60, entitled:

An Act making an appropriation to the Department of Public Instruction for the purpose of rehabilitating and replacing real and personal property of free public nonsectarian libraries Pennsylvania State Library public nonsectarian libraries and public school libraries damaged or destroyed by flood and providing procedure to ascertain the amount of damage.

House Bill No. 63, entitled:

An Act to amend section five hundred and one of the act approved the first day of May one thousand nine hundred and five "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by requiring extra fees for the assignment of special registration plates

House Bill No. 66, entitled:

An Act making an appropriation to the Department of Property and Supplies for increasing the capacity of overcrowded State institutions, eliminating fire and other hazards to safety at State institutions, providing for the purchase of safety and other equipment, the erection and construction of new buildings, and repairs, alterations and additions to, and replacement of, existing buildings and equipment.

House Bill No. 68, entitled:

An Act authorizing the Department of Forests and Waters to make a survey and investigation with respect to flood control and the coordination of any Federal and State flood control program; and making an appropriation.

House Bill No. 69, entitled:

An Act authorizing and directing the Department of Forests and Waters to investigate, survey and report on the location and availability for purchase of certain lands suitable for reforestation and flood control as the objective.

House Bill No. 70, entitled:

An Act relating to flood control; prescribing the powers and duties of the Water and Power Resources Board of the Department of Forests and Waters in relation to the creation of flood control districts, adoption of plans for flood control works and improvements, carrying into effect of such plans, assistance, aid and cooperation with public and private agencies and the Federal Government in Federal flood control works and improvements, and entering into compacts and agreements with other states for flood control works and improvements; conferring the power of eminent domain; providing for appeals; conferring certain powers on municipalities, counties and townships, and the Department of Highways.

House Bill No. 73, entitled:

An Act to enable persons, associations, partnerships, and corporations to borrow money and secure the repayment thereof by the execution and recordation of chattel mortgages on any chattels of any kind or description; providing for bonds with confessions of judgments; regulating the assignment and release of such mortgages; and designating the operation and effect of the lien of such mortgages.

House Bill No. 75, entitled:

A Supplement to Act Number fifty-six-A approved the nineteenth day of July one thousand nine hundred thirty-five (Appropriation Acts of one thousand nine hundred thirty-five page forty-one) entitled "An act making an appropriation to the Department of Welfare for Pensions for the Blind" increasing the current appropriation for blind pensions in order to enable the Commonwealth to match sufficient funds from the Federal Government to provide pensions for all blind persons eligible to receive the same.

House Bill No. 76, entitled:

An Act to amend section eight of the act approved the nineteenth day of January one thousand nine hundred thirty-four (Special Session of one thousand nine hundred thirty-three one thousand nine hundred thirty-four Pamphlet Laws two hundred eighty-six) entitled "An act making appropriations out of the State Stores Fund to the State Emergency Relief Board for direct relief work relief and expenses including reimbursement of municipal subdivisions for certain expenditures in connection with work relief projects defining the purposes for which such moneys may be expended providing for the audit of such expenditures and prescribing the powers and duties of the State Emergency Relief Board and of certain State departments" by imposing a time limit within which counties cities boroughs incorporated towns townships school districts and poor districts may obtain reimbursements for premiums on workmen's compensation insurance covering persons engaged on certain work relief projects.

House Bill No. 81, entitled:

An Act to amend section one of the act, approved the twenty-fifth day of April, one thousand nine hundred and thirty-five (Pamphlet Laws eighty-two), entitled "An act requiring certain cities to allow members of the fire department twenty-four consecutive hours of rest each week and fourteen days vacation each year, except in emergency cases," by providing that the provisions of said act shall be mandatory; and prohibiting any diminution of salary or compensation

House Bill No. 82, entitled:

An Act to amend section one of the act approved the thirtieth day of March one thousand nine hundred and fifteen (Pamphlet Laws thirty-four) entitled "An act to promote the health and efficiency of firemen in cities of the second class by providing for a two-platoon system for firemen in the department of public safety of such cities" as amended by changing the hours of the day and night shifts.

House Bill No. 83, entitled:

An Act relating to the keeping of animals wild by nature in captivity upon any street or highway or upon land adjoining any street or highway or in vicinity of any commercial establishment for the evident purpose of attracting trade preventing cruel improper and inhuman treatment of such animals and protecting the public from injuries thereby providing for the granting of permits for roadside menageries as herein defined conferring powers and imposing duties on the Board of Game Commissioners and prescribing penalties.

House Bill No. 91, entitled:

An Act making an appropriation to the Department of Forests and Waters for the purpose of building and constructing new dikes levees and river bank protections along the Delaware River at Morrisville Borough Bucks County.

House Bill No. 98, entitled:

An Act to create a State Planning Board prescribing its powers and duties upon political subdivisions and making an appropriation.

House Bill No. 100, entitled:

An Act to further amend the title, to re-enact and further amend paragraph (e) of section one, and to further amend section thirty-nine of the act, approved the twentieth day of June, one thousand nine hundred nineteen (Pamphlet Laws, five hundred twenty-one), entitled, as amended, "An act providing for the imposition and collection of certain taxes upon the transfer of property passing from a decedent who was a resident of this Commonwealth at the time of his death, and of property within this Commonwealth of a decedent who was a non-resident of the Commonwealth at the time of his death; defining and taxing transfers made in contemplation of death; and making it unlawful for any corporation of this Commonwealth, or national banking association located therein, to transfer the stock of such corporation or banking association, standing in the name of any such decedent, until the tax on the transfer thereof has been paid; and providing penalties; and citing certain acts for repeal", by defining as transfers, and taxing, the right of survivorship in property as to which such right exists, and providing for the extension of the Commonwealth's lien on real property for a further period of time.

House Bill No. 109, entitled:

An Act to authorize and empower cities boroughs towns and townships separately or jointly to provide for protection against floods by erecting and constructing certain works and improvements located within or without their territorial limits and within or without the county in which situate and to expend moneys and incur indebtedness to assess benefits against property benefited to issue improvement bonds imposing no municipal liability and to acquire take injure or destroy property for such purposes.

House Bill No. 110, entitled:

An Act providing that no person shall be denied refused or have discontinued direct or work relief for the reason that such person has received payment of a World War adjusted service certificate and providing penalties.

House Bill No. 130, entitled:

An Act to further amend the act approved the first day of June one thousand eight hundred eighty-nine (Pamphlet Laws four hundred twenty) entitled "A further supplement to an act entitled 'An act to provide revenue by taxation' approved the seventh day of June Anno Domini one thousand eight hundred and seventy-nine" by increasing for a limited period of time the rate of tax imposed by the act upon the gross receipts of certain companies limited partnerships associations joint-stock associations copartnerships and persons.

House Bill No. 134, entitled:

An Act requiring unemployment relief orders to be presented for payment within a certain period otherwise to be cancelled and the moneys appropriated for their payment to be escheated to the Commonwealth and credited to the current appropriation for unemployment relief purposes.

House Bill No. 135, entitled:

An Act appropriating to the State Emergency Relief Board for unemployment relief all restitutions and overpayments collected by or for said board.

House Bill No. 136, entitled:

Joint Resolution proposing an amendment to article nine of the Constitution of the Commonwealth of Pennsylvania by adding thereto a section.

House Bill No. 149, entitled:

An Act to amend an act, approved the fourth day of June, one thousand nine hundred and thirty-six (Act No. 3), entitled "An act abating certain tax penalties and interest on county, city (except city of the first class), borough, town, township, school district (except school district of the first class), and poor district taxes; prohibiting the sale of real property for the non-payment of any such taxes for a certain period; and preserving certain tax liens, and providing for the extension thereof," by adding thereto a new section to be known as section six and one-tenth; providing for the compensation of delinquent tax collectors, their employes and expenses for the collection of delinquent taxes in counties of the second class in cases where such compensation and expenses have heretofore been paid out of the penalties accrued and collected on such taxes.

House Bill No. 153, entitled:

An Act making an appropriation to the State Emergency Relief Board for direct relief work relief and expenses defining the purposes for which such moneys may be expended and prescribing the powers and duties of the State Emergency Relief Board and certain State Departments and ratifying confirming and validating the action of the Governor and the fiscal officers in making moneys available for unemployment relief prior to the adoption of this act

House Bill No. 154, entitled:

An Act ratifying confirming and validating the transfer of money from the Liquid Fuels Tax Fund and the Liquor License Fund providing for additional transfers from the Liquid Fuels Tax Fund and the State Stores Fund to the General Fund and providing for the subsequent return from the General Fund of the transferred money.

House Bill No. 156, entitled:

An Act making an appropriation to the State Emergency Relief Board for direct relief and expenses defining the purposes for which such moneys may be expended creating public assistance boards in each county and prescribing their powers and duties imposing certain expenses on counties prescribing the powers and duties of the State Emergency Relief Board and certain State departments county officers poor directors and courts of common pleas prohibiting political activity by employes of the State Emergency Relief Board and prescribing penalties.

House Bill No. 159, entitled:

An Act authorizing the Commonwealth to negotiate temporary emergency loans to defray the current and/or other expenses of the State government during the fiscal year ending the thirty-first day of May one thousand nine hundred thirty-seven evidenced by tax anticipation notes in two series secured by and payable from current revenues levied assessed collectible and/or accruing during such fiscal year defining the powers and duties of the Governor the Auditor General and the State Treasurer in relation thereto providing for the payment of interest on and the repayment of such loans providing for payments into the sinking fund and making an appropriation

House Bill No. 161, entitled:

An Act making an appropriation to the Water and Power Resources Board for payment into the Flood Control Fund for flood control purposes.

House Bill No. 165, entitled:

An Act to amend the act approved the ninth day of April one thousand nine hundred twenty-nine (Pamphlet Laws three hundred forty-three) entitled "An act relating to the finances of the State government provid-

ing for the settlement assessment collection and lien of taxes bonus and all other accounts due the Commonwealth the collection and recovery of fees and other money or property due or belonging to the Commonwealth or any agency thereof including escheated property and the proceeds of its sale the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth and the settlement of claims against the Commonwealth the resettlement of accounts and appeals to the courts refunds of moneys erroneously paid to the Commonwealth auditing the accounts of the Commonwealth and all agencies thereof of all public officers collecting moneys payable to the Commonwealth or any agency thereof and all receipts of appropriations from the Commonwealth and imposing penalties affecting every department board commission and officer of the State government every political subdivision of the State and certain officers of such subdivisions every person association and corporation required to pay assess or collect taxes or to make returns or reports under the laws imposing taxes for State purposes or to pay license fees or other moneys to the Commonwealth or any agency thereof every State depository and every debtor or creditor of the Commonwealth" as amended by making further provision relative to the settlement resettlement and collection of certain taxes and further defining the powers and duties of the Department of Revenue with relation thereto.

House Bill No. 168, entitled:

An Act transferring money from the State Insurance Fund to the General Fund and requiring the Department of Property and Supplies to liquidate the investments in such Fund in order to provide money for such transfer.

House Bill No. 169, entitled:

An Act to provide revenue for State purposes by imposing an excise tax for a limited period of time upon the delivery in this Commonwealth to the Pennsylvania Liquor Control Board of distilled rectified and blended spirits providing for the payment and collection of the tax and conferring powers and imposing duties on the Pennsylvania Liquor Control Board.

House Bill No. 170, entitled:

An Act transferring money from the State School Fund to the General Fund and requiring the State Council of Education to liquidate such investments in the State School Fund as may be necessary to effectuate such transfer.

House Bill No. 171, entitled:

An Act ratifying confirming and validating the transfer of money from the State Stores Fund and the Liquid Fuels Tax Fund to the General Fund and providing for the subsequent return from the General Fund of the transferred money.

House Bill No. 172, entitled:

An Act authorizing the Commonwealth to negotiate a loan of one million dollars to meet any casual deficiency in revenue during the biennial fiscal period ending the thirty-first day of May one thousand nine hundred thirty-seven in accordance with the provisions of section four of article nine of the Constitution of Pennsylvania defining the powers and duties of the Governor the Auditor General and State Treasurer in relation thereto and providing for the payment of interest on and the repayment of such loan.

ADJOURNMENT

The PRESIDENT. This being the day and hour fixed by Concurrent Resolution for the final adjournment, and the hour of twelve o'clock noon having arrived, I hereby declare the Senate adjourned sine die.

HOUSE OF REPRESENTATIVES

THURSDAY, AUGUST 6, 1936

The House met at 10:00 A. M.

The SPEAKER (Roy E. Furman) in the Chair.

PRAYER

The Reverend O. F. R. TREDER, pastor of St. James Episcopal Church, Bedford, Pa., offered the following prayer.

All praise and glory and thanksgiving, more than we can utter, be unto Thee O God; worthy art Thou, O God, to receive the glory and the honor and power, for Thou didst create all things, and because of Thy will they are and were created. We pray Thee that Thou wilt so reveal Thyself in us, that through us men may be drawn to the love of Thee; that Thou wilt pour Thy spirit more and more into the life of men; giving us clean laughter and good sportsmanship, kindness, generosity, and gentleness, honor courtesy, and self control; that Thou wilt reveal Thyself in fellowship; that a world which rests on competition, may learn from Thee the nature of the Father, and by the power of Thy spirit live in love according to His will. Set free, O Lord, the souls of Thy servants from all restlessness and anxiety; give us that peace and power which flow from Thee; and keep us in all perplexities and distresses, in all griefs and grievenances, from any fear or faithlessness; teach us, good Lord to serve Thee as Thou deservest; to give and not to count the cost; to fight and not to heed the wounds; to toil and not to seek the rest; to labor and not to ask reward, save that knowing that we do Thy will.

And may the grace of courage, gaiety and the quiet mind, be ours. In the closing hours of this session of General Assembly we pray Thee to pardon whatever Thou hast seen amiss in us; and to strengthen and prosper that which has seemed good and salutary in Thy sight, for in Thy Name we have met and in Thy Name we have toiled. God, bless us all, now and ever. Amen

JOURNAL APPROVED

The SPEAKER. The Clerk will read the Journal of yesterday.

The Clerk proceeded to read the Journal of yesterday, when, on motion of Mr. FRANK P. HAMILTON, the further reading was dispensed with and the Journal approved.

SENATE MESSAGE

The Clerk of the Senate being introduced, presented extracts from the Journal of the Senate which were laid upon the table.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a cummunication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE BILL No. 18

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, August 5, 1936.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed the following:

House Bill No. 18, Printer's No. 224, entitled "An Act Making an appropriation to the State Emergency Relief Board for direct relief work relief and expenses defining the purpose for which such monies may be expended and prescribing the powers and duties of the State Emergency Relief Board and certain State Departments and ratifying confirming and validating the action of the Governor and the fiscal officers in making monies available for unemployment relief prior to the adoption of this act."

GEORGE H. EARLE.

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE BILL No. 134

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, August 5, 1936.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania

I have the honor to inform you that I have this day approved and signed House Bill No. 134, Printer's No. 150, entitled, "An Act Requiring unemployment relief orders to be presented for payment within a certain period otherwise to be cancelled and the moneys appropriated for their payment to be escheated to the Commonwealth and credited to the current appropriation for unemployment relief purposes."

GEORGE H. EARLE.

The Secretary to the Governor being introduced presented a communication in writing from His Excellency the Governor, which read as follows:

APPROVAL OF RESOLUTION RECALLING HOUSE BILL No. 15

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, August 5, 1936.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania

I have the honor to inform you that I have this day approved and signed a resolution of the House of Representatives and Senate, recalling from the Governor House Bill No. 15, Printer's No. 209, for the purpose of amendment.

Accordingly, the orginal bill is herewith returned.

GEORGE H. EARLE.

RECONSIDERATION OF VOTE

Mr. COHEN. Mr. Speaker, I move that the vote by which this bill passed finally be reconsidered.

The motion was agreed to.

Mr. COHEN. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

The motion was agreed to.

On the question, recurring,

Will the House agree to the bill on third reading?

Mr COHEN. Mr. Speaker, I ask unanimous to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend section 1, page 2, line 17 by inserting after the word "from" and before the word "the" the following: "the State Stores Fund and."

Amend section 2, page 2, line 21 by inserting after the word "Tax]" and before the word "Motor" the following: "State Stores Fund and the."

Amend section 2, page 2, line 22, by inserting at the end of the line after the word "Tax]" the following: "State Stores Fund and the"

The SPEAKER. Will the House give unanimous consent of the insertion of the amendments at this time? Is there objection? The Chair hears none and the amendments will be inserted in accordance with the instructions of the House?

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

SENATE MESSAGE

SENATE INSISTS UPON AMENDMENTS NON-CONCURRED IN BY THE HOUSE

The Clerk of the Senate being introduced, informed that the Senate has insisted upon its amendments, nonconcurred in by the House of Representatives, to House Bill No. 156 entitled

An Act making an appropriation to the State Emergency Relief Board for direct relief work relief and expenses defining the purposes for which such moneys may be expended prescribing the powers and duties of the State Emergency Relief Board and certain State departments prohibiting political activity by employes of the State Emergency Relief Board and prescribing penalties.

Mr. EBERHARTER. Mr. Speaker, I move that the House insist upon its non-concurrence in the amendments made and insisted upon by the Senate and that a Committee of Conference be appointed.

The motion was agreed to.

APPOINTMENT OF CONFERENCE COMMITTEE ON HOUSE BILL No. 156

The SPEAKER. The Chair appoints as a Committee of Conference on House Bill No. 156, Messrs. Eberharter, Brownfield and Weidemann.

Ordered, That the Clerk inform the Senate accordingly.

REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 19

Mr. OMINSKY. Mr. Speaker, I desire to call up at this time the report of the Committee of Conference on House Bill No. 19, Printer's No. 237.

The report was read by the Clerk as follows:

To the members of the Senate and House of Representatives:

We, the undersigned, Committee of Conference on the part of the Senate and House of Representatives for the purpose of considering House Bill No. nineteen, entitled: "An act to amend sections two and three of the act approved the sixteenth day of May, one thousand nine hundred thirty-five, (Pamphlet Laws two hundred eight), entitled 'An act to provide revenue for State purposes, by imposing an excise tax for a limited period of time on the net incomes of certain corporations joint-stock associations and limited partnerships providing for the assessment and collection of the tax and appeals to courts conferring powers and imposing duties on certain persons corporations joint-stock associations limited partnerships State and county officers boards and departments making an appropriation and providing penalties' by further defining net income and increasing the rate of tax for a limited period of time" respectfully submit the following bill as our report

JOHN J. McCLURE
G. MASON OWLETT
EDWARD R. FREY
Committee on the part of the Senate

JOSEPH OMINSKY
JOHN J. O'KEEFE
MILES HORST
Committee on the part of the House of Representatives

An Act to amend sections two and three of the act approved the sixteenth day of May one thousand nine hundred thirty-five (Pamphlet Laws two hundred eight) entitled "An act to provide revenue for State purposes by imposing an excise tax for a limited period of time on the net income of certain corporations joint-stock associations and limited partnerships providing for the assessment and collection of the tax and appeals to courts conferring powers and imposing duties on certain persons corporations joint-stock associations limited partnerships State and county officers boards and departments making an appropriation and providing penalties" by further defining net income and increasing the rate of tax for a limited period of time

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That sections two and three of the act approved the sixteenth day of May one thousand nine hundred thirty-five (Pamphlet Laws two hundred eight) entitled "An act to provide revenue for State purposes by imposing an excise tax for a limited period of time on the net incomes of certain corporations joint-stock associations and limited partnerships providing for the assessment and collection of the tax and appeals to courts conferring powers and imposing duties on certain persons corporations joint-stock associations limited partnerships State and county officers boards and departments making an appropriation and providing penalties" be and the same are hereby amended to read as follows

Section 2 Definitions The following words terms and phrases when used in this act shall have the meaning ascribed to them in this section except where the context clearly indicates a different meaning

"Corporation" A corporation having capital stock joint-stock association or limited partnership either organized under the laws of this Commonwealth the United States or any other state territory or foreign country or dependency and doing business in this Commonwealth or having capital or property employed or used in this Commonwealth by or in the name of itself or any person partnership association limited partnership joint-stock association or corporation The word "corporation" shall not include building and loan associations banks bank and trust companies national banks savings institutions beneficial life and limited life insurance companies mutual fire mutual casualty and mutual life insurance companies and foreign stock companies registered in this Commonwealth and therein engaged in doing business as life fire and casualty insurance companies and surety companies and trust companies

"Department" The Department of Revenue of this Commonwealth

"Net Income" 1 In case the entire business of the corporation is transacted within this Commonwealth net income for the calendar year or fiscal year as returned to and ascertained by the Federal Government subject however to any corrections thereof for fraud evasion or error as finally ascertained by the Federal Government Provided That additional deductions shall be allowed from net income on account of any taxes paid to the Government of the United States and on account of any dividends received from any other corporation And provided further That in the case of stock life fire casualty and indemnity insurance companies doing business on the mutual or participating plan the term "net income" shall not include the dividends paid to policy holders out of net income

2. In case the entire business of any corporation is not transacted within this Commonwealth the tax imposed by this act shall be based upon such portion of the net income of such corporation for the fiscal or calendar year as defined in clause one hereof as may be determined by allocations and apportionments made as follows

(a) Gains realized from the sale of capital assets if such assets consist of real estate or tangible personal property situated in the Commonwealth shall be allocated to this Commonwealth

(b) Gains realized from the sale of capital assets if such assets consist of real estate or tangible personal property situated outside of the Commonwealth shall not be allocated in any part of this Commonwealth

(c) The remainder of such net income shall be divided into three equal parts

(1) Of one-third such portion shall be attributed to business carried on within the Commonwealth as shall be found by multiplying said one-third by a fraction whose numerator is the value of the corporation's tangible property situated within this Commonwealth and whose denominator is the value of all the corporation's tangible property wherever situated

(2) Of one-third such portion shall be attributed to business carried on within the Commonwealth as shall be found by multiplying said one-third by a fraction whose numerator is the expenditure of the corporation for wages salaries commissions and other compensation to its employes and assignable to this Commonwealth as hereinafter provided and whose denominator is the total expenditures of the corporation for wages salaries commissions and other compensation to all its employes

(3) Of the remaining third such portions shall be attributed to business carried on within the Commonwealth as shall be found by multiplying said third by a fraction whose numerator is the amount of the taxpayer's gross receipts from business assignable to this Commonwealth as hereinafter provided and whose denominator is the amount of the taxpayer's gross receipts from all its business

In cases where only two of the foregoing three rules are applicable the remainder of the net income of the corporation shall be divided into two equal parts only each of which shall be apportioned in accordance with one of the remaining two rules If only one of the three rules is applicable the part of the net income received from business carried on within the Commonwealth shall be determined solely by that rule

The amount assignable to this Commonwealth of expenditures of the corporation for wages salaries commissions or other compensation to its employes shall be such expenditures for the taxable year as represent the wages salaries commissions or other compensation of employes not chiefly situated at connected with or sent out from premises for the transaction of business owned or rented by the corporation outside the Commonwealth

The amount of the corporation's gross receipts from business assignable to this Commonwealth shall be the amount of its gross receipts for the taxable year from (1) sales except those negotiated or effected in behalf of the corporation by agents or agencies chiefly situated at connected with or sent out from premises for the transaction of business owned or rented by the taxpayer outside the Commonwealth and sales otherwise determined to be attributable to the business conducted on such premises and (2) rentals or royalties from property situated or from the use of patents within this Commonwealth If a corporation maintains an office warehouse or other place of business in a state other than this Commonwealth for the purpose of reducing its tax under this subsection the department shall in determining the amount of its gross receipts from business assignable to this Commonwealth include therein the gross receipts from sales attributed by the corporation to the business conducted at such place of business in another state

A rule shall not be deemed to be inapplicable merely because all the tangible property or the expenditures of a corporation for wages salaries commissions or other compensation or the gross receipts of the corporation are found to be situated incurred or received without the Commonwealth

"Persons" Every natural person association or corporation Whenever used in any clause prescribing and imposing a fine or imprisonment or both the term "person" as applied to associations shall mean the partners or members

thereof and as applied to corporations the officers thereof

The singular shall include the plural and the masculine shall include the feminine and neuter

Section 3 Imposition of Tax Every corporation shall be subject to and shall pay for the privilege of doing business in this Commonwealth a State excise tax at the rate of six per centum per annum upon each dollar of net income of such corporation [Such tax shall first be levied collected and paid upon all net income] received by and accruing to such corporation during the calendar year one thousand nine hundred and thirty-five except where a corporation reports to the Federal Government on the basis of a fiscal year and has certified such fact to the department as required by section four of this act in which case such tax at the rate of six per centum shall [first] be levied collected and paid upon all net income received by and accruing to such corporation during the fiscal year commencing in the calendar year one thousand nine hundred and thirty-five and ending in the calendar year one thousand nine hundred and thirty-six and a similar tax at the rate of ten per centum per annum upon each dollar of the net income of such corporation received by and accruing to such corporation during the calendar year one thousand nine hundred and thirty-six except where a corporation reports to the Federal Government on the basis of a fiscal year and has certified such fact to the department as required by section four of this act in which case such tax at the rate of ten per centum shall be levied collected and paid upon all net income received by and accruing to such corporation during the fiscal year commencing in the calendar year one thousand nine hundred and thirty-six and ending in the calendar year one thousand nine hundred and thirty-seven

The tax hereby imposed shall be in addition to all taxes now imposed on any corporation under the provisions of existing laws

Section 2 This act shall become effective immediately upon its final enactment

On the question,

Will the House adopt the report of the Committee of Conference.

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—190

Achterman,	Eberharter,	Mason,	Shaw,
Alexander,	Eroe,	McCreary,	Shepard,
Allen,	Falkenstein,	McDermott,	Shortz,
Altenburg,	Ferko,	McDevitt,	Shreiner,
Andrews,	Finnerty,	McElroy,	Shugarts,
Anthony,	Fitch,	McHenry,	Siegel,
Arnold,	Flanagan,	McKinney,	Simon,
Atkins,	Flinchbaugh,	Melchiorre,	Simpson,
Aukerman,	Forrest,	Mentzer,	Sinwell,
Baine,	Gates,	Merrell,	Sloan,
Baker, F. T.,	Gerard,	Moomaw,	Smith, J. A.,
Baker, J. J.,	Gillette,	Moore,	Smith, W. G.,
Baldi,	Greenstein,	Moran,	Snyder, F. E.,
Barber,	Habbyshaw,	Moul,	Snyder, J. L.,
Barnhardt,	Haberlen,	Muir,	Sowers,
Beadman,	Hagerty,	Munley,	Sproul,
Bernhard,	Haluska,	Nagel,	Stank,
Blumberg,	Hamilton, F. P.,	Nothnagle,	Stevens,
Boose,	Hamilton, R. S.,	O'Keefe,	Stockham,
Boyer,	Harkins,	Ominsky,	Stone,
Bradley,	Harmuth,	O'Neill,	Stott,
Brancato,	Hartman,	Panton,	Sumney,
Brennan,	Hermansen,	Parks,	Surface,
Brown, H. S.,	Hetrick,	Patterson, C.,	Sweeney,
Brown, J. E.,	Hindman,	Patterson, J. W.,	Terry,
Brownfield,	Hirsch,	Pearson,	Tronzo,
Brumbaugh,	Hoffner,	Perry,	Trout,
Burke,	Holland,	Pfaff,	Tumelty,
Cannon,	Holstrom,	Phillips,	Turner,
Caputo,	Hoopes,	Piole,	VanAllsburg,
Carson,	Horst,	Powers,	VanSickle,
Chervenak,	Jackson,	Reising,	Wall,
Coakley,	Jones,	Rhys,	Wasserman,
Cochran,	Kane,	Rinn,	Weidemann,
Cohen,	Kelder,	Roan,	Weiss,
Coleman,	Kelso,	Robinson,	Welliver,
Condon,	Kenney,	Rooney,	Welsh,
Coolahan,	Kilroy,	Root,	Westrick,
Cooper,	Kinney,	Royer,	Wickersham,
Cordier,	Klinger,	Ruffennach,	Winner,
Davies,	Kobeiak,	Sarraf,	Witkin,
Decker,	LaRue,	Scanlon,	Wood,
Dent,	Linderman,	Schaeffer,	Woodside,
Diehl,	Long,	Schrock,	Yeakel,
Dilley,	Longaker,	Schrope,	Yourishin,
Downey, G. E.,	Lovett,	Schwab,	Zappala,
Downey, J. J.,	Lynch,	Serrill,	Furman,
Duffort,	Male,		

NAYS—0

The majority required by the constitution having voted in the affirmative, the question was determined in the affirmative, and the report of the Committee of Conference was adopted.

Ordered, that the Clerk inform the Senate accordingly.

REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 59.

Miss BRANCATO. Mr. Speaker, I desire to offer the report of the Committee of Conference on House Bill No. 59.

The SPEAKER. The report will lie over for printing under the rules.

PRELIMINARY REPORT OF JOINT LEGISLATIVE COMMITTEE TO INVESTIGATE PUBLIC RELIEF IN PENNSYLVANIA

Mr. BURKE. Mr. Speaker, I desire to file the preliminary report of the Joint Legislative Committee appointed pursuant to House Resolution No. 110, Session of 1935, to investigate public relief in Pennsylvania.

The SPEAKER. The report will be noted in the Journal and printed in the Appendix to the Legislative Journal.

ANNOUNCEMENTS

There will be a meeting of the Committee on Constitutional Amendments immediately in Room 325.

There will be a meeting of the Committee on Judiciary General immediately in Room 321.

There will be a Democratic caucus immediately in the House caucus room.

QUESTION OF INFORMATION

Mr. TURNER. Mr. Speaker, I rise to a question of information.

The SPEAKER. The gentleman will state his question of information.

Mr. TURNER. Mr. Speaker, as I understand it, there has been a Democratic House caucus called and two committee meetings immediately upon recess. As one of these committee meetings happen to be Judiciary General and there are a number of Democrats on that committee—at least there were at the last count—it seems to me that the rest of us might be sitting here, waiting for the next two hours while the Democratic caucus is going on if they try to hold the committee meeting at the same time as caucus. Might we not, therefore, have some statement of the schedule so that we may know what the plans are and conserve our time accordingly?

The SPEAKER. The Chair requests the gentleman from York, Mr. Cohen, to answer the question of information raised by the gentleman from Delaware.

Mr. COHEN. Mr. Speaker, for the information of the members and in response to the inquiry of the gentleman

from Delaware, I wish to say that the Democratic members of the Committee on Judiciary General will attend that meeting irrespective of the Democratic caucus.

RECESS

The SPEAKER. If there are no objections the Chair is about to declare recess during the meeting of the Committees. Are there objections? The Chair hears none and declares a recess during the meeting of the committees.

AFTER RECESS

The SPEAKER (Roy E. Furman) in the Chair.

The time of recess having expired the House was called to order.

LEAVES OF ABSENCE

The SPEAKER asked and obtained leave of absence for Mr. WESTRICK on account of illness in the family.

Mr. Boyer asked and obtained leave of absence for Mr. STEWART.

SENATE MESSAGE

APPOINTMENT OF CONFERENCE COMMITTEE ON HOUSE BILL No. 156

The Clerk of the Senate being introduced, informed that the Senate has insisted upon its amendments, noncurred in by the House of Representatives, to House Bill No. 156, entitled:

An Act making an appropriation to the State Emergency Relief Board for direct relief work relief and expenses defining the purposes for which such moneys may be expended prescribing the powers and duties of the State Emergency Relief Board and certain State departments prohibiting political activity by employes of the State Emergency Relief Board and prescribing penalties

And has appointed Messrs. Gelder, Graff and Rice, a committee of conference to confer with a similar committee of the House of Representatives (already appointed) on the subject of the differences existing between the two houses in relation to said bill.

REPORTS FROM COMMITTEES

Mr. SIMON, from the Committee on Rules, reported as amended, House Resolution No. 59.

Mr. SINWELL, from the Committee on Rules, reported as committed, Senate Resolution No. 8

Mr. SIMON, from the Committee on Rules, reported as amended, House Resolution No. 57.

SENATE MESSAGE

RESOLUTION FOR CONCURRENCE

The Clerk of the Senate being introduced presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, August 4, 1936.

Whereas, there are at present waiting lists of approximately 55,000 residents of the Commonwealth entitled to Old Age Assistance; and

Whereas, the Commonwealh would have to expend the additional sum of $1,750,000 called for by House Bill No. 54 in order to procure sufficient Federal money which, together with the aforesaid sum of $1,750,000 would be sufficient to furnish Old Age Assistance to those persons on said waiting lists during the remainder of the current biennium; and

Whereas, it is the sense of this General Assembly that this additional sum called for by House Bill Number fifty-four should be provided for by the General Assembly at its forthcoming regular session in the year one thousand nine hundred and thirty-seven and

Whereas, it will, therefore, be necessary for the Department of Welfare, in order to take up such waiting lists at the present time, to accelerate payments from the existing appropriation for Old Age Assistance with the result that such appropriation will be exhausted by the first of April, one thousand nine hundred thirty-seven:

Resolved, (if the House of Representatives concur), That it is the sense of this Special Session of the General Assembly that the Department of Welfare accelerate payments from its current appropriation for Old Age Assistance in order to match sufficient Federal moneys which, together with the State appropriation, will enable the department to furnish in the manner provided by law, Old Age Assistance to all eligible applicants therefor, including those who are now on the waiting lists in the various counties because of insufficient State funds; and

Resolved further, That it is the sense of this General Assembly that the General Assembly at its forth-coming regular session in 1937 appropriate at least $1,750,000 to the Department of Welfare which, together with contributions received from the Federal Government to match this sum, will enable Old Age Assistance to be furnished to all eligible applicants therefor during the remainder of the 1935-1937 biennium.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

BILL ON FINAL PASSAGE RECALLED FROM GOVERNOR

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 69, as follows:

An Act authorizing and directing the Department of Forests and Waters to investigate survey and report on the location and availability for purchase of certain lands suitable for reforestation with flood control as the objective and making an appropriation

Whereas the continued efficiency of any water impounding dams which may be constructed by the State or Federal Government as flood control projects is dependent upon reducing to a minimum the silt deposited in them and

Whereas A forest cover with its honey-combed soil and thick humus bedded surface is the most effective agent known to prevent soil erosion and the silting of streams and dams and to retard the water run-off and

Whereas There are upwards of two million three hundred thousand acres of submarginal idle and abandoned farm lands in this State located largely on the upper river water sheds which are subject to serious soil erosion and rapid water run-off which constitute a growing menace during flood seasons and are of little value except for reforestation and

Whereas The rate of fire damage on private unmanaged and unattended wild lands is six times that on State-controlled forest lands and such burned-over lands constitute an additional menace from soil erosion and water run-off therefore

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the Department of Forests and Waters is hereby authorized and directed to make

o investigation and reforestation survey with flood con-ol as the objective of all private forest lands and all andoned farm lands and submarginal lands their loca-on availability for purchase and their approximate pur-hase prices together with all lands in any of the above asses on which the taxes imposed by political subdivi-ons are delinquent or which have been sold to counties ecause of insufficient bids at tax sales

The investigation and survey shall include the three atersheds of the Commonwealth the Susquehanna atershed the Delaware watershed and the Ohio water-ed including lands draining directly or indirectly into e Susquehanna River and its North and West Branches d the Juniata River the Delaware the Lehigh and chuylkill Rivers and the Ohio Allegheny Monongahela d Beaver Rivers

Section 2 The Department of Forests and Waters shall ake a complete report of its investigation and reforesta-on survey to the next General Assembly convening in anuary one thousand nine hundred and thirty-seven not ter than February first one thousand nine hundred and irty-seven so that the General Assembly may be fully dvised in order that appropriate legislation may be en-cted with a view of adopting a comprehensive flood con-ol program

Section 3 The sum of fifty thousand dollars ($50,000) r so much thereof as may be necessary is hereby speci-ally appropriated to the Department of Forests and Waters for the payment of the salary compensation and ages of engineers experts clerks assistants and employes eemed necessary in making the investigation survey and eport authorized by this act for the payment of postage aveling expenses mileage charges to the Department of roperty and Supplies for the use of automobiles tele-hone toll charges telegrams expenses of operating and aintaining automobiles and other motor equipment for rinting and for all other incidental expenses necessary r carrying into effect the provisions of this act

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas nd nays were taken and were as follows, viz:

YEAS—202

Achterman,	Eberharter,	Mason,	Serrill
Alexander,	Eroe,	McCreary,	Shaw,
Allen,	Falkenstein,	McDermott,	Shepard,
Altenburg,	Ferko,	McDevitt,	Shortz,
Andrews,	Finnerty,	McElroy,	Shreiner,
Anthony,	Fitch,	McHenry,	Shugarts,
Arnold,	Flanagan,	McKinney,	Siegel,
Atkins,	Flinchbaugh,	Melchiorre,	Simon,
Aukerman,	Flynn,	Mentzer,	Simpson,
Baine,	Forrest,	Merrell,	Sinwell,
Baker, F. T.,	Gates,	Moomaw,	Sloan,
Baker, J. J.,	Gerard,	Mooney,	Smith, J. A.,
Baldi,	Gillette,	Moore,	Smith, W. G.,
Barber,	Greenstein,	Moran,	Snyder, F. E.,
Barnhardt,	Habbyshaw,	Moul,	Snyder, J. L.,
Beadman,	Haberlen,	Muir,	Sowers,
Bernhard,	Hagerty,	Munley,	Sproul,
Blumberg,	Haluska,	Murrin,	Stank,
Boose,	Hamilton, F. P.,	Nagel,	Stevens,
Boyer,	Hamilton, R. S.,	Nothnagle,	Stockham,
Bradley,	Harkins,	O'Keefe,	Stone,
Brancato,	Harmuth,	Ominsky,	Stott,
Brennan,	Hartman,	O'Neill,	Sumney,
Brown, H. S.,	Hefferon,	Panton,	Surface,
Brown, J. E.,	Hermansen,	Parks,	Sweeney,
Brownfield,	Hetrick,	Patterson, C.,	Tahl,
Brumbaugh,	Hindman,	Patterson, J. W.,	Terry,
Burke,	Hirsch,	Pearson,	Tronzo,
Cannon,	Hoffner,	Perry,	Trout,
Caputo,	Holland,	Peters,	Tumelty,
Carr,	Holstrom,	Pfaff,	Turner,
Carson,	Hoopes,	Phillips,	VanAllsburg,
Castor,	Horst,	Piole,	VanSickle,
Chervenak,	Jackson,	Powers,	Wall,
Coakley,	Jones,	Reising,	Wasserman,
Cochran,	Kane,	Reynolds,	Weidemann,
Cohen,	Kelder,	Rhys,	Weiss,
Coleman,	Kelso,	Rinn,	Welliver,
Condon,	Kenney,	Roan,	Welsh,
Coolahan,	Kilroy,	Robinson,	White,
Cooper,	Kinney,	Rooney,	Wickersham,
Cordier,	Klingler,	Root,	Winner,
Davies,	Kobelak,	Royer,	Witkin,
Decker,	LaRue,	Ruffennach,	Wood,
Denning,	Linderman,	Sarraf,	Woodside,
Dent,	Long,	Scanlon,	Yeakel,
Diehl,	Longaker,	Schaeffer,	Yourishin,
Dilley,	Lovett,	Schrock,	Zappala,
Downey, G. E.,	Lynch,	Schropp,	Zimmerman,
Downey, J. J.,	Male,	Schwab,	Furman,
Duffort,	Mallen,		

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

BILL ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 163 (Senate Bill No. 60), as follows:

A Joint Resolution proposing an amendment to section one article nine of the Constitution of the Commonwealth of Pennsylvania

Section 1 Be it resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met That the following amendment to the Constitution of the Commonwealth of Pennsylvania be and the same is hereby proposed in accordance with the eighteenth article thereof

That article nine section one of the Constitution of Pennsylvania be amended to read as follows

Section 1 All property taxes shall be uniform upon the same class of subjects within the territorial limits of the authority levying the tax and shall be levied and collected under general laws but the General Assembly may by general laws exempt from taxation public property used for public purposes actual places of religious worship places of burial not used or held for private or corporate profit institutions of purely public charity and real and personal property owned occupied and used by any branch post or camp of honorably discharged soldiers sailors and marines

Income inheritance estate and other excise taxes shall be levied and collected under general laws but such laws may grant exemptions and may impose graded rates Income taxes and taxes measured by income shall be deemed to be excise taxes irrespective of the source from which the income is derived

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—202

Achterman,	Eberharter,	Mason,	Serrill,
Alexander,	Eroe,	McCreary,	Shaw,
Allen,	Falkenstein,	McDermott,	Shepard,
Altenburg,	Ferko,	McDevitt,	Shortz,
Andrews,	Finnerty,	McElroy,	Shreiner,
Anthony,	Fitch,	McHenry,	Shugarts,
Arnold,	Flanagan,	McKinney,	Siegel,
Atkins,	Flinchbaugh,	Melchiorre,	Simon,
Aukerman,	Flynn,	Mentzer,	Simpson,
Baine,	Forrest,	Merrell,	Sinwell,
Baker, F. T.,	Gates	Moomaw,	Sloan,
Baker, J. J.,	Gerard,	Mooney,	Smith, J. A.,
Baldi,	Gillette,	Moore,	Smith, W. G.,
Barber,	Greenstein,	Moran,	Snyder, F. E.,
Barnhardt,	Habbyshaw,	Moul,	Snyder, J. L.,

Beadman,	Haberlen,	Muir,	Sowers,
Bernhard,	Hagerty,	Munley,	Sproul,
Blumberg,	Haluska,	Murrin,	Stank,
Boose,	Hamilton, F. P.,	Nagel,	Stevens,
Boyer,	Hamilton, R. S.,	Nothnagle,	Stockham,
Bradley,	Harkins,	O'Keefe,	Stone,
Brancato,	Harmuth,	Ominsky,	Stott,
Brennan,	Hartman,	O'Neill,	Sumney,
Brown, H. S.,	Hefferon,	Panton,	Surface,
Brown, J. E.,	Hermansen,	Parks,	Sweeney,
Brownfield,	Hetrick,	Patterson, C.,	Tahl,
Brumbaugh,	Hindman,	Patterson J. W.,	Terry,
Burke,	Hirsch,	Pearson,	Tronzo,
Cannon,	Hoffner,	Perry,	Trout,
Caputo,	Holland,	Peters,	Tumelty,
Carr,	Holstrom,	Pfaff,	Turner
Carson,	Hoopes,	Phillips,	Van Allsburg,
Castor,	Horst,	Piole,	VanSickle,
Chervenak,	Jackson,	Powers,	Wall,
Coakley,	Jones,	Reising,	Wasserman,
Cochran,	Kane,	Reynolds,	Weidemann,
Cohen,	Kelder,	Rhys,	Weiss,
Coleman,	Kelso,	Rinn,	Welliver,
Condon,	Kenney,	Roan,	Welsh,
Coolahan,	Kilroy,	Robinson,	White,
Cooper,	Kinney,	Rooney,	Wickersham,
Cordier,	Klinger,	Root,	Winner,
Davies,	Kobelak,	Royer,	Witkin,
Decker,	LaRue,	Ruffennach,	Wood,
Denning,	Linderman,	Sarraf,	Woodside,
Dent,	Long,	Scanlon,	Yeakel,
Diehl,	Longaker,	Schaeffer,	Yourishin,
Dilley,	Lovett,	Schrock,	Zappala,
Downey, G. E.,	Lynch,	Schrope,	Zimmerman,
Downey, J. J.,	Male,	Schwab,	Furman,
Duffort,	Mallen,		

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it with amendments in which the concurrence of the Senate is requested.

RECESS

The SPEAKER. If there are no objections the Chair is about to declare a short recess.

Are there objections? The Chair hears none and declares a short recess.

AFTER RECESS

The SPEAKER (Roy E. Furman) in the Chair.

The time of recess having expired the House was called to order.

SENATE MESSAGE

The Clerk of the Senate being introduced, presented extracts from the Journal of the Senate which were laid upon the table.

REPORT FROM COMMITTEE ON RULES

Mr. COHEN from the Committee on Rules reported the following resolution as committed:

SENATE MESSAGE

FINAL ADJOURNMENT

The Clerk of the Senate being introduced presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, August 3, 1936.

Resolved, (if the House of Representatives concur), That this Extraordinary Session of the General Assembly adjourn sine die, Thursday, August sixth, at twelve o'clock noon, Eastern Standard Time.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

REPORT FROM COMMITTEE ON RULES

Mr. ANDREWS from the Committee on Rules reported the following resolution as committed:

SENATE MESSAGE

RESOLUTION FOR CONCURRENCE

The Clerk of the Senate being introduced presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, August 6, 1936.

Whereas, the Federal Social Security Act requires the Mothers Assistance Law to be mandatory in all counties of the Commonwealth before Federal moneys will be available for this purpose; and

Whereas, House Bill No. 59, now in conference committee, will make the Mothers Assistance Law mandatory on all counties if enacted; and

Whereas, at least eight counties have been heretofore and are financially unable to participate with the Commonwealth in furnishing assistance to needy mothers under the Mothers Assistance Law; and

Whereas, there are waiting lists of mothers eligible for assistance in those counties operating under the Mothers Assistance Law because of insufficient State and county funds available for this purpose; and

Whereas, it is the sense of the General Assembly that the additional funds necessary to meet the contributions required of the aforesaid eight counties and to take up the aforesaid waiting lists, should be provided for at its forthcoming regular session in 1937; and

Whereas, it will therefore be necessary for the Department of Welfare in order to extend the benefits of the Mothers Assistance Law to the aforesaid eight counties and to take up the waiting lists in the other counties, to accelerate payments from the existing appropriation for Mothers Assistance in order to match sufficient Federal moneys for this purpose with the result that such an appropriation will be exhausted by the first of April, one thousand nine hundred thirty-seven.

Resolved, (if the House of Representatives concur) that it is the sense of this special session of the General Assembly if House Bill No. 59 is enacted, that the Department of Welfare accelerate payments from its current appropriation for Mothers Assistance in order to match sufficient Federal moneys which, together with the State appropriation, will enable the department to furnish, in the manner provided by law, Mothers Assistance to all eligible applicants therefor in all counties of the Commonwealth; and

Resolved Further, that it is the sense of this General Assembly that the General Assembly, at its forthcoming regular session of 1937, appropriate sufficient money to the Department of Welfare which, together with contributions received from the Federal government to match such money, will enable Mothers Assistance to be furnished to all eligible applicants therefor during the remainder of the 1936-37 biennium.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 161.

An Act making an appropriation to the Water and Power Resources Board for payment into the Flood Control Fund for flood control purposes

With the information that the Senate has passed the same with amendment, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendment.

The Clerk read the amendment as follows:

Amend Section 1, page 1, line 4, by striking out after the words and figures "two million dollars ($2,000,000)" and inserting in lieu thereof the words and figures "one hundred and fifty thousand dollars ($150,000)"

On the question,

Will the House concur in the amendment made by the Senate?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—202

Achterman,	Duffort,	Mallen,	Serrill,
Alexander,	Eberharter,	Mason,	Shaw,
Allen,	Eroe,	McCreary,	Shepard,
Altenburg,	Falkenstein,	McDermott,	Shortz,
Andrews,	Ferko,	McDevitt	Shreiner,
Anthony,	Finnerty,	McElroy,	Shugarts,
Arnold,	Fitch,	McHenry,	Siegel,
Atkins,	Flanagan,	McKinney,	Simon,
Aukerman,	Flinchbaugh,	Melchiorre,	Simpson,
Baine,	Flynn,	Mentzer,	Sinwell,
Baker, F. T.,	Forrest,	Merrell,	Sloan,
Baker, J. J.,	Gates,	Moomaw,	Smith, J. A.,
Baldi,	Gerard,	Mooney,	Smith, W. G.,
Barber,	Gillette,	Moore,	Snyder, F. E.,
Barnhardt,	Greenstein,	Moran,	Snyder, J. L.,
Beadman,	Habbyshaw,	Moul,	Sowers,
Bernhard,	Haberlen,	Muir,	Sproul,
Blumberg,	Hagerty,	Munley,	Stank,
Boose,	Haluska,	Murrin,	Stevens,
Boyer,	Hamilton, F. P.,	Nagel,	Stockham,
Bradley,	Hamilton, R. S.	Nothnagle,	Stone,
Brancato,	Harkins,	O'Keefe,	Stott,
Brennan,	Harmuth,	Ominsky,	Sumney,
Brown, H. S.,	Hartman,	O'Neill,	Surface,
Brown, J. E.,	Hefferon,	Panton,	Sweeney,
Brownfield,	Hermansen,	Parks,	Tahl,
Brumbaugh,	Hetrick,	Patterson, C.,	Terry,
Burke,	Hindman,	Patterson, J. W.,	Tronzo,
Cannon,	Hirsch,	Pearson,	Trout,
Caputo,	Hoffner,	Perry,	Tumelty,
Carr,	Holland,	Peters,	Turner,
Carson,	Holstrom,	Pfaff,	VanAllsburg,
Castor,	Hoopes,	Phillips,	VanSickle,
Chervenak,	Horst,	Piole,	Wall,
Coakley,	Jackson,	Powers,	Wasserman,
Cochran,	Jones,	Reising,	Weidemann,
Cohen,	Kane,	Reynolds,	Weiss,
Coleman,	Kelder,	Rhys,	Welliver,
Condon,	Kelso,	Rinn,	Welsh,
Coolahan,	Kenney,	Roan,	White,
Cooper,	Kilroy,	Robinson,	Wickersham,
Cordier,	Kinney,	Rooney,	Winner,
Davies,	Klinger,	Root,	Witkin,
Decker,	Kobelak,	Royer,	Wood,
Decker,	LaRue,	Ruffennach,	Woodside,
Denning,	Linderman,	Sarraf,	Yeakel,
Dent,	Long,	Scanlon,	Yourishin,
Diehl,	Longaker,	Schaeffer,	Zappala,
Dilley,	Lovett,	Schrock,	Zimmerman,
Downey, G. E.,	Lynch,	Schrope,	Furman,
Downey, J. J.,	Male,	Schwab,	

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendment was concurred in.

Ordered, that the Clerk inform the Senate accordingly.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 70.

An Act relating to flood control prescribing the powers and duties of the Water and Power Resources Board of the Department of Forests and Waters in relation to the creation of flood control districts adoption of plans for flood control works and improvements carrying into effect of such plans assistance aid and cooperation with public and private agencies and the Federal Government in Federal flood control works and improvements and entering into compacts and agreements with other states for flood control works and improvements conferring the power of eminent domain providing for assessment of benefits against property benefited and against municipalities counties and townships and for their collection providing for appeals conferring certain powers on municipalities counties and townships and the Department of Highways and making an appropriation

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend title, page 1, line 11, by striking out after the word "domain" the words "providing for assessment of benefits against property benefited and against municipalities counties and townships and for their collection" and inserting in lieu thereof the words "imposing certain charges upon the Commonwealth"; Also on page 2, line 1, by striking out after the word "Commission" the word "and"; also in the next line by inserting after the word "Highways" the words "and the Department of Property and Supplies"; also by striking out after the word "Highways" the words "and making an appropriation."

Amend Section 1, page 2, line 8, by striking out after the word "section" the words "twenty-seven" and inserting in lieu thereof the word "eighteen"; also in line 12, by striking out after the word "of" the words "public and private"; also in next line by striking out after the word "property" the words "and of municipalities"; also by striking out after the word "be" the word "benefited" and inserting in lieu thereof the word "taken damaged or destroyed"; also in line 19, by striking out after the word "or" the word "benefited" and inserting in lieu thereof the word "destroyed"; also in line 20, by striking after the word "words" the words "and to make preliminary estimates of benefits to private property"; also in line 23, by inserting after the word "Government" the words "which before the adoption in this Commonwealth shall have been incorporated into and made a part of any State official plan."

Amend Section 2, page 3, line 2, by striking out after the word "at" the word "lease" and inserting in lieu thereof the word "least"; also in line 22, by striking out after the word "board" the words "may in its discretion" and inserting in lieu thereof the word "shall"; also on page 4, line 6, by striking out after the word "plans" the word "may" and inserting in lieu thereof the word "shall"; also in line 7, by inserting after the word "plans" the words "and the board shall also give notice to all persons whose property may be taken damaged or destroyed in the completion of such plan by registered mail to the

last known post office address of the owner or reputed owner of the property."

Amend Section 5, page 4, line 12, by striking out after the word "within" the word "thirty" and inserting in lieu thereof the word "sixty"; also on page 5, line 7, by inserting after the word "Court" the words "on its own independent judgment"; also in line 10, by inserting after the word "proper" the words "for the purpose of flood control only"; also in in line 13, by inserting after the word "proceeding" the following new paragraph:

Within thirty days after the entry of any final judgment order or decree of the aforesaid Superior Court any party to the record aggrieved thereby may appeal therefrom to the Supreme Court if the jurisdiction of the Superior Court is in issue or if the case involves the construction or application of the Constitution of the United States or of any statute or treaty of the United States or if the case involves the construction or application of the Constitution of Pennsylvania or if the appeal to the Supreme Court be specially allowed by the Superior Court itself or by any one justice of the Supreme Court Such appeals shall be taken and prosecuted in the same manner and with the same effect as is provided in other cases of appeal from the Superior Court to the Supreme Court

Amend Section 6, page 5, line 22, by striking out after the word "effective" the words "and shall not be estopped in the exercise of its powers by reason of the fact that benefits assessable under this act have not been determined and that the amount of money accruing to the Flood Control Fund has not been ascertained" and inserting in lieu thereof the following: "provided the General Assembly shall have made a specific appropriation to the Flood Control Fund if necessary for the execution of all or a part of such plan"; also in line 27, by striking out after the word "let" the word "or"; also by inserting after the word "executed" the words "or condemnation proceeding be begun"; also in line 28, by striking out after the word "fund" the words "or to become available to said fund by the time such contract or agreement is completed or concluded."

Amend Section 7, page 6, line 9, by striking out after the word "walls" the word "revertments" and inserting in lieu thereof the word "revetments"; also in line 21, by inserting after the word "act" the following: "Provided however That nothing contained in this act shall be construed to authorize the construction maintenance or operation of any facilities works or improvements for the generation of any electric power or the development of water power

Whenever any lands easements rights of way or other property is acquired by the board the board for the assessment and revision of taxes or the county commissioners of the county wherein the same is located shall immediately after such acquisition certify to the Auditor General the assessed valuation of such lands easements rights of way and other property at the time of such acquisition After such acquisition the taxing authority of each political subdivision within which such lands easements rights of way or other property is located shall from year to year at the time of their annual levy of taxes certify to the Auditor General the rate of their respective levies for the next year Thereupon the Auditor General shall ascertain the amount of taxes which would have been collected upon the assessed valuation certified as hereinbefore provided at the respective rates of the levies so certified Upon the ascertainment of such amounts the same shall be paid by the Commonwealth to the several political subdivisions from time to time from the General Fund

Amend Section 8, page 6, line 29, by inserting after the word "regulations" the words "not inconsistent with the provisions of this act"; also on page 7, by striking out after the word "Revenue" the words "for deposit and safe keeping" and inserting in lieu thereof the words "as custodian."

Amend Section 9, page 7, line 9, by striking out after the word "granted" the following "in connection with the creation of flood control districts the adoption of official plans in connection therewith and the carryi into effect of such official plans"; also in line 17, by i serting after the word "conferred" the words "and sha be subject to all the limitations imposed"; also by inser ing after the word "act" the words "including the approv of plans as provided in this act"; also in line 19, by stril ing out after the word "powers" the word "whatsoeve and inserting in lieu thereof the word "consistent ther with"; also in line 23, by inserting after the syllab "wealth" the words "subject to all the limitations i posed by this act"; also on page 8, by striking out af the word "money" the words "made available or to b come"; also in line 10, by inserting after the word "instr mentalities" the words "subject to the limitations i posed by this act."

Amend Section 10, page 8, line 11, by inserting aft the word "CONTRACTS" the words "AND ACQUISITIO OF PROPERTY"; also in line 17, by inserting after th word "board" the following new paragraphs:

"All purchases of personal property shall be made b the Department of Property and Supplies as agent f the board in accordance with the provisions of the Ad ministrative Code of one thousand nine hundred twenty nine its amendments and supplements

All leases and purchases of real property and ease ments shall be made by the Department of Property an Supplies as agent for the board and shall be limited t the acquisition at not more than a fair rental or fa market value as the case may be."

Amend Section 11, page 8, line 20, by inserting after th word "courses" the words "except property easement rights of way or water courses devoted to or acquired f public or quasi-public purposes;" also in line 23, by inser ing after the word "act" the words "and for no other pu pose;" also in line 24, by inserting after the word "any the word "such;" also by inserting after the word "neces sary" the words "for such purposes;" also on page 9, lin 7, by inserting after the word "supplements" the following "except that the Board may take possession of the pro erty on the confirmation of the viewers report only aft moneys sufficient to compensate therefore are available the Flood Control Fund and the Board has paid or tender payment of the amount awarded by the Board of View in case the Board believes the amount awarded by t Board of View to be excessive then the amount to be ten ered shall be the amount which the board believes to just and proper Provided the property owner may a cept the amount awarded by the Board of View or t amount tendered by the Board if less than that award by the Board of View without prejudice to his right prosecute an appeal therefrom for any excess that he ma claim Upon the trial of any appeal if the party appealin does not obtain a verdict more favorable than was the r port of the viewers he shall not recover costs Provid that where the Board shall make a tender of less than t amount awarded by the Board of View such tender sha not be construed to preclude the Board from appealin from or filing exceptions to the report of viewers;" al in line 11, by inserting after the word "courses" the wor "except property easements rights of way or water cours devoted to or acquired for public or quasi-public pu poses;" also in line 17, by inserting after the word "c operate" the following: "and for no other purpose;" al in line 26, by striking out after the word "money" t words "made available or to be made;" also in line 2 by inserting after the word "Fund" the following: "T board shall not agree to pay any tax on or rental for a such property easements rights of way or water cours nor shall the Commonwealth be liable therefor witho the consent of the General Assembly.

Amend Section 12, page 10, line 18, by striking out aft the word "States" the words "or any other agency or i strumentality of the United States," and inserting in li thereof the words "subject to all the limitations impos by this Act."

Amend Section 15, page 11, line 22, by inserting aft the word "improvements" the words "constructed in a cordance with the provisions of this act;" also in line 2 by striking out after the word "control" the words "in a

cordance with the rules and regulations of any agency or instrumentality of the Government of the United States."

Amend Section 16, page 12, line 4, by striking out after the word "shall" the following: "extend only to such rights as are owned or possessed by them prior to the establishment of the flood control district or the construction of such flood control works and improvements and to such use as could be made of such waters if the public improvements and works herein authorized had not been made" and inserting in lieu thereof the following" "be affected or impaired only to the extent absolutely necessary for flood control;" also in line 12, by inserting after the word "district" the words "as existed at the time of such public improvements or works;" also in line 19, by inserting after the word "preserved" the following: "but such rights shall not be used in competition with existing public or private business All lands or property or both through or over which or bounding which are streams the beds of which streams are the property of the owners of said lands shall not be disturbed in or deprived of the natural flow of water in said streams unless (a) said lands or property or both are taken and used by the board for impounding waters and compensation to the extent to which said lands or property or both are damaged thereby has been made under the provisions of this act or (b) only a reasonable portion of the water in said streams is withheld during a flood period when the retention in the watershed of such reasonable portion is necessary temporarily to prevent a threatened flood."

Amend Section 17, page 13, line 5, by striking out after the word "the" the word "Commonwealth" and inserting in lieu thereof the word "General Assembly;" also in line 12, by striking out after the word "subdivisions" the following: "and from moneys arising from benefits assessed under the authority of this act against private property and against municipalities benefited or to be benefited by the construction of such public works and improvements to protect public and private property and improvements from damage and destruction by floods;" also in line 22 by inserting after the word "Commonwealth" the following: "of the type which may be constructed under the provisions of this act after such Federal flood control works and improvements have been incorporated into and made a part of an official state plan."

Amend bill starting on page 13, line 23, by striking out Sections 18, 19, 20, 21, 22, 23, 24, 25 and 26 as follows:

"Section 18 Appointment of Viewers After the official plan has been finally adopted and has become effective or whenever the Federal Government has adopted a plan for Federal flood control works and improvements in the construction and erection of which the board has agreed to aid and assist financially and otherwise the court of common pleas of each county wholly or partially within a flood control district as established by the official plan or of any county lying wholly or partially within any drainage area for which Federal flood control works and improvements are to be erected and constructed may on its own motion and shall on the application of the board appoint a board of three viewers from the county board of viewers whose duty it shall be to assess all benefits to private property and to municipalities to be occasioned by the erection and construction of the State or Federal public works and improvements or both It shall be the duty of the board to furnish to each board of viewers so appointed a complete set of the State official plans showing the private property and the municipalities within the county which will be benefited by the proposed public works and improvements and also of any Federal plans if the same are available

Section 19 Swearing Viewers Assessment of Benefits Notice Hearings The viewers having been duly sworn or affirmed faithfully justly and impartially to decide and a true report to make concerning all matters before them or to be submitted to them and in relation to which they are authorized to inquire and having viewed each parcel of private property and each municipality which according to the official State plan or Federal plan or program is to be benefited shall hear all parties and their witnesses and shall determine the benefits if any to accrue to each such parcel of private property and to each municipality and shall prepare a schedule of such property and a municipal schedule and the amount of benefits assessed against each piece of private property and against each municipality

No assessment of benefits shall be made against public property No assessment of benefits shall be made against any private property unless in the opinion of the board of viewers such property will be benefited by the prevention or lessening of future flood damage No assessment shall be made against any municipality unless in the opinion of the board of viewers the municipality will be benefited because its buildings roads streets parks water supply plants and other public property and works will be protected from flood damage The fact that public and private property and works have been damaged by flood shall be deemed conclusive evidence that benefit will accrue to such property or municipality by reason of the public works and improvements authorized by this act or provided by the Federal Government or its agencies or instrumentalities No exemption from assessment of benefits shall exist for any private property or any municipality by reason of the fact that the same does not abut on any improvement or on the river or stream carrying the flood waters

The viewers shall give notice to all persons and municipalities against whose properties or against which benefits have been assessed of a time when and place where the viewers will meet and exhibit their schedules and hear all exceptions thereto Such notice shall be given by registered mail addressed to the last known post office address of the owner or reputed owner of the property and to the corporate authorities of each municipality and by publication once a week for two weeks in at least two newspapers of general circulation in the county where so many are published in the county The failure of an owner or municipality to receive the registered mail notice shall not be deemed to invalidate the proceedings but in such cases the notice by publication shall be deemed sufficient

Section 20 Revision of Schedules Filing and Notice Thereof After hearing all parties and after making whatever changes are deemed necessary the viewers shall prepare a revised schedule of benefits to private property and a revised schedule of benefits assessed against municipalities and file a copy of each in the court of common pleas of the county When the reports of the viewers are filed they shall be confirmed nisi When the reports are filed notice thereof shall immediately be given by the board of viewers by publication once in the newspapers in which the notice of the hearings before the viewers was published Such notice shall state the date of the filing of the reports shall contain the schedules of the benefits assessed and shall state that unless exceptions are filed thereto or an appeal to the court of common pleas is taken therefrom within thirty days from the date of filing the reports will be confirmed absolutely

Section 21 Filing of Exceptions and Appeals Within thirty days after the filing of the report of viewers any person or municipality interested may file exceptions to the same or may appeal to the court of common pleas and demand a jury trial

Each person or municipality filing exceptions or taking an appeal shall except to or appeal from so much of the report only as affects property in which he has an interest or as affects the municipality and the part of the report of the viewers not excepted to or appealed from shall be confirmed absolutely after said thirty day period

Section 22 Procedure on Exceptions and Appeals Where exceptions to a report of the viewers are filed the court shall proceed to hear and determine the same in the manner exceptions to the reports of viewers are generally proceeded with within the county Where an appeal is taken it shall state the grounds upon which the appeal is taken and shall be accompanied by an affidavit that it is not taken for the purpose of delay but because the appellant believes that injustice has been done

Upon the trial of any appeal or the hearing of any exceptions in case the appellant or party excepting does

not obtain a verdict or decree more favorable than was the report of the viewers he or it shall not recover any costs

The court of common pleas shall order what notices shall be given in connection with such proceedings by exceptions or by appeals and may by rule or otherwise prescribe the form of the pleadings

The court may also in proper cases consolidate proceedings by exceptions or appeals into a single proceeding but exceptions or appeals involving municipalities shall not be consolidated with those involving private property

Section 23 Appeals to Superior and Supreme Courts Any person or municipality aggrieved by an order of court on exceptions filed or determination of the case where a jury trial was demanded may within thirty days after such final order or determination and not thereafter appeal to the Supreme or Superior Court as the case may be

Where any appeal is taken to the Supreme Court and an appeal is also taken to the Superior Court and the appeals in both cases are substantially the same or involve the same questions the Superior Court may certify such appeal to the Supreme Court to be heard with other appeals from the same report

The Supreme or Superior Court shall consolidate all appeals coming before it from the same report and hear them as one case except that cases arising from exceptions shall not be consolidated with those arising from appeals and demands for a jury trial and those involving municipalities shall not be consolidated with those involving benefits to private property

Where any appeal is taken to the wrong court such court shall certify the same to the court to which it should have been taken

Section 24 Due Date For Payment of Benefits Discounts For Prompt Payment Interest All assessments of benefits shall become due and payable to the board when the State or Federal public flood control works and improvements have been completed which date shall be fixed by the official order of the board notice of which order shall be published by the board in the newspapers in which notice of the preliminary and final plans were published by one insertion

Any person or municipality may pay any part or all of the benefits assessed against him or it to the board before the due date thereof If such payment is made within six months after the amount of the benefits have been finally ascertained a discount of ten per centum of the amount thereof paid shall be allowed All benefits or any part thereof paid after such six months' period and within one year from the time the benefits are finally ascertained shall be subject to a discount of five per centum of the amount paid All assessments of benefits or parts thereof remaining unpaid when the improvements are completed shall bear interest at the rate of six per centum per annum from the date of the completion of the improvements until paid

The board shall send by registered mail addressed to the last known post office address a statement of the amount due by each person and municipality after the same has been finally ascertained together with notice of the discounts allowed by this act for prompt payment and when interest will be added to the amount due

Section 25 Liens and Filing Thereof Procedure Thereon to Collect All assessments for benefits against private property shall remain a lien thereon from the time report of the viewers is filed in court until paid unless the lien thereof be lost by failure to revive the same It shall be the duty of the board within six months after its order that the public works and improvements have been completed to file through the Department of Justice in the name of the Commonwealth of Pennsylvania in the office of the prothonotaries of the proper counties liens for all benefits assessed which remain unpaid by persons and municipalities But no such lien shall be filed unless the board shall first notify by mail addressed to the last known post office address of the owner or reputed owner of the property or the municipality against which an assessment has been made of its intention to have said lien filed if payment of the amount due is not made before a time prescribed by the board Such liens shall be filed in the same manner as is provided by law for the filing of municipal claims and shall have priority over all other liens except taxes and municipal claims or liens and except also mortgages and judgments of record prior to the time the report of the viewers was filed in court

Such liens shall be revived prosecuted to judgment executed and collected by the board through the Department of Justice in the same manner in all respects as is provided by law in the case of municipal claims except that in the case of municipalities judgments recovered on such liens shall be collected in the same manner as judgments are collectible by law against municipalities

Section 26 Increase of Municipal Debts Appropriations Any municipality may incur or increase its indebtedness in the manner provided by law for the purpose of appropriating moneys to the board to assist in carrying out the purpose of this act and for the purpose of paying benefits assessed against it by the report of viewers or as finally adjudicated and may make appropriations from current funds for such purposes."

Amend Section 27, page 21, line 6, by striking out after the word "Section" the figures "27" and inserting in lieu thereof the figure "18;" also in line 10, by striking out after the word "the" the word "Commonwealth" and inserting in lieu thereof the word 'General Assembly;" also by striking out lines 14 and 15 as follows: "and recovered from benefits assessed against persons and municipalities under the provisions of this act;" also in line 20, by striking out after the word "act" the following: "for repayment to the General Fund of excess appropriations made by the Commonwealth pending the collection of assessments of benefits;" also in line 29, by inserting after the word "states" the following: "in accordance with appropriations made by the General Assembly."

Amend bill on page 22, beginning with line 5, by striking out the entire Section 28 as follows:

Section 28 Additional Appropriations to cover delayed payment of assessments If in the construction and erection of the public works and improvements authorized by this act it becomes necessary for the Commonwealth to advance additional State moneys by appropriation to the Flood Control Fund because of a failure of owners of property and municipalities to pay benefits assessed within the time and in the amount estimated by the board then and in that event the General Fund shall be reimbursed by the board from future moneys collected from assessments of benefits to the extent of such additional appropriations The General Assembly shall in its appropriations to carry into effect the provisions of this act state the amount or amounts of appropriations so made which shall be so repaid to the General Fund.

Amend Section 29, page 22, line 20, by striking out after the word "Section" the figure "29" and inserting in lieu thereof the figure "10"; also in line 24, by inserting after the word "works" the words: "of the type which may be constructed under the provisions of this act to become effective only after the same have been approved by the General Assembly"; also in line 25, by striking out after the word "available" the word "and" and inserting in lieu thereof the word "or"; also in line 27, by striking out after the word "by" the words "this act" and inserting in lieu thereof the words "the General Assembly".

Amend Section 30, page 23, line 18, by striking out after the word "Section" the figure "30" and inserting in lieu thereof the figure "20".

Amend bill on page 23 and 24, by striking out the entire of Section 31 as follows:

Section 31 Appropriation The sum of two million dollars ($2,000,000) or so much thereof as may be necessary is hereby specifically appropriated from the General Fund into the Flood Control Fund created by this act for the purpose of carrying into effect the provisions of this act.

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—202.

Achterman,	Eberharter,	Mason,	Serrill,
Alexander,	Eroe,	McCreary,	Shaw,
Allen,	Falkenstein,	McDermott,	Shepard,
Altenburg,	Ferko,	McDevitt,	Shortz,
Andrews,	Finnerty,	McElroy,	Shreiner,
Anthony,	Fitch,	McHenry,	Shugarts,
Arnold,	Flanagan,	McKinney,	Siegel,
Atkins,	Flinchbaugh,	Melchiorre,	Simon,
Aukerman,	Flynn,	Mentzer,	Simpson,
Baine,	Forrest,	Merrell,	Sinwell,
Baker, F. T.,	Gates,	Moomaw,	Sloan,
Baker, J J.,	Gerard,	Mooney,	Smith, J. A.,
Baldi,	Gillette,	Moore,	Smith, W. G.,
Barber,	Greenstein,	Moran,	Snyder, F. E.,
Barnhardt,	Habbyshaw,	Moul,	Snyder, J. L.,
Beadman,	Haberlen,	Muir,	Sowers,
Bernhard,	Hagerty,	Munley,	Sproul,
Blumberg,	Haluska,	Murrin,	Stank,
Boose,	Hamilton, F. P.,	Nagel,	Stevens,
Boyer,	Hamilton, R. S.,	Nothnagle,	Stockham,
Bradley,	Harkins,	O'Keefe,	Stone,
Brancato,	Harmuth,	Ominsky,	Stott,
Brennan,	Hartman,	O'Neill,	Sumney,
Brown, H. S.,	Hefferon,	Panton,	Surface,
Brown, J. E.,	Hermansen,	Parks,	Sweeney,
Brownfield,	Hetrick,	Patterson, C.,	Tahl,
Brumbaugh,	Hindman,	Patterson, J. W.,	Terry,
Burke,	Hirsch,	Pearson,	Tronzo,
Cannon,	Hoffner,	Perry,	Trout,
Caputo,	Holland,	Peters,	Tumelty,
Carr,	Holstrom,	Pfaff,	Turner,
Carson,	Hoopes,	Phillips,	Van Allsburg,
Castor,	Horst,	Piole,	Van Sickle,
Chervenak,	Jackson,	Powers,	Wall,
Coakley,	Jones,	Reising,	Wasserman,
Cochran,	Kane,	Reynolds,	Weidemann,
Cohen,	Kelder,	Rhys,	Weiss,
Coleman,	Kelso,	Rinn,	Welliver,
Condon,	Kenney,	Roan,	Welsh,
Coolahan,	Kilroy,	Robinson,	White,
Cooper,	Kinney,	Rooney,	Wickersham,
Cordier,	Klingler,	Root,	Winner,
Davies,	Kobelak,	Royer,	Witkin,
Decker,	LaRue,	Ruffennach,	Wood,
Denning,	Linderman,	Sarraf,	Woodside,
Dent,	Long,	Scanlon,	Yeakel,
Diehl,	Longaker,	Schaeffer,	Yourishin,
Dilley,	Lovett,	Schrock,	Zappala,
Downey, G. E.,	Lynch,	Schrope,	Zimmerman,
Downey, J. J.,	Male,	Schwab,	Furman,
Duffort,	Mallen,		

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, that the Clerk inform the Senate accordingly.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 66.

An Act making an appropriation to the Department of Property and Supplies for increasing the capacity of overcrowded State institutions eliminating fire and other hazards to safety at State institutions providing for the purchase of safety and other equipment the erection and construction of new buildings and repairs alterations and additions to and replacement of existing buildings and equipment.

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend Section 1, page 1, line 4, by striking out after the word "of" the words and figures "two million six hundred thousand dollars ($2,600,000)" and inserting in lieu thereof the words and figures "one million two hundred twenty-five thousand dollars ($1,225,000)"; also on page 2, by striking out lines 3 to 7 inclusive as follows:

"For increasing the capacity of State-owned institutions under the supervision of the Department of Welfare by the erection and construction of new buildings or by repairs alterations or additions to existing buildings the sum of one million dollars ($1,000,000)" and inserting in lieu thereof the following paragraph:

"For the erection construction and equipment of buildings to comprise a farm colony at the Pennsylvania Industrial School at Huntingdon on lands of said school designated by the Secretary of Welfare the sum of seventy-five thousand dollars ($75,000)"

Also on page 2, by striking out line 12 as follows: "six hundred thousand dollars ($600,000)" and inserting in lieu thereof the following: "one hundred and fifty thousand dollars ($150,000)".

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—202.

Achterman,	Eberharter,	Mason,	Serrill,
Alexander,	Eroe,	McCreary,	Shaw,
Allen,	Falkenstein,	McDermott,	Shepard,
Altenburg,	Ferko,	McDevitt,	Shortz,
Andrews,	Finnerty,	McElroy,	Shreiner,
Anthony,	Fitch,	McHenry,	Shugarts,
Arnold,	Flanagan,	McKinney,	Siegel,
Atkins,	Flinchbaugh,	Melchiorre,	Simon,
Aukerman,	Flynn,	Mentzer,	Simpson,
Baine,	Forrest,	Merrell,	Sinwell,
Baker, F. T.,	Gates,	Moomaw,	Sloan,
Baker, J J.,	Gerard,	Mooney,	Smith, J. A.,
Baldi,	Gillette,	Moore,	Smith, W. G.,
Barber,	Greenstein,	Moran,	Snyder, F. E.,
Barnhardt,	Habbyshaw,	Moul,	Snyder, J. L.,
Beadman,	Haberlen,	Muir,	Sowers,
Bernhard,	Hagerty,	Munley,	Sproul,
Blumberg,	Haluska,	Murrin,	Stank,
Boose,	Hamilton, F. P.,	Nagel,	Stevens,
Boyer,	Hamilton, R. S.,	Nothnagle,	Stockham,
Bradley,	Harkins,	O'Keefe,	Stone,
Brancato,	Harmuth,	Ominsky,	Stott,
Brennan,	Hartman,	O'Neill,	Sumney,
Brown, H. S.,	Hefferon,	Panton,	Surface,
Brown, J. E.,	Hermansen,	Parks,	Sweeney,
Brownfield,	Hetrick,	Patterson, C.,	Tahl,
Brumbaugh,	Hindman,	Patterson, J. W.,	Terry,
Burke,	Hirsch,	Pearson,	Tronzo,
Cannon,	Hoffner,	Perry,	Trout,
Caputo,	Holland,	Peters,	Tumelty,
Carr,	Holstrom,	Pfaff,	Turner,
Carson,	Hoopes,	Phillips,	VanAllsburg,
Castor,	Horst,	Piole,	VanSickle,
Chervenak,	Jackson,	Powers,	Wall,
Coakley,	Jones,	Reising,	Wasserman,
Cochran,	Kane,	Reynolds,	Weidemann,
Cohen,	Kelder,	Rhys,	Weiss,
Coleman,	Kelso,	Rinn,	Welliver,
Condon,	Kenney,	Roan,	Welsh,
Coolahan,	Kilroy,	Robinson,	White,
Cooper,	Kinney,	Rooney,	Wickersham,
Cordier,	Klingler,	Root,	Winner,
Davies,	Kobelak,	Royer,	Witkin,
Decker,	LaRue,	Ruffennach,	Wood,
Denning,	Linderman,	Sarraff,	Woodside,
Dent,	Long,	Scanlon,	Yeakel,
Diehl,	Longaker,	Schaeffer,	Yourishin,
Dilley,	Lovett,	Schrock,	Zappala,
Downey, G. E.,	Lynch,	Schrope,	Zimmerman,
Downey, J J	Male,	Schwab,	Furman,
Duffort,	Mallen,		

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, that the Clerk inform the Senate accordingly.

SENATE MESSAGE

AMENDED SENATE BILL CONCURRED IN BY SENATE

The Clerk of the Senate being introduced informed that the Senate has concurred in the amendments made by the House of Representatives to Senate Bill numbered and entitled as follows, viz:

SENATE BILL No. 60.

A Joint Resolution proposing an amendment to section one article nine of the Constitution of the Commonwealth of Pennsylvania.

SENATE MESSAGE

HOUSE BILL CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 135.

An Act appropriating to the State Emergency Relief Board for unemployment relief all restitutions and overpayments collected by or for said board.

With the information that the Senate has passed the same without amendment.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 58

A Supplement to act number seventy-seven-A approved the twentieth day of July one thousand nine hundred thirty-five (One Thousand Nine Hundred Thirty-five Appropriation Acts page seventy-one) entitled "An act to provide for the ordinary expenses of the Executive Legislative and Judicial Departments of the Commonwealth interest on the public debt and the support of the public schools for two years beginning June first one thousand nine hundred and thirty-five and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred and thirty-five" providing for additional appropriations to certain departments boards and commissions

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend title, page 1, in last line, by inserting after the word "commissions" the words "and to the Legislative Department."

Amend Section 1, page 2, by striking out beginning in line 3 as follows:

"EXECUTIVE DEPARTMENT

To The Department of Agriculture

For the payment of salaries wages or other compensation of employes for the payment of general expenses necessary for the proper conduct of the work of the State Farm Products Show Commission for the payment of premium awards for exhibits at the State Farm Products Show and for the maintenance of the State Farm Show Building and the grounds surrounding it including the shelter and care of refugees in such building the sum of five thousand nine hundred twenty-seven dollars and seventy cents ($5,927.70)

To The Department of Health

For the payment of salaries wages or other compensation of a deputy secretary and other employes for the payment of general expenses necessary for the proper conduct of the work of the department the Sanitary Water Board the Advisory Health Board and other boards the sum of five thousand eight hundred three dollars and seventy-eight cents ($5,803.78)"; also by striking out on page 2, beginning with line 24, the following:

"For the payment of salaries wages or other compensation of the members of the Workmen's Compensation Board Workmen's Compensation referees the members of the Industrial Board a deputy secretary and other employes for the payment of general expenses necessary for the proper conduct of the work of the department the Workmen's Compensation Board the Workmen's Compensation Referees and the Industrial Board and for the purchase of artificial appliances for and the payment of maintenance costs of physically handicapped persons in training and all other expenses necessary to carry out the provisions of the rehabilitation acts the sum of one hundred fifty-nine thousand four hundred sixty-one dollars and twenty-six cents ($159,461.26) Of this amount one hundred thirty-four thousand six hundred sixty-six dollars and twenty-six cents ($134,666.26) shall be budgeted for"; also on page 3, line 10, by inserting after the word "for" the word "For"; also in line 13, by inserting after the word "purposes" the following: "and for the payment of salaries wages and other compensation of employes and general expenses of the department for the purchase of appliances and for the payment of incidental expenses in connection with educational vocational training the sum of one hundred thirty-four thousand six hundred sixty-six dollars and twenty-six cents ($134,666.26)"; also on page 5, line 9, by striking out after the word "of" the words and figures "four hundred thousand dollars ($400,000)" and inserting in lieu thereof the following "two hundred seventy-five thousand dollars ($275,000)"; also on page 7, line 6, by striking out after the word "of" the words and figures "two hundred seventy-eight thousand two hundred ninety-nine dollars and seventy-five cents ($278,299.75)" and inserting in lieu thereof the following: "one hundred thousand dollars ($100,000)"; also on page 8, line 16, by striking out after the word "of" the words and figures "six hundred thousand dollars ($600,000)" and inserting in lieu thereof the following: "two hundred fifty thousand dollars ($250,000)"; also on page 9, by striking out lines 12 to 16 inclusive as follows:

"For the repair of flood damage to the buildings housing the prison industries shops at the Western State Penitentiary Pittsburgh including the repair and replacement of prison industries equipment the sum of one hundred fifty thousand dollars ($150,000)."

Amend bill on page 9, by inserting after the figures "($26,000) in line 20 the following new paragraph:

"LEGISLATIVE DEPARTMENT

To the Senate

For deficiencies in the appropriation to the Senate for the payment of postage on the legislative journal bills and calendars for mileage of Senators for salaries of officers and employes the sum of twenty thousand five hundred dollars and twenty cents ($20,500.20) or so much thereof as may be necessary to be available for expenditure for the extraordinary session of the Legislature of one thousand nine hundred and thirty-six."

On the question,

Will the House concur in the amendments made by the nate?

Agreeably to the provisions of the Constitution, the yeas nd nays were taken and were as follows, viz:

YEAS—202

hterman,	Eberharter,	Mason,	Serrill,
exander,	Eroe,	McCreary,	Shaw,
len,	Falkenstein,	McDermott,	Shepard,
tenburg,	Ferko,	McDevitt,	Shortz,
ndrews,	Finnerty,	McElroy,	Shreiner,
nthony,	Fitch,	McHenry,	Shugarts,
rnold,	Flanagan,	McKinney,	Siegel,
tkins,	Flinchbaugh	Melchiorre,	Simon,
kerman,	Flynn,	Mentzer,	Simpson,
aine,	Forrest,	Merrell,	Sinwell,
aker, F. T.,	Gates,	Moomaw,	Sloan,
aker, J. J.,	Gerard,	Mooney,	Smith, J. A.,
ldt,	Gillette,	Moore,	Smith, W. G.,
rber,	Greenstein,	Moran,	Snyder, F. E.,
rnhardt,	Habbyshaw,	Moul,	Snyder, J. L.,
adman,	Haberlen,	Muir,	Sowers,
rnhard,	Hagerty,	Munley,	Sproul,
lumberg,	Haluska,	Murrin,	Stank,
ose,	Hamilton, F. P.,	Nagel,	Stevens,
oyer,	Hamilton, R. S.,	Nothnagle,	Stockham,
adley,	Harkins,	O'Keefe,	Stone,
rancato,	Harmuth,	Ominsky,	Stott,
ennan,	Hartman,	O'Neill,	Sumney,
own, H. S.,	Hefferon,	Panton,	Surface,
own, J. E.,	Hermansen,	Parks,	Sweeney,
ownfield,	Hetrick,	Patterson, C.,	Tahl,
umbaugh,	Hindman,	Patterson, J. W.,	Terry,
rke,	Hirsch,	Pearson,	Tronzo,
nnon,	Hoffner,	Perry,	Trout,
puto,	Holland,	Peters,	Tumelty,
arr,	Holstrom,	Pfaff,	Turner,
rson,	Hoopes,	Phillips,	VanAllsburg,
stor,	Horst,	Piole,	VanSickle,
ervenak,	Jackson,	Powers,	Wall,
akley,	Jones,	Reising,	Wasserman,
chran,	Kane,	Reynolds,	Weidemann,
hen,	Kelder,	Rhys,	Weiss,
leman,	Kelso,	Rinn,	Welliver,
ndon,	Kenney,	Roan,	Welsh,
olahan,	Kilroy,	Robinson,	White,
oper,	Kinney,	Rooney,	Wickersham,
rdier,	Klingler,	Root,	Winner,
vies,	Kobelak,	Royer	Witkin,
cker,	LaRue,	Ruffennach,	Wood,
nning,	Linderman,	Sarraf,	Woodside,
nt,	Long,	Scanlon,	Yeakel,
hl,	Longaker,	Schaeffer,	Yourishin,
lley,	Lovett,	Schrock,	Zappala,
wney, G. E.,	Lynch,	Schrope,	Zimmerman,
wney, J. J.,	Male,	Schwab,	Furman,
uffort,	Mallen,		

NAYS—0

The majority required by the Constitution having voted the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, that the Clerk inform the Senate accordingly.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE BILLS Nos. 130, 159, 169 and 172

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, August 6, 1936.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed the following:

House Bill No. 130, Printer's No. 218, entitled "An Act to further amend the act approved the first day of June one thousand eight hundred eighty-nine (Pamphlet Laws four hundred twenty) entitled 'A further supplement to an act entitled "An act to provide revenue by taxation" approved the seventh day of June Anno Domini one thousand eight hundred and seventy-nine' by increasing for a limited period of time the rate of tax imposed by the act upon the gross receipts of certain companies limited partnerships associations joint-stock associations copartnerships and persons."

House Bill No. 159, Printer's No. 230, entitled "An Act authorizing the Commonwealth to negotiate temporary emergency loans to defray the current and other expenses of the State government during the fiscal year ending the thirty-first day of May one thousand nine hundred thirty-seven evidenced by tax anticipation notes secured by and payable from current revenues levied assessed collectible and accruing during such fiscal year defining the powers and duties of the Governor the Auditor General and the State Treasurer in relation thereto providing for the payment of interest on and the repayment of such loans and making an appropriation."

House Bill No. 169, Printer's No. 229, entitled "An Act to provide revenue for State purposes by imposing an excise tax for a limited period of time upon the delivery in this Commonwealth to the Pennsylvania Liquor Control Board of distilled rectified and blended spirits providing for the payment and collection of the tax and conferring powers and imposing duties on the Pennsylvania Liquor Control Board."

House Bill No. 172, Printer's No. 221, entitled "An Act authorizing the Commonwealth to negotiate a loan of one million dollars to meet any casual deficiency in revenue during the biennial fiscal period ending the thirty-first day of May one thousand nine hundred thirty-seven in accordance with the provisions of section four of article nine of the Constitution of Pennsylvania defining the powers and duties of the Governor the Auditor General and State Treasurer in relation thereto and providing for the payment of interest on and the repayment of such loan."

GEORGE H. EARLE.

BILLS SIGNED BY THE SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being being correct, the titles were publicly read as follows:

HOUSE BILL No. 66.

An Act making an appropriation to the Department of Property and Supplies for increasing the capacity of overcrowded State institutions eliminating fire and other hazards to safety at State institutions providing for the purchase of safety and other equipment the erection and construction of new buildings and repairs alterations and additions to and replacement of existing buildings and equipment

HOUSE BILL No. 58.

A Supplement to act number seventy-seven-A approved the twentieth day of July one thousand nine hundred thirty-five (One Thousand Nine Hundrad Thirty-five Appropriation Acts page seventy-one) entitled "An act to provide for the ordinary expenses of the Executive Legislative and Judicial Departments of the Commonwealth interest on the public debt and the support of the public schools for two years beginning June first one thousand nine hundred and thirty-five and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred and thirty-five" providing for additional appropriations to certain departments boards and commissions and to the Legislative Department

HOUSE BILL No. 135.

An Act appropriating to the State Emergency Relief Board for unemployment relief all restitutions and overpayments collected by or for said board

HOUSE BILL No. 70.

An Act relating to flood control prescribing the powers and duties of the Water and Power Resources Board of the Department of Forests and Waters in relation to the creation of flood control districts adoption of plans for flood control works and improvements carrying into effect of such plans assistance aid and cooperation with public and private agencies and the Federal Government in Federal flood control works and improvements and entering into compacts and agreements with other states for flood control works and improvements conferring the power of eminent domain imposing certain charges upon the Commonwealth providing for appeals and conferring certain powers on municipalities counties and townships the Department of Highways and the Department of Property and Supplies

HOUSE BILL No. 161.

An Act making an appropriation to the Water and Power Resources Board for payment into the Flood Control Fund for flood control purposes

SENATE BILL No. 60.

A Joint Resolution proposing an amendment to section one article nine of the Constitution of the Commonwealth of Pennsylvania

Whereupon,

The SPEAKER, in the presence of the House signed the same.

SENATE MESSAGE

SENATE BILL FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence bill numbered and entitled as follows:

SENATE BILL No. 119. (HOUSE BILL No. 173.)

An Act relieving real and personal property of recipients of mothers' and old age assistance from liability for assistance received.

Referred to the Committee on Judiciary General.

RESOLUTION NO. 44

Mr. PFAFF. Mr. Speaker, I desire to call up at this time Resolution No. 44, Printer's No. 234.

The resolution was read by the Clerk as follows:

In the House of Representatives, July 13, 1936.

Whereas, There has been launched a drive to unionize the steel employes of the United States; and

Whereas, Many steel employes are employed in the steel plants located within the Commonwealth of Pennsylvania; and

Whereas, The public of the Commonwealth of Pennsylvania have an interest in the safety and well being of all of its citizens including those employed in the steel industry; and

Whereas, Those in authority of the Commonwealth of Pennsylvania have declared that the civil rights, liberties and freedom of the employes will be as vigorously protected as has been property interests heretofore so that there shall be no undue advantages taken by one side over the other in the unionization plans; and

Whereas, Under the broad and sweeping liberties and freedom of America, it has always been regarded as elementary, that employers and employes possessed the right to form their own respective organization for their mutual and individual advantage; and

Whereas, The steel industry itself organized all the steel employers into the American Iron and Steel Institute and this was done for the employer's own advantage and without interference from the employes; and

Whereas, it is equally important to the employes of the steel industry to organize themselves into their own form of unionization without interference from the employers; and

Whereas, So that no one would have any further doubts on the right of employes to unionize, the Congress of the United States in 1935 passed the "National Labor Relations Act", sometimes referred to as the "Wagner Labor Act"; therefore, be it

Resolved, (if the Senate concur), That the General Assembly of the Commonwealth of Pennsylvania request the directors and officers of the American Iron and Steel Institute and the officers of the individual corporations engaged in the steel industry in Pennsylvania to read sections seven and eight of the National Labor Relations Act, Public Law No. 198, 74th Congress; and, be it further

Resolved, That for the convenience of the aforesaid persons, sections seven and eight of the aforesaid act are as follows:

"Employes shall have the right to self-organization, to form, join, or assist labor organizations, to bargain collectively through representatives of their own choosing, and to engage in concerted activities, for the purpose of collective bargaining or other mutual aid or protection.

"It shall be an unfair labor practice for an employer—

(1) To interfere with, restrain, or coerce employes in the exercise of the rights guaranteed in section 157 of this title.

(2) To dominate or interfere with the formation or administration of any labor organization or contribute financial or other support to it: Provided, That subject to rules and regulations made and published by the Board pursuant to section 156 of this title, an employer shall not be prohibited from permitting employes to confer with him during working hours without loss of time or pay.

(3) By discrimination in regard to hire or tenure of employment or any term or condition of employment to encourage or discourage membership in any labor organization: Provided, That nothing in this chapter, or in sections 701 to 712 of Title 15, or in any code or agreement approved or prescribed thereunder, or in any other statute of the United States, shall preclude an employer from making an agreement with a labor organization (not established, maintained, or assisted by any action defined in this chapter as an unfair labor practice) to require as a condition of employment membership therein, if such labor organization is the representative of the employes as provided in section 159 (a) of this title, in the appropriate collective bargaining unit covered by such agreement when made.

(4) To discharge or otherwise discriminate against an employe because he has filed charges or given testimony under this chapter.

(5) To refuse to bargain collectively with the representatives of his employes, subject to the provisions of section 159 (a) of this title."

(July 5, 1935, c. 372, Secs. 7 and 8, 49 Stat. 452.); and, be it further

Resolved, That a copy of this resolution be sent to each of the officers of the American Iron and Steel Institute and to the president of each of the following corporations exercising the privilege of doing business in Pennsylvania: Jones and Laughlin Steel Co., Pittsburgh, Pa.; Carnegie Steel Co., Pittsburgh, Pa.; Republic Steel Co., Pittsburgh Pa.; Bethlehem Steel Co., Bethlehem, Pa.; Crucible Steel Co. of America, 405 Lexington Ave., New York City; Pressed Steel Car Co., Pittsburgh, Pa.; McClintic Marshall Corp., Bethlehem, Pa.; Allegheny Steel Co., Pittsburgh Pa.; National Tube Co., Pittsburgh, Pa.

On the question,

Will the House adopt the resolution?

Mr. SCANLON. Mr. Speaker, I would like to interrogate the gentleman from Philadelphia, Mr. Fitch.

The SPEAKER. Will the gentleman from Philadelphia permit himself to be interrogated?

Mr. FITCH. Mr. Speaker, I will.

Mr. SCANLON. Mr. Speaker, I desire to ask the gentleman from Philadelphia what is the intent of this resolution.

Mr. FITCH. Mr. Speaker and members of the House, this resolution is plainly written. It is for the sole purpose of trying to better the conditions of the people of Pennsylvania—nothing else.

There have been many changes and events since this resolution was written and controversies have arisen which are familiar to every member of this House. This is probably the first time in the history of this House that such a resolution has been introduced. As I say, it is for the sole purpose of bettering the conditions of the people of Pennsylvania, and it is also for the purpose of ascertaining whether we will concur in a law that is already on the statute books of this country.

On the question recurring,

Will the House adopt the resolution?

The yeas and nays were required by Mr. FITCH and Mr. PFAFF and were as follows:

YEAS—200

Achterman,	Duffort,	Mallen,	Schwab,
Alexander,	Eberharter,	Mason,	Serrill,
Allen,	Eroe,	McCreary,	Shaw,
Altenburg,	Falkenstein,	McDermott,	Shepard,
Andrews,	Ferko,	McDevitt,	Shortz,
Anthony,	Finnerty,	McElroy,	Shreiner,
Arnold,	Fitch,	McHenry,	Shugarts,
Atkins,	Flanagan,	McKinney,	Siegel,
Aukerman,	Flinchbaugh,	Melchiorre,	Simon,
Baine,	Flynn,	Mentzer,	Simpson,
Baker, F. T.,	Forrest,	Merrell,	Sinwell,
Baker, J. J.,	Gates,	Moomaw,	Sloan,
Baldi,	Gerard,	Mooney,	Smith, J. A.,
Barber,	Gillette,	Moore,	Smith, W. G.,
Barnhardt,	Greenstein,	Moran,	Snyder, F. E.,
Beadman,	Haberlen,	Moul,	Snyder, J. L.,
Bernhard,	Hagerty,	Muir,	Sowers,
Blumberg,	Haluska,	Munley,	Sproul,
Boose,	Hamilton, F. P.,	Murrin,	Stank,
Boyer,	Hamilton, R. S.,	Nagel,	Stevens,
Bradley,	Harkins,	Nothnagle,	Stockham,
Brancato,	Harmuth,	O'Keefe,	Stone,
Brennan,	Hartman,	Ominsky,	Stott,
Brown, H. S.,	Hefferon,	O'Neill,	Sumney,
Brown, J. E.,	Hermansen,	Panton,	Surface,
Brownfield,	Hetrick,	Parks,	Sweeney,
Brumbaugh,	Hindman,	Patterson, C.,	Tahl,
Burke,	Hirsch,	Patterson, J. W.,	Terry,
Cannon,	Hoffner,	Pearson,	Tronzo,
Caputo,	Holland,	Perry,	Trout,
Carr,	Holstrom,	Peters,	Tumelty,
Carson,	Hoopes,	Pfaff,	Turner,
Castor,	Horst,	Phillips,	VanAlsburg,
Chervenak,	Jackson,	Piole,	VanSickle,
Coakley,	Jones,	Powers,	Wall,
Cochran,	Kane,	Reising,	Wasserman,
Cohen,	Kelder,	Reynolds,	Weidemann,
Coleman,	Kelso,	Rhys,	Weiss,
Condon,	Kenney,	Rinn,	Welliver,
Coolahan,	Kilroy,	Roan,	Welsh,
Cooper,	Kinney,	Robinson,	White,
Cordier,	Klingler,	Rooney,	Wickersham,
Davies,	Kobelak,	Root,	Winner,
Decker,	LaRue,	Royer,	Witkin,
Denning,	Linderman,	Ruffennach,	Wood,
Dent,	Long,	Sarraff,	Yeakel,
Diehl,	Longaker,	Scanlon,	Yourishin,
Dilley,	Lovett,	Schaeffer,	Zappala,
Downey, G. E.,	Lynch,	Schrock,	Zimmerman,
Downey, J. J.,	Male,	Schrope,	Furman,

NAYS—0

So the question was determined in the affirmative and the resolution was adopted.

Ordered, That the Clerk present the same to the Senate for concurrence.

REPORT OF COMMITTEE ON JUDICIARY GENERAL ON IMPEACHMENT OF JUDGE B. C. ATLEE

Mr. CAPUTO. Mr. Speaker, I wish to file the report of the Committee on Judiciary General on the impeachment of Judge B. C. Atlee, and ask that it be made a part of the record.

The SPEAKER. The report will be noted in the Journal and printed in the Appendix to the Legislative Journal.

QUESTION OF PARLIAMENTARY INQUIRY

Mr. HOMER S. BROWN. Mr. Speaker, I arise to a question of parliamentary inquiry.

The SPEAKER. The gentleman will state his question of parliamentary inquiry.

Mr. HOMER S. BROWN. Mr. Speaker, in an instance of this kind may a member from the floor of the House object to the filing of the report in the Legislative Journal?

The SPEAKER. The Chair wishes to advise that a member may not object to the filing of a report. It is the constitutional duty of the Speaker to see that the report is filed.

QUESTION OF PARLIAMENTARY INQUIRY

Mr. HOMER S. BROWN. Mr. Speaker, I arise to a further question of parliamentary inquiry.

The SPEAKER. The gentleman will state his question of parliamentary inquiry.

Mr. HOMER S. BROWN. Mr. Speaker, is it lawful for a Committee sent out to find whether articles of impeachment should or should not be drawn to say in the report that they have the right to censure anybody?

The SPEAKER. In answer to the parliamentary inquiry of the gentleman from Allegheny: the statements in the report are only the findings of the Committee and not part of the action of the House.

STATEMENT BY MR. HOMER S. BROWN

Mr. HOMER S. BROWN asked and obtained unanimous consent to make the following statement:

Mr. Speaker and members of the House, I am sure you appreciate the feeling that I have in this matter. The feeling is deeper than I can express. I have been associated with the members of the House during the past fourteen weeks and, prior thereto, in the regular session, and I want to conscientiously say that anything I state in my remarks is only stated because I feel that right at this turning point, with the adjournment of the Legislature, the challenge of constituted law and order is at stake.

Mr. Speaker and members of the House, the report of this committee is one of the most deliberate pieces of infamy and whitewash that I have ever heard of anywhere in this nation. May I just for a brief minute call to your attention certain facts? One fact in particular, and I will not rehearse and take the time of the House to state all that the Judge did say,—it is well known to all of us,—but Judge did say if the citizens had lynched this man they would have been justified. There is one principle of law so ingrounded in the fundamental law of this nation that when this principle is removed the last bulwark of protection for the citizens of this nation has been removed. That principle of law goes back to 1215, when the Barons wrung from King John that great provision of the Magna Charta that no freeman could be penalized without being called into judgment by his peers or by the law of the

land. Then, five hundred years after that, we see in the Declaration of Independence and addressed to the world by those who struggled to form this country one of the cardinal provisions in that great document, "He hath denied to us in many instances trial by jury."

Then, we see in the Constitution of the United States, in the fifth article of the Tenth Amendment that "No person shall be deprived of life, liberty or property without due process of law." Then following that, after the Dred Scott decision, we see enacted and reenacted, reconsidered and reassured in the Fourteenth Amendment that "No person shall be deprived of life, liberty or property without due process of law." Then we see it reenacted in our State Constitution in two distinct provisions. In one provision it says "Trial by jury shall be as heretofore." In another provision it goes on to use substantially the same language that was used in the Constitution of the United States, in the Declaration of Independence, in Magna Charta, and as far back as the history of the common law goes.

Mr. Speaker and members of the House, what else do we find in the Constitution of Pennsylvania? We find in the Constitution of Pennsylvania, in Article VII, probably the most sacred oath that a man can take, and this oath was taken by this Judge: "I do solemnly swear or affirm that I will support, obey and defend the Constitution of the United States and the Constitution of Pennsylvania." Now, the committee finds, and I would not make this contention if the committee had not found that the Judge had made these statements in their entirety, and no member of this House will contend that when a Judge appeals to mob violence that such statements are not absolutely in contradiction of the provisions of the Constitution of the United States and the Constitution of Pennsylvania.

Mob violence and lynching have been the scourge, have been the blackest spot on the pages of this nation's history. Since 1889 over 3,200 persons have been lynched and burned at the stake. It has become the great American pastime. Let me just tell you of one or two instances that have occurred in Pennsylvania,—in Coatesville perhaps fifteen or twenty minutes from the Judicial bench that this Judge graces—they had one of the most disgraceful lynchings that has happened in this country. We have had lynchings so disgraceful, so barbaric that the newspapers would not print the details of these orgies. We have had women hanged to trees. One woman in particular, in an instance of which I have knowledge, a Negro woman, pregnant with child, who simply dared to protect her brother from the mob, was carried out and shot and hanged from a tree. Then, as she hung there, one of the mob with a knife ran forward and split open her abdomen and the yet unborn babe fell to the ground, and the mob rushed forward and stamped it to death.

Mr. Speaker, it is hard for me to conceive that right within the shadow of the grave of Thaddeus Stevens that this Judge, this demagogue should rise up and make these statements, and then to have this Legislature say to him, "While you have committed a crime, you are forgiven. Go back home, and if you want to, do it again."

Mr. Speaker and members of the House, I speak not only for myself. Look at the contrast. Only the day before yesterday in Alabama where Scottsboro has become an international issue a Judge there said in Court, when a mob wanted to take the prisoner, "If you take him, you will only take him over my dead body. I am here to enforce the law," whereas the Judge in Pennsylvania said "The citizens ought to lynch you, and I say that recognizing the fact that I am here to administer the law."

I don't know how you feel about it and I don't know what you are going to do about it, but let me warn you Mr. Speaker and members of the House, that the greatest menace to constituted authority and to law and order and to the Constitution of the United States is the demagogue within our ranks and not from without. Some day the mask of hypocrisy will be removed. I am appealing to you here alone, I recognize that. I have no parties to help me. I recognize that. But I say that the Constitution of the United States and the Constitution of Pennsylvania were founded before any parties were founded, and some day the parties will have to come back to them.

Mr. Speaker and members of the House, in extending my remarks, in pleading with you, if need be, in the interest of upholding justice and equality before the law, the law for which we have struggled and for which we have died, I say that this report ought to be stricken from the record.

I should like to extend my remarks by filing as a part of my remarks the majority report of the sub-committee that was sent out and worked and labored and made a report which was rejected by the Committee on Judiciary General.

The SPEAKER. The remarks of the gentleman will be noted in the Journal and the report extended as part of his remarks in the Appendix to the Legislative Journal.

STATEMENT BY MR. SHEPARD

Mr. SHEPARD asked and obtained unanimous consent to make the following statement:

Mr. Speaker and members of the House, as co-sponsor of this impeachment resolution, I want to add my protest to that of Representative Brown to the filing of this report and I most vigorously protest this whitewash that the committee has given this Judge, who has made such a dastardly attack upon the laws of this Commonwealth.

I think we should have done one of two things. We should either have had impeachment proceedings voted in this House or we should have folded our hands and said "We don't care anything about the law," and simply have gone on and done nothing about it. It seems to me that to compromise in the face of such a clear cut issue as this is a reflection upon the sense of justice and fair play that we care for so much—that is, when we talk about it. I must vigorously protest the filing of this report.

MOTION TO STRIKE FROM RECORD

Mr. SHEPARD. Mr. Speaker, I move that the report be stricken from the record, and I ask for a roll call.

Mr. HOMER S. BROWN. Mr. Speaker, I second the motion.

On the question,

Will the House agree to the motion?

POINT OF ORDER

Mr. TROUT. Mr. Speaker, I arise to a point of order.

The SPEAKER. The gentleman will state his point of order.

Mr. TROUT. Mr. Speaker, my point of order is that a

report of a committee cannot be stricken from the record.

The SPEAKER. In answering the point of order raised by the gentleman from Lancaster, Mr. Trout, on the motion made by the gentleman from Philadelphia, Mr. Shepard, to strike the report of the Committee on Judiciary General from the record, the Chair rules that a motion to strike out is the same as a motion to expunge from the record.

The Constitution, Article II, Section 10, requires each House to keep a Journal of its proceedings. The proceedings of this House are never expunged unless something improper has been said or something improper has been entered.

This matter was submitted to the Committee on Judiciary General, which Committee has performed its duty and made a report. This report is proper and is now a part of the record.

The Chair is of the opinion that the motion is out of order and so rules.

QUESTION OF PARLIAMENTARY INQUIRY

Mr. HOMER S. BROWN. Mr. Speaker, I arise to a question of parliamentary inquiry.

The SPEAKER. The gentleman will state his question of parliamentary inquiry.

Mr. HOMER S. BROWN. Mr. Speaker, under the provisions of the Constitution saying that the House shall keep a record of its proceedings, is not the House the authority as to what its proceedings are, and if the House feels that certain matters are not proceedings under the Constitution, cannot those matters be stricken from the record?

The SPEAKER. The parliamentary inquiry raised by the gentleman from Allegheny, Mr. Brown, has been ruled upon in the decision on the point of order raised by the gentleman from Lancaster. This is not an action on the part of the House but is an action on the part of the committee in making a report to the House.

Mr. HOMER S. BROWN. Mr. Speaker, I did not understand the decision. I heard what the Speaker said, but my inquiry was: Cannot the House determine what its proceedings shall or shall not be, with the exception of legislation that is before it? That is provided for specifically under the Constitution. Cannot the House be more specific in matters other than matters provided for in the Constitution, such as bills, and be the sole judge of its own proceedings?

The SPEAKER. In reply to the gentleman from Allegheny, Mr. Brown, the Chair wishes to state that the House can determine its own proceedings, but it must do so in accordance with the Constitution and the rules of the House.

The Chair has ruled on the point of order that the filing of this report is a part of the proceedings of this House and must necessarily go into the record.

MOTION TO ADOPT MAJORITY REPORT OF SUB-COMMITTEE

Mr. SHEPARD. Mr. Speaker, I move that the majority report of the sub-committee of the Judiciary General Committee, as submitted by Mr. Brown, be adopted by this House.

On the question,

Will the House agree to the motion?

POINT OF ORDER

Mr. TURNER. Mr. Speaker, I arise to a point of order.

The SPEAKER. The gentleman will state his point of order.

Mr. TURNER. Mr. Speaker, the report of the Committee on Judiciary General has been filed. There can be no other report of that committee filed at this time—there is no other.

The SPEAKER. In reply to the point of order raised by the gentleman from Delaware, Mr. Turner, that the report filed by the Committee on Judiciary General is the only report before this House, the point of order is well taken. There is no other report before the House. The gentleman from Allegheny, Mr. Brown, did submit, as a part of his remarks, a report which he designated as a majority report, but the only official report is the report submitted by the Committee on Judiciary General, and the alleged majority report is not signed.

QUESTION OF PARLIAMENTARY INQUIRY

Mr. ANDREWS. Mr. Speaker, I arise to a question of parliamentary inquiry.

The SPEAKER. The gentleman will state his question of parliamentary inquiry.

Mr. ANDREWS. Mr. Speaker, is it necessary to obtain permission of the House in order to file a report?

The SPEAKER. In reply to the gentleman from Cambria, Mr. Andrews, the Chair feels that the question is too broad to rule upon. It would depend on many things: the authority back of filing a report and the questions upon which a report is filed.

Mr. ANDREWS. Mr. Speaker, in order that the question may not be so broad, I would ask was it necessary for the committee on whose behalf the gentleman from Beaver reported to first obtain permission of the House to file a report before the report could be filed?

The SPEAKER. The Chair states that it was not necessary to get the permission of the House. It was their duty to file a report on this particular question.

Mr. ANDREWS. Mr. Speaker, was not the House the judge as to whether that report should be received at some particular time, or was the committee the sole arbiter of the proceedings of the House? If the committee was not the sole arbiter and the House was the sole arbiter, then the House could say when, at what time, and in what manner that report should be received.

The SPEAKER. In reply to the gentleman from Cambria, the Chair wishes to state that the House does have the right to instruct committees on filing their reports, but in this instance no instructions were given to the committee by the House.

QUESTION OF PARLIAMENTARY INQUIRY

Mr. HOOPES. Mr. Speaker, I arise to a question of parliamentary inquiry.

The SPEAKER. The gentleman from Berks, Mr. Hoopes, will state his question of parliamentary inquiry.

Mr. HOOPES. Mr. Speaker, by what procedure can those members of the House who are dissatisfied with this report and do not wish it to appear as the action of the House, obtain action of the House upon this question.

The SPEAKER. Replying to the parliamentary inquiry raised by the gentleman from Berks, Mr. Hoopes,

the House has taken no action except to receive and file this report. If the House is not satisfied with these proceedings, they can entertain a new motion or a new resolution in the matter.

MOTION TO REJECT REPORT

Mr. HOOPES. Mr. Speaker, I move that the House do not adopt the report of the Judiciary General Committee as its action in this matter.

The SPEAKER. The gentleman's motion is too late. The report has been accepted and filed in the record of the House. The motion is out of order.

QUESTION OF PARLIAMENTARY INQUIRY

Mr. HOOPES. Mr. Speaker, I arise to a question of parliamentary inquiry.

The SPEAKER. The gentleman will state his question of parliamentary inquiry.

Mr. HOOPES. Mr. Speaker, I asked that the Speaker tell me by what method those members who want to have the House take further action on this matter can do so?

The SPEAKER. The Chair has answered that question by stating that a new resolution can be presented.

Mr. HOOPES. Mr. Speaker, is no motion of any kind upon this question in order at the present time?

The SPEAKER. There is nothing in order except the introduction of new proceedings.

QUESTION OF PARLIAMENTARY INQUIRY

Mr. HOOPES. Mr. Speaker, I arise to a further question of parliamentary inquiry.

The SPEAKER. The gentleman will state his question of parliamentary inquiry.

Mr. HOOPES. Mr. Speaker, did I understand the Speaker to rule that the only way that we can take action is by the introduction of a resolution? Isn't a motion in order at any time?

The SPEAKER. In reply to the parliamentary inquiry raised by the gentleman from Berks, Mr. Hoopes, the Chair has already ruled that the report of the committee has been accepted and filed by the House. If the gentleman from Berks wishes to institute new proceedings, it must be by resolution or by a petition in writing.

Mr. HOOPES. Mr. Speaker, if I remember correctly, the gentleman from Allegheny, Mr. Brown, immediately upon the presentation of this report and before it was accepted, arose and asked what action could be taken. If I remember correctly, he was told that there was no action to be taken by the House, and now I understand in answer to my inquiry, when I made the motion a moment ago, I am informed it is too late. It would appear to me that there is never any time in the receiving of this report that a member of this House could get in any motion. Is that the Chair's ruling on this point.

The SPEAKER. In reply to the gentleman from Berks, the report of the Committee was accepted and filed before any member of the House asked for recognition. The Chair is of the opinion that the gentleman from Allegheny asked the permission of the House to make a statement, which was granted.

STATEMENT BY MR. JACKSON

Mr. JACKSON asked and obtained unanimous consent to make the following statement:

Mr. Speaker and members of the House, I do not wish to take up any more of your time, but I do feel that I would be remiss should I not say a few words in this matter, adding to what my colleague, Mr. Brown, said a few moments ago about the impeachment of Judge Atlee.

I want to say this: I did not sign a petition, but I agree with every word that he has said. Such action by the Committee of this House would tend to result in a breakdown of our government. This judge should be impeached; there should be no compromise with justice. The disgrace of lynching should be blotted out in this country. I disagree that this House, after having received such evidence as has been brought before it as a jury, should give a whitewash in a case like this, and I want to endorse the statements made by my colleagues, Mr. Brown and Mr. Shepard.

STATEMENT BY MR. COOPER

Mr. COOPER asked and obtained unanimous consent to make the following statement:

Mr. Speaker and members of the House, I arise for the purpose of adding my contribution to what has already been said in the remarks made by Mr. Shepard, and my other colleagues. I feel that Judge Atlee, in making the statement that has been attributed to him, and which, I understand, he has not denied, has transcended all the properties of judicial procedure, and has gone further than any other judge I ever read about or heard of North of the Mason-Dixon line. I cannot understand how a man learned in the law and living in Pennsylvania, the home of Thaddeus Stevens and Ben Franklin, and the home of the Constitution and the Declaration of Independence, can so forget himself as to make such remarks that a man ought to be lynched. While he glossed it over and said it was due to the heinousness of the crime, nevertheless he was seemingly catering to mob violence, and he did not know when the mob would be running through the streets of Columbia lynching some negro. I think he went too far afield; I think he should be censured, and I think that no Judge in the United States should make any such remarks concerning my race, which gets swift enough judgment as it is, and God knows it cannot live with mob violence.

RECESS

Mr. WICKERSHAM. Mr. Speaker, I move that the House now take a recess.

The motion was agreed to.

AFTER RECESS

The SPEAKER (Roy E. Furman) in the Chair.

The time of the recess having expired the House was called to order.

REPORT OF CONFERENCE COMMITTEE ON HOUSE BILL No. 156

Mr. BROWNFIELD. Mr. Speaker, I desire to submit the report of the Committee of Conference on House Bill No. 156.

The SPEAKER. The report will lie over for printing.

SENATE MESSAGE

AMENDED HOUSE BILL RECALLED FROM THE GOVERNOR NON-CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bill

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from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 69.

An Act authorizing and directing the Department of Forests and Waters to investigate survey and report on the location and availability for purchase of certain lands suitable for reforestation with flood control as the objective and making an appropriation

Said bill having been recalled from the Governor for the purpose of amendment. The vote had on final passage and third reading on said bill was reconsidered in the House of Representatives and the bill amended, in which amendments the Senate has non-concurred.

BILL AND MESSAGE LAID ON TABLE

Mr. COHEN. Mr. Speaker, I was laboring under the impression that the concurrence of the Senate on House Bill No. 69 had been assured by the leaders in the Senate. Negotiations are now being carried on in order to have the Senate recede from their non-concurrence, and for the time being, I move you, Mr. Speaker, that House Bill No. 69, together with the message from the Senate, be laid upon the table.

The motion was agreed to.

SENATE MESSAGE

SENATE ADOPTS CONFERENCE COMMITTEE REPORT ON HOUSE BILL No. 19

The Clerk of the Senate being introduced, informed that the Senate has adopted the report of the Committee of Conference on the subject of the difference existing between the two Houses on House Bill numbered and entitled as follows:

HOUSE BILL No. 19.

An Act to amend section two and three of the act, approved the sixteenth day of May, one thousand nine hundred thirty-five (Pamphlet Laws, two hundred eight), entitled "An act to provide revenue for State purposes by imposing an excise tax, for a limited period of time, on the net income of certain corporations, joint-stock associations, and limited partnerships; providing for the assessment and collection of the tax, and appeals to courts; conferring powers, and imposing duties on certain persons, corporations, joint-stock associations, limited partnerships, State, and county officers, boards, and departments; making an appropriation, and providing penalties," by further defining net income and increasing the rate of tax for a limited period of time.

SENATE MESSAGE

AMENDED RESOLUTION RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced returned resolution from the House of Representatives as follows:

In the House of Representatives, June 22, 1936.

Whereas, The cost of transportation of pupils to the school districts in Philadelphia County is a matter of grave concern to its citizens, and it is believed that it is far greater than the circumstances require, therefore be it

Resolved (if the Senate concur), That the Public Service Commission of Pennsylvania is hereby requested to make an investigation, through its existing facilities with the view of ascertaining whether, on the basis of valuation and income or on any other basis, the street railway companies operating in Philadelphia County may be required to issue tickets for school pupils only, at a rate not to exceed twenty-five cents ($.25) per week.

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The amendments were read by the Clerk as follows:

Amend first paragraph, page 1, line 2, by striking out after the word "in" the words "Philadelphia County" and inserting in lieu thereof the words "this Commonwealth."

Amend second paragraph, page 1, line 6, by striking out after the word "in" the words "Philadelphia County" and inserting in lieu thereof the words "this Commonwealth."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. COHEN. Mr. Speaker, I move that the House concur in the amendments made by the Senate.

The motion was agreed to.

Ordered, That the Clerk inform the Senate.

BILL ON FINAL PASSAGE

Mr. COHEN asked and obtained unanimous consent to call up House Bill No. 15, Printer's No. 242, bill on final passage.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 15 as follows:

An Act ratifying confirming and validating the transfer of of money from the State Stores Fund and the Motor License Fund to the General Fund and providing for the subsequent return from the General Fund of the transferred money

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the action of the Governor the Auditor General and State Treasurer in transferring to the General Fund the sum of two million five hundred thousand dollars ($2,500,000) from the State Stores Fund and the sum of one million five hundred eighty-six thousasnd two hundred eleven dollars ($1,586,211) from the Motor License Fund in accordance with Concurrent Resolution Serial Number Eighteen approved by the Governor on June second one thousand nine hundred thirty-six in order to make the same available for expenditure for unemployment relief by the State Emergency Relief Board is hereby ratified confirmed and validated To the extent to which the transfer makes it necessary the use of the money transferred from the State Stores Fund and the Motor License Fund for its ordinary purposes shall be postponed but not otherwise modified.

Section 2 The amounts transferred under this act from the State Stores Fund and the Motor License Fund to the General Fund shall be repaid to the State Stores Fund and the Motor License Fund out of the General Fund not later than May thirty-first one thousand nine hundred thirty-seven

Section 3 This act shall become effective immediately upon final enactment

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—184

Achterman,	Diehl,	Longaker,	Scanlon,
Alexander,	Dilley,	Lovett,	Schaeffer,
Allen,	Downey, J. J.,	Lynch,	Schrope,
Altenburg,	Downey, G. E.,	Male,	Schwab,
Andrews,	Duffort,	Mason,	Serrill,
Anthony,	Eberharter,	McCreary,	Shaw,
Arnold,	Eroe,	McDermott,	Shepard,
Atkins,	Falkenstein,	McDevitt,	Shortz,
Aukerman,	Ferko,	McElroy,	Shugarts,
Baine,	Finnerty,	McHenry,	Siegel,
Baker, F. T.,	Fitch,	Melchiorre,	Simon,
Baker, J. J.,	Flanagan,	Mentzer,	Simpson,
Baldi,	Flinchbaugh,	Moomaw,	Sinwell,
Barber,	Flynn,	Mooney,	Sloan,
Barnhardt,	Forrest,	Moore,	Smith, J. A.,
Beadman,	Gerard,	Moran,	Smith, W. G.,
Bernhard,	Greenstein,	Moul,	Sowers,
Blumberg,	Habbyshaw,	Munley,	Sproul,
Boose,	Haberlen,	Murrin,	Stank,
Boyer,	Hagerty,	Nagel,	Stevens,
Bradley,	Haluska,	Nothnagle,	Stone,
Brancato,	Hamilton, F. P.,	O'Keefe,	Stott,
Brennan,	Harkins,	Ominsky,	Sumney,
Brown, H. S.,	Harmuth,	O'Neill,	Surface,
Brown, J. E.,	Hartman,	Panton,	Sweeney
Brownfield,	Hefferon,	Parks,	Tahl,
Brumbaugh,	Hermansen,	Patterson, C.,	Terry,
Burke,	Hetrick,	Patterson, J. W.,	Tronzo,
Cannon,	Hindman,	Pearson,	Tumelty,
Caputo,	Hirsch,	Perry,	Turner,
Carr,	Hoffner,	Peters,	Van Allsburg,
Carson,	Holland,	Pfaff,	Van Sickle,
Castor,	Holstrom,	Phillips,	Weiss,
Chervenak,	Hoopes,	Piole,	Welliver,
Coakley,	Horst,	Powers,	Welsh,
Cochran,	Jackson,	Reising,	White,
Cohen,	Jones,	Reynolds,	Wickersham,
Coleman,	Kelder,	Rhys,	Winner,
Condon,	Kelso,	Rinn,	Witkin,
Coolahan,	Kenney,	Roan,	Wood,
Cooper,	Kilroy,	Robinson,	Woodside,
Cordier,	Kinney,	Rooney,	Yeakel,
Davies,	Klingler,	Root,	Yourishin,
Decker,	Kobelak,	Royer,	Zappala,
Denning,	LaRue,	Ruffennach,	Zimmerman,
Dent,	Long,	Sarraf,	Furman,

NAYS—18

Gates,	Mallen,	Shreiner,	Trout,
Gillette,	McKinney,	Snyder, F. E.,	Wall,
Hamilton, R. S.,	Merrell,	Snyder, J. L.,	Wasserman,
Kane,	Muir,	Stockham,	Weidemann,
Linderman,	Schrock,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the sasme to the Senate for concurrence.

REPORT OF CONFERENCE COMMITTEE ON HOUSE BILL No. 59 ADOPTED

Miss BRANCATO. Mr. Speaker, I desire to call up at this time the report of the Committee of Conference on House Bill No. 59, Printer's No. 241.

The report of the Committee of Conference was read the Clerk as follows:

To the Members of the Senate and House of Representatives:

We, the undersigned, Committee of Conference on the part of the Senate and House of Representatives for the purpose of considering House Bill Number fifty-nine, entitled: "An act to amend sections one, three, four, seven, nine, ten, fourteen, fifteen, sixteen and eighteen, and to repeal section two of the act approved the tenth day of July one thousand nine hundred and nineteen (Pamphlet Laws eight hundred ninety-three), entitled 'An act providing for assistance to certain mothers: * * *,' by providing for the appointment of a board of trustees for each county and for the appointment of boards of trustees in all counties jointly by the Governor, the courts of common pleas and the county commissioners; prohibiting political activity by members and employes of such boards; changing the qualifications of mothers eligible for assistance; requiring all counties to appropriate moneys for mothers' assistance except under certain circumstances; providing for additional grants of State moneys in lieu of appropriations by counties unable to meet State appropriations; providing for cooperation by the Department of Welfare with the Federal Social Security Board, and authorizing the Department of Welfare to cooperate with, and to accept and disburse moneys received from, the United States government for aid to dependent children, providing substitute provisions in case Federal grants for aid to dependent children shall fail for any reason" respectfully submit the following bill as our report:

GEORGE L. REED
WALTER S. PYTKO
Committee on the part of the Senate

ANNA M. BRANCATO
HERBERT B. COHEN
ARNOLD M. BLUMBERG
Committee on the part of the House of Representatives

An Act to amend sections one three four seven nine ten fourteen fifteen sixteen and eighteen to add section eighteen point one and to repeal section two of the act approved the tenth day of July one thousand nine hundred and nineteen (Pamphlet Laws eight hundred ninety-three) entitled "An act providing for assistance to certain mothers providing for the appointment of boards of trustees for the several counties of the Commonwealth and for the appointment of a State supervisor and assistants and fixing the salaries of such State supervisor and assistants defining the powers and duties of boards of trustees including the power of appointing assistants and investigators and the distribution of funds at their disposal providing for the apportionment of the State appropriation among the several counties and requiring counties coming under the provisions of the act to appropriate certain moneys and providing penalties" by providing for the appointment of a board of trustees for each county prohibiting political activity by members and employes of such boards changing the qualifications of mothers eligible for assistance requiring all counties to appropriate moneys for mothers' assistance except under certain circumstances providing for additional grants of State moneys in lieu of appropriations by counties unable to meet State appropriations providing for cooperation by the Department of Welfare with the Federal Social Security Board authorizing the Department of Welfare to cooperate with and to accept and disburse moneys received from the United States government for aid to dependent children and providing substitute provisions in case Federal grants for aid to dependent children shall fail for any reason

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of the act approved the tenth day of July one thousand nine hundred and nineteen (Pamphlet Laws eight hundred ninety-three) entitled "An act providing for assistance to certain mothers providing for the appointment of boards of trustees for the several counties of the Commonwealth and for the appointment of a State supervisor and assistants and fixing the salaries of such State supervisor and assistants defining the powers and duties of boards of trustees including the power of appointing assistants and investigators and the distribution of funds at their disposal providing for the apportionment of the State appropriation among the several counties and requiring counties coming under the provisions of the act to appropriate certain moneys and providing penalties" as amended by the act approved the twenty-second day of May one thousand nine hundred and twenty-three (Pamphlet Laws three hundred seven) is hereby further amended to read as follows

Section 1 Be it enacted by the Senate and House of

Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in each county of the Commonwealth [which by the action of its county commissioners accepts the provisions of this act] the Governor shall appoint a board of trustees composed of seven women residents of the county to be called the Board of Trustees of the Mothers' Assistance Fund

Except as herein otherwise provided such trustees shall hold office for a term of six years and until their successors are duly appointed and qualified

[Whenever any county shall hereafter accept the provisions of this act the] The first board of trustees of a county shall be appointed as follows two for two years years each two for four years each and three for six years each from the first day of June next succeeding

In all counties which have [heretofore accepted the provisions of this act the board] boards of trustees now in office such boards shall continue in office as heretofore unless removed by the Governor [but the Governor shall before the first day of June one thousand nine hundred and twenty-three designate two of said trustees to hold office for two years each two for four years each and three for six years each and where such board has less than seven trustees the Governor shall appoint additional trustees so that the total number may be seven and he shall accordingly fix their terms]

If the terms of trustees shall expire the Governor shall appoint successors for terms of six years each

Vacancies other than those due to the expiration of a term shall be filled by appointment by the Governor for the unexpired term

[All counties which have heretofore availed themselves of the provisions of the acts repealed by this act shall be deemed to have accepted the provisions of this act and shall be entitled to the benefits thereof]

No member of the board and no investigator clerk or other employee of the board shall be a member of or delegate or alternate delegate to any political convention nor be present at any such convention as an employe or in any official capacity nor serve as a member of or attend meetings of any political committee of any political party or take any active part in political management or in political campaigns or use his or her position to influence political movements or to use his or her position to influence the political action of any other person nor in any way or manner interfere with the conduct of any election or the preparation therefor at the polling place or with the election officers while the vote is being counted or the vote or ballot box is being returned save only for the purpose of marking and depositing his ballot nor be within fifty feet of any polling place during voting hours and the counting of the ballots except for the purpose of residence or travel No member of the board and no investigator clerk or other employe of the board shall directly or indirectly demand solicit collect or receive or be in any manner concerned in demanding soliciting or receiving any assessment subscription or contribution whether voluntary or involuntary intended for any political purpose whatever Any person who shall violate any of the foregoing provisions shall be guilty of a misdemeanor and shall upon conviction thereof be punished by a fine not exceeding five hundred dollars ($500) and forfeit his or her position or office

Section 2 That section three of said act as amended by the act approved the twenty-second day of May one thousand nine hundred and twenty-three (Pamphlet Laws three hundred seven) is hereby further amended to read as follows

Section 3 The [State Supervisor] Department of Welfare shall have general supervision over the boards of trustees of the several counties [and shall act as general field organizer She shall be on the staff of the Department of Public Welfare]

The [State Supervisor] Department of Welfare shall formulate and issue to the board of trustees of the various counties rules of procedure by which they shall be governed to the end that uniformity of interpretation and practice shall obtain throughout the Commonwealth [She] The department by its duly authorized agents shall visit at least twice each year the boards of trustees of each county [accepting the provisions of this act]

[She shall as general field organizer visit the county commissioners of those counties which have not availed themselves of the provisions of this act and shall explain to such commissioners the benefits accruing from the act and the advantages of coming within its provisions and shall assist such county commissioners in the organization of boards of trustees

She shall make a report annually to the Commission of Public Welfare reviewing the work done under the provisions of this act by the trustees of the various counties laying special stress upon educational conditions of the assisted families]

Section 3 That section four of said act is hereby amended to read as follows

Section 4 Subject to the general supervision of the Department of Welfare [The] the administration of this act within the several counties shall be solely in the hands of the boards of trustees appointed by the Governor [subject however to the rules adopted and issued by the State Supervisor] The members of the boards of trustees shall serve without compensation but shall receive all actual and necessary expenses incurred in the performance of their duty

Section 4 That section seven of said act is hereby amended to read as follows

Section 7 In order to prevent the aleniation of the citizenship of those who may receive the benefits under this act no family shall be a beneficiary thereunder unless the mother [has been a resident continuously of the State for a period of two years and of the county in which she applies for assistance for a period of one year] is a resident of the State at the time of making application for such assistance and unless the child assisted (1) has resided in this Commonwealth for one year immediately preceding the date of application for such assistance or (2) was born in this Commonwealth within one year immediately preceding the date of the application for assistance and whose mother has resided in the Commonwealth for one year immediately preceding the birth

No family entitled to receive the benefits of this act in any county shall be deemed to have lost its residence in such county within one year after removal therefrom but any such family shall if it returns to the county in which it was entitled to receive assistance within said year be immediately entitled to assistance in such county

Section 5 That section nine of said act is hereby amended to read as follows

Section 9 The [combined] maximum [payment] assistance allowed by any board of trustees shall in no case exceeded [twenty] eighteen dollars per month for the first dependent child and [ten] twelve dollars per month for each additional dependent child in the same family A mother shall be entitled to assistance under this act for an unborn child in like manner as for other children if she has one or more children living which entitle her to the benefits of this act

Section 6 That section ten of said act is hereby amended to read as follows

Section 10 Before any payment is made to any family under the provisions of this act a complete report of such family shall be made in quadruplicate giving the name of the mother the number of children with their full names their ages and place of residence One copy of such report shall be placed on file in the office of the board of trustees as a record and if the application is approved one copy shall be forwarded to the [State Supervisor] Department of Welfare and two copies shall be forwarded with each application for a warrant for the use of the Auditor General and the county treasurer The copies forwarded to the Auditor General and the county treasurer shall be sworn to by the investigator and shall be approved by a majority of the board of trustees The affidavit on any such report may be taken before any member or employe of the board

Section 7 That section fourteen of said act as amended by the act approved the twenty-seventh day of May one

thousand nine hundred and twenty-one (Pamphlet Laws one thousand one hundred seventy-five) is hereby further amended to read as follows

Section 14 [No county shall receive its allotment of the State appropriation available for any year under the classification appointed by the act making an appropriation to carry into effect the provisions of this act unless such county has accepted the provisions of this act and has placed at the disposal of the board of trustees a sum equal to the amount available from the State appropriation for such year] It shall be mandatory upon each county of the Commonwealth to place at the disposal of the board of trustees a sum equal to the amount available from the State appropriation (exclusive of Federal moneys) for such county for such year Provided That if any county is financially unable to place at the disposal of the board of trustees a sum equal to the amount available from the State appropriation for such county in such year the county commissioners of that county shall file a written application with the Department of Welfare on a form prescribed by it asking further appropriation of State funds to that county of a sum equal to the whole or any portion of the amount already allocated under this act to said county for said year such further State appropriation to be in lieu of all or a part of the appropriation required by this act to be made by said county for said year The Department of Welfare shall thereupon conduct an administrative inquiry on a day and at a time fixed of which at least ten days' written notice shall be given to all parties interested and shall hear the testimony of the county commissioners and of such other county officials and other persons as the department may in its discretion require to appear before it and after considering the financial condition of the said county the department shall determine whether the said county is entitled to the additional State appropriation requested or any part thereof in lieu of an appropriation by the said county and the department shall thereupon allocate from any appropriation available for the purpose whatever amount the department shall have determined

Section 8 That section fifteen of said act is hereby amended to read as follows

Section 15 [On the first day of June of the second fiscal year following each State appropriation the State Treasurer shall apportion among the various counties which have accepted the provisions of this act before the end of the first fiscal year a sum equal to the amount apportioned to such county during the first fiscal year according to the aforesaid classification including therein all unexpended balances from the previous fiscal year credited to the several counties accepting the provisions of this act which unexpended moneys shall remain available during the second fiscal year for use by the counties to which theretofore credited and excluding all moneys apportioned to the several counties which have not availed themselves of the provisions of this act he shall likewise exclude from said apportionment all moneys appropriated for the second fiscal year for counties which have not accepted the provisions of this act before the end of the first fiscal year] Any mother of a dependent child may within six months after notice by the county board of trustees that her application for assistance has been refused or that the assistance if formerly a beneficiary has been discontinued take an appeal from the action of the county board of trustees to the Department of Welfare The department on a day and at a time fixed by it of which at least ten days' written notice shall be given to all parties interested shall hear such testimony as may be offered for and against the allowance of assistance or for and against the continuation of assistance and shall determine whether or not the said mother is entitled to assistance if an applicant or to the continuation of assistance if a beneficiary The Department of Welfare shall report its findings to the county board of trustees from whose action the appeal has been taken which board of trustees shall carry into effect the order of the department The action of the department on any appeal shall be final

Section 9 That section sixteen of said act is hereby amended to read as follows

Section 16 [All funds set aside from year to year for counties which have not availed themselves of the provisions of this act shall be set aside into a surplus fund The surplus fund shall be available during the second fiscal year in the counties which have availed themselves of the provisions of this act before the end of the first fiscal year but no county shall be entitled to an amount from such fund in excess of twenty-five per centum of the aggregate sum apportioned and set aside by the State Treasurer to that county for the two year period and no such county shall participate in such surplus fund unless it shall in addition to the appropriations hereinbefore required appropriate a sum equal to the amount which it desires from the surplus fund] The Department of Welfare is empowered and directed to cooperate with the Federal Social Security Board in carrying out the provisions and purposes and in administration of title four of the act of the Congress of the United States approved the fourteenth day of August one thousand nine hundred and thirty-five entitled "An act to provide for the general welfare by establishing a system of Federal old-age benefits and by enabling the several states to make more adequate provisions for aged persons blind persons dependent and crippled children maternal and child welfare public health and the administration of their unemployment compensation laws to establish a Social Security Board to raise revenue and for other purposes" and is further empowered to make such reports in such form and containing such information as the Federal Board may from time to time require and to comply with such orders and regulations as the said board may from time to time make to assure the correctness and verification of such reports

Section 10 That section eighteen of said act is hereby amended to read as follows

Section 18 [A detailed report of the number of beneficiaries the amount expended and the advantages and disadvantages of the system with recommendations for improvement shall be made by the State Supervisor to the General Assembly at the beginning of each session of the General Assembly Such report shall be printed by the State Printer upon requisition by the Superintendent of Public Instruction to the Department of Printing and Binding] The Department of Welfare is hereby empowered and authorized to cooperate and enter into cooperative agreements with and to receive contributions from the United States government for aid to dependent children eligible for assistance under this act All contributions received hereunder from the United States government shall be paid into the State Treasury through the Department of Revenue and credited to the current appropriations to the Department of Welfare for the payment of assistance to mothers eligible for assistance under the act

"Section 11 That said act is hereby further amended by adding thereto the following section:

Section 18.1 The purpose of the foregoing amendments is to bring the Mothers' Assistance Law of this Commonwealth in accord with Title four of the said Social Security Act and to enable the Commonwealth to receive Federal grants for aid to dependent children

In the event that Title four of the said Social Security Act shall be held unconstitutional by the Supreme Court of the United States or shall be repealed and Federal grants for aid to dependent children shall fail for such or for any other reason whatever then so long as Federal grants for aid to dependent children shall not be available to this Commonwealth the Department of Welfare and the boards of trustees of the several counties of this Commonwealth shall administer this act in accordance with the following provisions of this section and to the extent of any consistency the foregoing provisions of this act shall for the time being be suspended

(1) It shall not be mandatory upon each county of the Commonwealth to place at the disposal of the board of trustees a sum equal to the amount available from the State appropriation for such year but no county shall receive its allotment of the State appropriation available for any year under the act making an appropriation to carry into effect the provisions of this act unless such county has placed at the disposal of the board of trustees

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a sum equal to the amount available from the State appropriation for such year

(2) The Department of Welfare shall have no power to receive and consider in accordance with section fourteen of this act as amended written applications from county commissioners of counties financially unable to place at the disposal of the board of trustees a sum equal to the amount available from the State appropriation for such county in such year asking further appropriation of State funds to that county nor any power to allocate any such additional appropriations to such counties

(3) No family shall be a beneficiary hereunder unless the mother has been a resident continuously of the State for a period of two years and of the county in which she applies for assistance for a period of one year

(4) The combined maximum payment allowed by any board of trustees shall in no case exceed twenty dollars ($20) per month for the first child and ten dollars ($10) per month for each additional child A mother shall be entitled to assistance under this act for an unborn child in like manner as for other children if she has one or more children living which entitle her to the benefits of this act

Section 12 That section two of the said act and the amendment thereto be and the same is hereby repealed

Section 13 The provisions of this act shall become effective immediately upon final enactment and shall be retroactive to the first day of June one thousand nine hundred and thirty-six

On the question,

Will the House adopt the report of the Committee of Conference?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—202

Achterman,	Eberharter,	Mason,	Serrill,
Alexander,	Eroe,	McCreary,	Shaw,
Allen,	Falkenstein,	McDermott,	Shepard,
Altenburg,	Ferko,	McDevitt,	Shortz,
Andrews,	Finnerty,	McElroy,	Shreiner,
Anthony,	Fitch,	McHenry,	Shugarts,
Arnold,	Flanagan,	McKinney,	Siegel,
Atkins,	Flinchbaugh,	Melchiorre,	Simon,
Aukerman,	Flynn,	Mentzer,	Simpson,
Baine,	Forrest,	Merrell,	Sinwell,
Baker, F. T.,	Gates,	Moomaw,	Sloan,
Baker, J. J.,	Gerard,	Mooney,	Smith, J. A.,
Baldi,	Gillette,	Moore,	Smith, W. G.,
Barber,	Greenstein,	Moran,	Snyder, F. E.,
Barnhardt,	Habbyshaw,	Moul,	Snyder, J. L.,
Beadman,	Haberlen,	Muir,	Sowers,
Bernhard,	Hagerty,	Munley,	Sproul,
Blumberg,	Haluska,	Murrin,	Stank,
Boose,	Hamilton, F. P.,	Nagel,	Stevens,
Boyer,	Hamilton, R. S.,	Nothnagle,	Stockham,
Bradley,	Harkins,	O'Keefe,	Stone,
Brancato,	Harmuth,	Ominsky,	Stott,
Brennan,	Hartman,	O'Neill,	Sumney,
Brown, H. S.,	Hefferon,	Panton,	Surface,
Brown, J. E.,	Hermansen,	Parks,	Sweeney,
Brownfield,	Hetrick,	Patterson, C.,	Tahl,
Brumbaugh,	Hindman,	Patterson, J. W.,	Terry,
Burke,	Hirsch,	Pearson,	Tronzo,
Cannon,	Hoffner,	Perry,	Trout,
Caputo,	Holland,	Peters,	Tumelty,
Carr,	Holstrom,	Pfaff,	Turner,
Carson,	Hoopes,	Phillips,	VanAllsburg,
Castor,	Horst,	Piole,	VanSickle,
Cherrenak,	Jackson,	Powers,	Wall,
Coakley,	Jones,	Reising,	Wasserman,
Cochran,	Kane,	Reynolds,	Weidemann,
Cohen,	Kelder,	Rhys,	Weiss,
Coleman,	Kelso,	Rinn,	Welliver,
Condon,	Kenney,	Roan,	Welsh,
Coolahan,	Kilroy,	Robinson,	White,
Cooper	Kinney,	Rooney,	Wickersham,
Cordier,	Klingler,	Root,	Winner,
Davies,	Kobelak,	Royer,	Witkin,
Decker,	LaRue,	Ruffennach,	Wood
Denning,	Linderman,	Sarraf,	Woodside,
Dent,	Long,	Scanlon,	Yeakel,
Diehl,	Longaker,	Schaeffer,	Yourishin,
Dilley,	Lovett,	Schrock,	Zappala,
Downey, G. E.,	Lynch,	Schrope,	Zimmerman,
Downey, J. J.,	Male,	Schwab,	Furman,
Duffort,	Mallen,		

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the report of the Committee of Conference was adopted.

Ordered, that the Clerk inform the Senate accordingly.

REPORT OF COMMITTEE ON INVESTIGATION OF PENNSYLVANIA WORKING HOME FOR BLIND

Mr. OMINSKY. Mr. Speaker, I wish to present the report of the Committee appointed pursuant to Resolution No. 29 to investigate the Pennsylvania Working Home for the Blind located at Philadelphia.

The SPEAKER. The report will be noted in the Journal and printed in the Appendix to the Legislative Journal.

RESOLUTION No. 59

Mr. REISING. Mr. Speaker, I desire to call up at this time Resolution No. 59, Printer's No. 243.

The resolution was read by the Clerk as follows:

In the House of Representatives, August 4, 1936.

Whereas There have been various reports indicating that certain industries in the Commonwealth of Pennsylvania are resorting to coercion and intimidation by requiring their employes to register in and vote for the candidates of a certain political party and

Whereas Such intimidation and coercion is repugnant to the free exercise of the right of franchise and totally unAmerican in principle therefore be it

Resolved That the Speaker of the House of Representatives shall appoint a legislative committee composed of five members of the House of Representatives whose duty it shall be to make a thorough impartial and searching investigation to ascertain whether any industry in the Commonwealth of Pennsylvania is resorting to political coercion and intimidation and requiring its employes to register in and vote for the candidates of a particular political party in return for the security of their employment

Resolved That the said committee shall have power to issue subpoenas under the hand and seal of its chairman requesting and commanding any person or persons to appear before them and to answer such questions touching matters properly being inquired into by the committee and to produce such books papers records and documents as the committee may deem necessary Such subpoenas may be served upon any person and shall have the force and effect of subpoenas issued out of the courts of this Commonwealth Each member of said committee shall have power to administer oaths and affirmations to witnesses appearing before the committee

Resolved That in the event that the power hereby conferred upon the said committee to subpoena witnesses and enforce its subpoenas during the recess of the House shall be held by any Court to be unconstitutional the said committee shall nevertheless continue its work and take the testimony of such persons as shall voluntarily appear before it

Resolved That said Committee shall make a report to the House of Representatives as early as possible at this or the next Session of the General Assembly

Mr. SOWERS. Mr. Speaker, I would like to interrogate the gentleman from Beaver, Mr. Reising.

The SPEAKER. Will the gentleman from Beaver permit himself to be interrogated?

Mr. REISING. Mr. Speaker, I will.

Mr. SOWERS. Mr. Speaker, I desire to ask the gentle-

man from Beaver if he believes that the words "whether any industry of the Commonwealth of Pennsylvania is resorting to political coercion and intimidation" will cover the WPA?

Mr. REISING. I do, Mr. Speaker.

Mr. SOWERS. Thank you. Does the gentleman from Beaver, Mr. Reising, further believe that the committee so appointed, if this resolution should be adopted, would be able to investigate the WPA without a court injunction restraining it?

Mr. REISING. Mr. Speaker, so far as it may be a State proposition, I will say yes. As far as it being a Federal proposition, I will say no.

On the question recurring,

Will the House adopt the resolution?

The SPEAKER declared the ayes appear to have it. Whereupon, a division was called for and one hundred and nine members, or more than a majority, having voted in the affirmative, the question was determined in the affirmative, and the resolution was adopted.

RESOLUTION No. 53

Mr. MORAN. Mr. Speaker, I desire to call up at this time Resolution No. 53, Printer's No. 235.

The resolution was read by the Clerk as follows:

In the House of Representatives, July 27, 1936.

Whereas, There are sinister forces which have been active during the special session of the Legislature to force upon the people of Pennsylvania a tax program for unemployment relief purposes to fall heaviest upon those least able to pay; and

Whereas, These forces obtained amendment [in the Senate] of certain tax measures submitted at the present special session of the Legislature which, in their original form, were designed to impose taxes upon those best able to pay and which, in their amended form, bear too heavily upon those least able to pay; and

Whereas, It is a settled principle that to be equitable, a government must assess taxes upon the basis of ability to pay; and

Whereas, It will be necessary at the convening of the next regular session of the General Assembly for measures to be introduced to raise moneys for unemployment relief purposes; and

Whereas, Methods and means must be devised and safeguards obtained to avoid further imposition of taxes upon the small real estate owner, the farmer, the tenant and small business men; and

Whereas, It is evident that special interests who wish to escape their fair share of community responsibility will attempt to crack the whip as they so evidently have done during this special session of the Legislature; now, therefore, be it

Resolved, That the Speaker of the House of Representatives, the body of the General Assembly which is charged by the Constitution of the Commonwealth with the duty of originating tax measures, appoint a committee of five members who shall investigate the ways, means and methods of evolving a tax program which will place the burden upon those best able to pay and who shall further investigate the means, methods and devices that were employed during this special session by the opponents of a program of taxation based upon ability to pay in order to shift the burden upon those least able to bear it, and further investigate and report to the next regular session of the General Assembly a tax program designed to fulfill the above general purposes; and be it

Resolved, That the said Committee shall have power to issue subpoenas under the hand and seal of its Chairman, requesting and commanding any person or persons to appear before it and to answer any question touching matters properly being inquired into by the committee and to produce such books, papers, records and documents as the committee may deem necessary. Provided, That the committee shall not have the power to subpoena any Federal official or any records of the government of the United States. Such subpoenas may, except as herein otherwise provided, be served upon any person and shall have the force and effect of subpoenas issued out of the Courts of this Commonwealth. Each member of said committee shall have the power to administer oaths and affirmations to witnesses appearing before the committee. Any person who shall wilfully refuse or neglect to testify before such committee and to produce any papers, books or documents shall be subject to the penalties provided by the laws of the Commonwealth in such cases; and be it further

Resolved, That in the event that the power hereby conferred upon the said committee to subpoena witnesses and enforce its subpoenas during the recess of the House shall be held by any Court to be unconstitutional, the said committee shall nevertheless continue its work and take the testimony of such persons as shall voluntarily appear before it.

On the question,

Will the House adopt the resolution?

Mr. WITKIN. Mr. Speaker and members of the House, I regret exceedingly that on the resolution that has just passed, Resolution No. 59, I was not present, because I understood that the proceedings were going to be delayed until I got back. However, that is immaterial. Resolution No. 53 that I just heard read contains a whereas clause dealing with the question about the levying of taxes upon those least able to pay. I want to say very frankly that that resolution is false and absolutely contrary to the facts.

POINT OF ORDER

Mr. SARRAF. Mr. Speaker, I arise to a point of order.

The SPEAKER. The gentleman from Allegheny, Mr. Sarraf, will state his point of order.

Mr. SARRAF. Mr. Speaker, the gentleman is talking about a different resolution entirely.

The SPEAKER. The point of order is well taken. The gentleman will confine his remarks to the resolution before the House.

Mr. WITKIN. Mr. Speaker and members of the House, the inability of the gentleman from Allegheny, Doctor Sarraf, to understand any argument is quite understandable by me.

On this Resolution No. 53, Mr. Speaker, although I may appear to be in levity, I am serious, believe or not, I want to point out to this House that the taxes imposed by this Assembly and by the Republican Senate or the Senate as a whole, have been upon the industrial companies of Pennsylvania. We did not tax those least able to pay, and your attempt imputes to the Senate of Pennsylvania the fact that they imposed taxes upon the masses of the people is absolutely incorrect.

What taxes did we pass? We passed the corporate net income tax, and we passed it at ten percent to provide eleven million dollars for the Commonwealth of Pennsylvania. We passed the three mill personal property tax to provide eighteen million dollars upon people who hold securities. We passed the corporate loan tax of three million dollars. Eighteen and three are twenty-one. Doctor Sarraf may understand that. Twenty-one and eleven is thirty-two, so that thirty-two million dollars of the taxes that we passed were not upon the masses of the people. In addition to that we passed $500,000 upon

the inheritance tax. That is not a tax upon those least able to pay. I say that the membership of this House ought to stick to the record, ought to stick to the facts, and not introduce willy nilly resolutions with a lot of whereas clauses that you know are untrue, that you know are false, but yet you introduce them in order to get them into the record.

What else did we tax? We taxed the utilities of Pennsylvania. We passed the gross receipts tax. I challenge any one of you, whether in levity or seriousness, to point out to me where the Republican Senate passed a single tax that was upon those least able to pay.

I say, members of the House, that this resolution carries with it a false premise, and I want to say this, in addition, Mr. Speaker, what did the Republican Senate do to the masses of the people? I will tell you. Instead of imposing $25,000,000 of additional taxation, unnecessary taxation, upon the masses of the people, they stopped the Democratic Administration from taxing the people unnecessarily $25,000,000—

POINT OF ORDER

Mr. MORAN. Mr. Speaker, I arise to a point of order.

The SPEAKER. The gentleman from Allegheny will state his point of order.

Mr. MORAN. Mr. Speaker, the gentleman is not talking on the resolution before the House.

The SPEAKER. The point of order is well taken. The gentleman will confine his remarks to the resolution before the House.

Mr. WITKIN. Mr. Speaker and members of the House, may I just have your attention for a minute? It is my job to get this on the record, and after I get it on, you may do as you please, but here is what I want to say to you. You passed Senate Resolution No. 59. I am frank to tell you that I intended to oppose that, but number 53 is the same thing—

POINT OF ORDER

Mr. MORAN. Mr. Speaker, I arise to a point of order.

The SPEAKER. The gentleman from Allegheny will state his point of order.

Mr. MORAN. Mr. Speaker, the resolution before the House is Resolution No. 53.

The resolution the gentleman is talking on is Resolution No. 59.

The SPEAKER. For the information of the gentlemen from Philadelphia, Mr. Witkin, the resolution is Resolution No. 53. The gentleman will continue his discussion on Resolution No. 53.

Mr. WITKIN. Mr. Speaker and members of the House, Resolution No. 53, on page 2, says this,—for the specific information of the gentleman from Allegheny, Mr. Moran: "Whereas it is evident that special interests who wish to escape their fair share of community responsibility will attempt to crack the whip as they evidently have done during this special session of the Legislature, now therefore be it resolved."

I would like to know and I would like to have some Democrat explain to me where we cracked the whip. The corporate net income tax did not show that we cracked the whip. The gross receipts tax did not show that we cracked the whip. The tax on utilities did not show that we cracked the whip. The personal property tax to bring in twenty-one million dollars did not show that we cracked the whip. The $500,000 inheritance tax did not show that we cracked the whip. Where we cracked the whip was when we cracked it at the Democratic Governor of this Commonwealth, who attempted to impose upon the masses of the people $25,000,000 more taxes than were necessary. We would have had to pass the gasoline tax, we would have had to pass the cigarette tax—

POINT OF ORDER

Mr. MORAN. Mr. Speaker, I arise to a point of order.

The SPEAKER. The gentleman from Allegheny will state his point of order.

Mr. MORAN. Mr. SPEAKER, the gentleman has been asked to speak on the resolution before the House. I insist that the gentleman speak on the resolution before the House.

The SPEAKER. The gentleman from Phildelphia, Mr. Witkin, will confine any further remarks that he wishes to make on this resolution to Resolution No. 53, Printer's No. 235.

Mr. WITKIN. Mr. Speaker and members of the House, speaking most seriously, the gentleman's point of order is not well taken because I am confining myself to this resolution. I have read a portion of that resolution that refers to special interests wishing to escape taxation. I have pointed out to the best of my ability that the special interests have not escaped taxation, but on the contrary have assumed the entire burden of taxation.

This resolution provides that a committee shall be appointed to investigate a tax program that will place the burden upon those best able to pay. I contend that the whereas clause in this resolution is faulty, it is untrue, and it belies itself, and I am talking on the resolution, because I say that the special interests of this Commonwealth, to use the vernacular of this House, have not escaped their burden of taxation. On the contrary, I contend and I argue most respectfully and most seriously that the entire program of taxation of $45,000,000 that was provided in this Legislature is taxation upon what you call special interests. I say that it is a tax on corporations. I say that it is a tax upon people holding personal property. I say that it is a tax upon inheritances. I say it is a tax upon utilities of this Commonwealth, and therefore, I take it it is improper for any resolution that contains a whereas clause such as this does to pass this House, because it should not pass. I further contend that the special interests that they speak of avoiding taxation have not so done. I further contend that the Republican Party in the Senate have done for the masses of the people that which the Democratic Party in their platform said they would do but which they utterly failed to do. If we had adopted Governor's program of $70,000,000 of taxation in lieu of $45,000,000 we would have been faced with the burden of providing $25,000,000 more taxes. We would have been compelled to place a tax on gasoline, we have been compelled to place a tax upon cigarettes,—

POINT OF ORDER

Mr. MORAN. Mr. Speaker, I arise to a point of order.

The SPEAKER. The gentleman from Allegheny will state his point of order.

Mr. MORAN. Mr. Speaker, the gentleman is not talking on the resolution.

The SPEAKER. The chair will again remind the gentle-

man that the resolution before the House is Resolution No. 53, Printer's No. 235. The gentleman will confine his remarks to that resolution.

Mr. WITKIN. Mr. Speaker, I am, and I say to the Speaker of the House, and I say this most respectfully, because personally I like him. One of the whereas clauses in this resolution says this:

"Whereas it will be necessary at the convening of the next regular session of the General Assembly for measures to be introduced to raise moneys for unemployment relief purposes."

Therefore, we are discussing the taxes which may have to be raised in the future. Whether it is necessary to have such a resolution, I contend it is not, because I contend that if we keep our expenditures within our limitations we will not have to raise more taxes, we do not need this resolution. I say we have proven that in this session because if we impose upon the people the taxes necessary we would only impose the taxes that we did, but if we impose upon the people unnecessary taxes we would have been confronted in this Legislature with the imposition of $25,000,000 additional taxes. I say that that would have been reckless taxation upon the people. We would have had to go down to the masses of people.

When his Excellency, the Governor of the Commonwealth of Pennsylvania, indicated that he might be favorable to the imposition of a tax upon cigarettes, I say that he was agreeing to accept what Senator Woodward properly called a small scale sales tax. I am against a tax on gasoline. I am against a tax on cigarettes, and I am against a tax on the man on the street. There is not a man within the sound of my voice who can possibly tell how we could have raised $25,000,000 that the Governor asked for without taxing the man on the street. You have taxed the corporations, you taxed the utilities, you taxed inheritances, you taxed the owners of personal property, and if you keep on debauching the expenditure of public funds you must reach in your endeavor to tax, the man on the street, and you will have to include the taxes on the farmer for using an automobile upon his farm. You would have to include the taxes on the cigarette smoker who smokes cigarettes, and you would have to increase the tax on the income of the average man who earns one thousand dollars or more. The Republican Party have save the people from these taxes. We have saved $20,000,000 being expended for political purposes to build up a corrupt political machine.

Mr. COHEN. Mr. Speaker and members of the House, I desire during my discussion on this very momentous problem that the gentleman from Phildelphia, Mr. Witkin, pay particular attention.

He has sent a challenge to the Democratic Party to provide an example wherein the whereas clauses in this resolution can be justified. During his talk on this resolution the gentleman from Phildelphia made a very exact analysis of the tax program which has just been passed by this House and concurred in by the Senate. I recommend that analysis to every member of this House who is seeking reelection. I recommend that analysis to every new Democrat who will sit in the seats of the Republican minority. The $45,000,000 were the taxes raised, and through the persistence of the Democratic House, not one penny was placed upon the burden of those least able to pay.

Let me point this out: we were not successful because—

POINT OF ORDER

Mr. WITKIN. Mr. Speaker, I arise to a point of order.

The SPEAKER. The gentleman from Philadelphia will state his point of order.

Mr. WITKIN. Mr. Speaker, the gentleman is talking on Resolution No. 59.

The SPEAKER. The gentleman will confine his remarks to Resolution No. 53.

Mr. COHEN. Mr. Speaker and members of the House, we were not successful because, in the first place, the sinister influences that are referred to in this resolution invaded the body of the bill which would have vitiated the exemptions that are now provided to corporations in the signing of income tax returns. If the gentleman from Philadelphia doesn't understand what I mean by "vitiate," I'll explain that it means wiped out.

In the second place, I desire also to again answer the challenge of the gentleman from Philadelphia by calling to the attention of this House another instance in which those selfsame sinister influences referred to in this resolution accomplished their purposes. We had introduced in this House the personal property tax, one measure which would have raised $40,000,000, or over, ninety percent of the tax program, but by the removal of parts of that bill that provided for the vitiation of exemptions, exemptions to the holders of securities in Pennsylvania companies, they reduced the estimate of that bill from $40,000,000 to $18,000,000.

I realize that in these closing minutes of this Legislative session and in the closing minutes of the service of the gentleman from Philadelphia to this Commonwealth as a member of this House, that we are prone to indulge in estimates and considerations that find no part in action. An analysis of the tax program we have passed, as I have indicated, places one hundred percent of the tax on those best able to pay, and I say to this House if we are able at the next session of the Legislature to again pass a program which is similar to the one we have passed this time, the unemployed will be provided for, and the functions of this Commonwealth will continue without any undue oppression to the great masses of citizens who compose this great State of Pennsylvania.

Mr. SOWERS. Mr. Speaker, I desire to interrogate the gentleman from Allegheny, Mr. Moran.

The SPEAKER. Will the gentleman from Allegheny, Mr. Moran, permit himself to be interrogated?

Mr. MORAN. Mr. Speaker, I will.

Mr. SOWERS. Mr. Speaker, will the gentleman from Allegheny tell me who cracked the whip to defeat the old-age assistance bill of 65 years?

Mr. MORAN. Mr. Speaker, I will answer the question of the gentleman from Philadelphia, Mr. Sowers, by saying that the men who have cracked the whip in defeating the old-age pension were none other in Pennsylvania than Joseph R. Grundy and Mr. Pew.

Mr. SOWERS. Mr. Speaker, may I ask the gentleman from Allegheny whether he took his orders from Grundy and Pew when he voted against old-age assistance at 65 years?

Mr. MORAN. Mr. Speaker, I will answer that question by saying no. Neither has any other Democrat. I say that Mr. Grundy and Mr. Pew were really the people who

defeated the old-age security in Pennsylvania, and I further say that the dominating Mr. Sowers is trying to put everybody on the spot by introducing a measure providing for lotteries, which would probably put $80,000,000 into the treasury of the State of Pennsylvania, which I don't know and neither does he—a most cowardly way to take care of the old aged, the mothers' pension, and so on. A lottery will be nothing more than taking care of the big interests and putting the burden of taxation upon the little home owner, the wage earner, the small business man.

Mr. SOWERS. Mr. Speaker, may I ask the gentleman from Allegheny if he took orders from George III to vote "no" on the old-age assistance at 65?

PREVIOUS QUESTION

Mr. JOHN J. BAKER. Mr. Speaker, I move the previous question.

The SPEAKER. The Chair does not hear any seconds The interrogation will proceed.

Mr. SOWERS. Mr. Speaker, may I ask the gentleman from Allegheny, whether he took his orders from David Lawrence and George Earle on the proposition of voting against old-age assistance at 65?

Mr. MORAN. Mr. Speaker, no I did not. I do not take my orders from anybody, especially the vested interests in the State of Pennsylvania.

Mr. SOWERS. Mr. Speaker, does the gentleman care to tell the House what sinister, malign influence induced the Governor's statement against the lottery bill.

POINT OF ORDER

Mr. JAMES W. PATTERSON. Mr. Speaker, I arise to a point of order.

The SPEAKER. The gentleman from Allegheny will state his point of order.

Mr. JAMES W. PATTERSON. The interrogation of the gentleman from Philadelphia, Mr. Sowers, is entirely out of order, inasmuch as it has no relation to the matter before the House.

The SPEAKER. The point of order is well taken. The gentleman will confine his remarks to the resolution before the House.

Mr. WITKIN. Mr. Speaker, I ask for a roll call.

Mr. SOWERS. Mr. Speaker, I second the motion.

MOTION TO AMEND

Mr. WITKIN. Mr. Speaker, before this roll is called upon Resolution No. 53, I now move that there be stricken from this Resolution on page 2, line 3, the following clause:

"Whereas it is evident that special interest who wish to escape their fair share of community responsibility will attempt to crack the whip as they so evidently have done during this special session of the Legislature, now therefore be it resolved—"

QUESTION OF PARLIAMENTARY INQUIRY

Mr. O'KEEFE. Mr. Speaker, I arise to a question of parliamentary inquiry.

The SPEAKER. The gentleman from Allegheny will state his question of parliamentary inquiry.

Mr. O'KEEFE. Mr. Speaker, the roll call having been asked for, does that not settle the debate?

The SPEAKER. The roll call has not been started, but if the gentleman from Philadelphia wishes to amend the resolution the Chair will request that the amendments be submitted in writing.

MOTION TO LAY RESOLUTION ON TABLE

Mr. WITKIN. Mr. Speaker, I move you that Resolution No. 53, Printer's No. 235, be laid upon the table. I am merely asking that in order that I may be given an opportunity to put in writing the amendment which I have orally made, and I will voice no objection to the immediate consideration of the resolution after I have presented the amendment in writing, and I ask my Democratic friends to give me an opportunity to put this in writing.

On the question,

Will the House agree to the motion?

Mr. COHEN. Mr. Speaker, if the gentleman from Philadelphia will immediately sit down and write out the strike out amendment, I feel sure that the House would be willing to give him three minutes, which I think is sufficient time in which he can do it.

POINT OF ORDER

Mr. MOOMAW. Mr. Speaker, I arise to a point of order.

The SPEAKER. The gentleman from Franklin, Mr. Moomaw, will state his point of order.

Mr. MOOMAW. Mr. Speaker, there is a motion before the House to lay on the table, therefore there can be no debate.

The SPEAKER. The point of order is well taken.

On the question recurring,

Will the House agree to the motion?

Mr. WITKIN. Mr. Speaker, as I understand it, the Speaker has now ruled that the motion to lay on the table is about to be voted upon. Is that correct?

The SPEAKER. That is correct.

Mr. WITKIN. Mr. Speaker, I ask for a roll call, I ask for a slow roll call, and I will then ask for a verification, and by that time I will have finished writing it out, and I will then present the amendment.

On the question recurring,

Will the House agree to the motion?

The yeas and nays were required by Mr. WITKIN and Mr. WINNER.

Mr. COHEN. Mr. Speaker, I ask for a verification of the roll.

The roll was verified and was as follows:

YEAS—73

Altenburg,	Hamilton, R. S.,	Nothnagle,	Stott,
Atkins,	Hermansen,	Parks,	Surface,
Baker, F. T.,	Hoffner,	Phillips,	Sweeney,
Baldi,	Horst,	Rhys,	Tahl,
Barnhardt,	Jackson,	Roan,	Terry,
Beadman,	Jones,	Rooney,	Trout,
Bernhard,	Kane,	Root,	Turner,
Blumberg,	Kelder,	Royer,	Van Allsburg,
Boose,	Kenney,	Schrock,	Wall,
Boyer,	Linderman,	Serrill,	Wasserman,
Brennan,	Longaker,	Shortz,	Weidemann,
Castor,	Mallen,	Shreiner,	White,
Cooper,	Mason,	Simpson,	Wickersham,
Cordier,	McCreary,	Sloan,	Winner,
Duffort,	McDevitt,	Snyder, F. E.,	Witkin,
Forrest,	McKinney,	Snyder, J. L.,	Wood,
Gates,	Merrell,	Sowers,	Woodside,
Gillette,	Moore,	Sproul,	Yeakel,
Habbyshaw,	Muir,	Stockham,	

NAYS—111

Achterman,	Eberharter,	LaRue,	Reising,
Alexander,	Eroe,	Long,	Robinson,
Allen,	Falkenstein,	Lovett,	Ruffennach,
Andrews,	Perko,	Lynch,	Sarraf,
Anthony,	Finnerty,	Male,	Scanlon,
Arnold,	Fitch,	McDermott,	Schaeffer,
Baine,	Flanagan,	McElroy,	Schrope,
Baker, J. J.,	Flinchbaugh,	McHenry,	Schwab,
Bradley,	Gerard,	Melchiorre,	Shaw,
Brancato,	Haberlen,	Mentzer,	Shepard,
Brown, H. S.,	Hagerty,	Moomaw,	Siegel,
Brown, J. E.,	Haluska,	Mooney,	Simon,
Brownfield,	Hamilton, F. P.,	Moran,	Sinwell,
Brumbaugh,	Harkins,	Moul,	Smith, J. A.,
Burke,	Harmuth,	Munley,	Smith, W. G.,
Cannon,	Hartman,	Murrin,	Stank,
Caputo,	Hetrick,	Nagel,	Stevens,
Chervenak,	Hindman,	O'Keefe,	Stone,
Coakley,	Hirsch,	Ominsky,	Sumney,
Cochran,	Holland,	O'Neill,	Tronzo,
Cohen,	Holstrom,	Panton,	Tumelty,
Coleman,	Hoopes,	Patterson, C.,	VanSickle,
Coolahan,	Kelso,	Patterson, J. W.,	Weiss,
Decker,	Kilroy,	Pearson,	Welsh,
Dent,	Kinney,	Pfaff,	Yourishin,
Diehl,	Klingler,	Piole,	Zappala,
Dilley,	Kobelak,	Powers,	Furman,
Downey, G. E.,			

So the question was determined in the negative and the motion was not agreed to.

On the question recurring,

Will the House adopt the resolution?

Mr. COHEN. Mr. Speaker, I move the previous question.

POINT OF ORDER

Mr. WITKIN. Mr. Speaker, I arise to a point of order.

The SPEAKER. The gentleman from Phildelphia will state his point of order.

Mr. WITKIN. Mr. Speaker, prior to the previous question being moved, I attempted to offer an amendment to strike from this resolution a particular clause. The Speaker of this House told me that the amendment would have to be made in writing. I then asked the indulgence of the Chair to make it in writing, and the Speaker granted me that indulgence. I now ask for the opportunity and demand it as a right to offer an amendment to strike from that resolution that particular clause, and I ask, Mr. Speaker, that the motion for the previous question be ruled out of order, you having told me that if I put this amendment in writing, it would be considered and I now demand that consideration.

QUESTION OF INFORMATION

Mr. COHEN. Mr. Speaker, I arise to a question of information.

The SPEAKER. The gentleman from York will state his question of information.

Mr. COHEN. Mr. Speaker, contrary to the usual rules of parliamentary procedure, I wish to give the information. The gentleman from Philadelphia made a motion to amend Resolution No. 53. The gentleman from Philadelphia then made a motion that it be laid on the table in order that he might be given an opportunity—

POINT OF ORDER

Mr. WITKIN. Mr. Speaker, I arise to a point of order.

The SPEAKER. The gentleman from Philadelphia will state his point of order. The Chair requests that just one point of order be raised at one time.

Mr. WITKIN. Mr. Speaker, the gentleman is making a statement and he arose to a question of information. When you ask for information you don't give facts, you ask for light— you either ask for light or keep silent.

Mr. COHEN. The gentleman from Phildelphia is correct.

The SPEAKER. Will the gentleman from York and the gentleman from Philadelphia please approach the desk.

Mr. COHEN. In view of the last minute concessions on the part of the gentleman form Philadelphia, I am glad to oblige him by withdrawing my motion for the previous question.

Mr. WITKIN. Mr. Speaker it was not so much obliging —it was under a threat. I now offer the following amendment.

The amendment was read by the Clerk as follows:

Amend House Resolution No 53, Printer's No. 253 by striking out the "Whereas" clause on page 2 line 3, commencing with the word "Whereas" and all of line 3, 4, 5, 6 and 7 ending with the word "it".

On the question,

Will the House agree to the amendment?

It was not agreed to.

On the question recurring,

Will the House adopt the resolution?

It was adopted.

RESOLUTION

DISCHARGE OF COMMITTEE

Mr. HOOPES. Mr. Speaker, in accordance with the decision of the Chair this afternoon, I present the following resolution.

The resolution was read by the Clerk as follows:

In the House of Representatives, August 6, 1936

Whereas, a petition asking for the impeachment of Benjamin C. Atlee, President Judge of the Common Pleas Court of the second Judicial District consisting of Lancaster County was presented to this House on July 13, 1936, and referred to the Committee on Judiciary General on July 14, 1936, and has been in the hands of said Committee for more than ten Legislative days, now therefore be it

Resolved, That the Committee on Judiciary General be discharged from further consideration of said petition.

On the question,

Will the House adopt the resolution?

RESOLUTION LAID ON TABLE

Mr. TROUT. Mr. Speaker, I move that this resolution be laid upon the table.

On the question,

Will the House agree to the motion?

The yeas and nays were required by Mr. HOOPES and Mr. TRONZO.

Mr. JAMES W. PATTERSON. Mr. Speaker, I ask for a verification of the roll.

The SPEAKER. The roll will be verified.

The Clerk read the affirmative roll.

Mr. EBERHARTER. Mr. Speaker, I desire to inquire whether I am recorded as voting "aye".

The SPEAKER. How did the gentleman vote?

Mr. EBERHARTER. Mr. Speaker, I desire to know how the vote is recorded.

The SPEAKER. The gentleman is not recorded.

Mr. EBERHARTER. Mr. Speaker, I desire to have my vote recorded as voting "no".

QUESTION OF PARLIAMENTARY INQUIRY

Mr. HOMER S. BROWN. Mr. Speaker, I arise to a question of parliamentary inquiry.

The SPEAKER. The gentleman will state his question of parliamentary inquiry.

Mr. HOMER S. BROWN. Mr. Speaker, did I understand the Speaker just now to say that the gentleman from Allegheny, Mr. Eberharter, was not recorded?

The SPEAKER. The gentleman is now recorded.

Mr. HOMER S. BROWN. Do I have the right, Mr. Speaker, to ask the gentleman from Allegheny, Mr. Eberharter, whether he did not vote on the first call of the roll?

The SPEAKER. The gentleman is entitled to vote any way he desires if he is within the Hall of the House when the roll is called. The gentleman has now declared his intention of being recorded on the negative roll.

Mr. HOMER S. BROWN. Mr. Speaker, I should like to ask the Speaker, very politely, if the Speaker will please answer my question of parliamentary inquiry, which is, whether or not I have the right to ask the gentleman from Allegheny, Mr. Eberharter, whether or not he voted on the first call of the roll?

The SPEAKER. The gentleman does have the right to interrogate the gentleman from Allegheny if the gentleman will permit himself to be interrogated on the question of his vote.

Mr. HOMER S. BROWN. Mr. Speaker, I would like to interrogate the gentleman from Allegheny, Mr. Eberharter.

The SPEAKER. Will the gentleman from Allegheny permit himself to be interrogated?

Mr. EBERHARTER. I will, Mr. Speaker.

Mr. HOMER S. BROWN. Mr. Speaker, I should like to ask the gentleman from Allegheny, Mr. Eberharter, how he voted on the first call of the roll in this particular matter that is pending before the House?

Mr. EBERHARTER. Mr. Speaker, if the gentleman from Allegheny, Mr. Brown, desires to know whether or not I wish to be recorded as voting "no" or whether I wish to be recorded as voting "aye", I will say this: that I desire to be recorded as voting "no" after considering the question that is before the House.

Now, I do not wish to state for the benefit of the members of the House or the gallery or the record whether or not I gave due consideration to my vote before it was cast, but I wish to be recorded at this time as voting "no" on the resolution and on the motion.

Mr. HOMER S. BROWN. Mr. Speaker, I should like to ask the gentleman from Allegheny, Mr. Eberharter, whether or not he voted on the first call of the roll.

Mr. EBERHARTER. Mr. Speaker, the gentleman from Allegheny Mr. Brown has asked whether or not I voted on the first call of the roll. I don't know whether or not there has been more than one call of the roll. However, it is my desire to put myself on record as voting in the negative on this question, and the roll and the record will show my position insofar as this particular question is concerned.

Now, if the gentleman from Allegheny, Mr. Brown, desires to change my position, which is "no", in the negative on this vote proposition, I am willing to do so and if he continues to press his argument or his interrogation, I will certainly comply with his implied request that I change my position, which is that I am voting in the negative on this motion.

Mr. HOMER S. BROWN. I should like to ask the gentleman from Allegheny if it is not a fact, Mr. Speaker, that on the first call of the roll, when his name was called by the Clerk of this House, he answered "yes."

Mr. EBERHARTER. Mr. Speaker, in answer to the gentleman from Allegheny, Mr. Brown, I will say this, that on the roll call I did not answer "yes" and I did not answer "yes" on any roll call that was ever put before this House.

The affirmative roll was verified.

The negative roll was read and verified.

The roll was verified and was as follows:

YEAS—102

Achterman,	Hamilton, R. S.,	Muir,	Snyder, F. E.,
Alexander,	Hartman,	Munley,	Snyder, J. L.,
Altenburg,	Hermansen,	Nothnagle	Sprout,
Arnold,	Hetrick,	O'Keefe,	Stank,
Baine,	Hindman,	O'Neill,	Stevens,
Baldi,	Hoffner,	Parks,	Stockham
Barnhardt,	Holstrom	Pfaff,	Stone,
Blumberg,	Horst,	Phillips,	Sumney,
Boose,	Jones,	Reising,	Surface,
Boyer,	Kane,	Rhys,	Sweeney
Brennan,	Kelso,	Rinn,	Terry,
Brownfield,	Kinney,	Roan,	Trout,
Burke,	Kobelak,	Robinson,	Turner,
Coakley,	Linderman,	Royer,	VanSickle,
Cochran,	Longaker,	Schrock,	Wall,
Decker,	Male,	Schrope,	Weidemann,
Downey, G. E.,	Mason,	Schwab,	Welsh,
Duffort,	McDermott,	Serrill,	Wickersham,
Ferko,	McDevitt,	Shaw,	Winner,
Flanagan,	McHenry,	Shortz,	Witkin,
Flinchbaugh,	McKinney,	Shreiner,	Wood,
Forrest,	Mentzer,	Shugarts,	Woodside
Gillette,	Merrell,	Siegel,	Yeakel,
Habbyshaw,	Moomaw,	Simon,	Yourishin
Hagerty,	Moore,	Simpson,	Furman
Hamilton, F. P.,	Moul,	Sinwell,	

NAYS—50

Allen,	Eroe,	Kenney,	Pearson
Andrews,	Falkenstein,	Klingler,	Piole,
Baker, J. J.,	Finnerty,	Long,	Powers,
Beadman,	Fitch,	Lovett,	Ruffennach
Brancato,	Gates,	Lynch,	Sarraf,
Brown, H. S.,	Haberlen,	McCreary,	Scanlon,
Brown, J. E.,	Haluska,	McElroy,	Schaeffer,
Chervenak,	Harkins,	Melchiorre,	Shepard,
Cohen,	Harmuth,	Moran,	Smith, J. A.,
Coleman,	Hirsch,	Nagel,	Sowers,
Dent,	Holland,	Ominsky,	Tronzo,
Diehl,	Hoopes,	Patterson, C.,	Wasserman,
Eberharter,	Jackson,	Patterson, J. W.,	Weiss,

So the question was determined in the affirmative and the motion was agreed to.

REASONS FOR VOTE

Mr. BLUMBERG filed the following reasons for his vote:

In voting "aye" on this motion to lay on the table, I do so because, although having voted for impeachment in the Judiciary General Committee, I feel myself bound by the action of the Committee in the report filed by it; after the Committee accepted the apology of Judge Atlee, and agreed that the report of the Committee against impeachment and containing a censure and reprimand represent the report of the Committee, of which I am a member.

REPORT FROM COMMITTEE

Mr. BLUMBERG, from the Committee on Constitutional Amendments, re-reported as amended, House Bill No. 164 (Senate Bill No. 75), entitled:

A Joint Resolution proposing an amendment to article nine of the Constitution of the Commonwealth of Pennsylvania by adding thereto section one C.

QUESTION OF PARLIAMENTARY INQUIRY

Mr. TURNER. Mr. Speaker, I arise to a question of parliamentary inquiry.

The SPEAKER. The gentleman from Delaware will state his question of parliamentary inquiry.

Mr. TURNER. Mr. Speaker, can the gentleman from Philadelphia offer this report from the Committee on Constitutional Amendments without the consent of the House?

The SPEAKER. It will require the unanimous consent of the House to offer the report and it will also require the unanimous consent of the House for its immediate consideration.

Mr. TURNER. Mr. Speaker, I object.

The SPEAKER. The Chair hears objection.

HOUSE RULES 14 AND 41 SUSPENDED

Mr. BLUMBERG. Mr. Speaker, I move that House Rules 14 and 41 be waived, set aside, for the specific purpose of the reporting and the immediate consideration of Senate Bill No. 75.

On the question,

Will the House agree to the motion?

POINT OF ORDER

Mr. TURNER. Mr. Speaker, I arise to a point of order.

The SPEAKER. The gentleman will state his point of order.

Mr. TURNER. Mr. Speaker, the gentleman from Philadelphia did not ask to suspend the rule for the purpose of submitting the bill at this time.

The SPEAKER. In reply to the point of order of the gentleman from Delaware, the gentleman from Philadelphia has asked for the suspension of Rule 14, which provides for the order of the day.

POINT OF ORDER

Mr. ANDREWS. Mr. Speaker, I arise to a point of order.

The SPEAKER. The gentleman from Cambria will state his point of order.

Mr. ANDREWS. The point of order is that the suspension of Rule 14 and of Rule 41 does not dispense with the necessary procedure of formulating the calendar. This bill, reputedly on third reading, is not upon the calendar. This House does not have a calendar and neither does the suspension of Rule 14 nor of Rule 41 obviate the necessity for a calendar.

The SPEAKER. In reply to the point of order raised by the gentleman from Cambria, Mr. Andrews, the Chair wishes to read House Rule No. 41.

"All bills and joint resolutions reported affirmatively shall be placed on the calendars in the order in which they were reported to the House."

It is true that we do not have a calendar. Therefore, the motion to suspend Rule 41 would be in order, dispensing with placing the bill on the calendar. The Chair will be glad to receive any information the gentleman may have relative to this matter.

Mr. ANDREWS. Mr. Speaker, do I understand the Chair to rule that the suspension of Rule 41 obviates the necessity for the Resident Clerk to prepare a Calendar and the presentation of the printed calendar to the House for consideration.

The SPEAKER. That is correct. Rule 41 provides for the placing of the bill on the calendar. A motion for the suspension of this rule will not require the Resident Clerk to place the bill on the calendar.

QUESTION OF PARLIAMENTARY INQUIRY

Mr. HOOPES. Mr. Speaker, I arise to a question of parliamentary inquiry.

The SPEAKER. The gentleman will state his question of parliamentary inquiry.

Mr. HOOPES. Mr. Speaker, am I correct in believing that the only question before this House at this time is the granting of unanimous consent for the presentation of the report of the committee.

The SPEAKER. The only thing before this House at this time is a motion to suspend Rules 14 and 41 for the purpose of the reporting and the immediate consideration of Senate Bill No. 75.

Mr. HOOPES. Mr. Speaker, is it in order to suspend two rules for two different purposes by the same motion?

The SPEAKER. The Chair is of the opinion that the motion is in order, but if the maker of the motion desires, or if any member so desires, the question can be divided.

DIVISION OF QUESTION

Mr. HOOPES. Mr. Speaker, I ask that the question be divided.

The SPEAKER. The gentleman from Berks, Mr. Hoopes, asked that the question on the motion of the gentleman from Philadelphia, Mr. Blumberg, be divided. The Chair will, therefore, lay before the House the question on the motion to suspend Rule 14, for the specific purpose of reporting Senate Bill No. 75.

On the question recurring,

Will the House agree to the motion?

The yeas and nays were required by Mr. HOOPES and Mr. ANDREWS.

POINT OF ORDER

Mr. LYNCH. Mr. Speaker, I arise to a point of order.

The SPEAKER. The gentleman will state his point of order.

Mr. LYNCH. Mr. Speaker, Rule No. 91 states that no persons shall occupy the seats of members. I desire that that rule be enforced.

The SPEAKER. Does the gentleman insist?

Mr. LYNCH. I do, Mr. Speaker.

The SPEAKER. The Chair has a request that Rule No. 91 be enforced. The Chair wishes to read Rule 91 for the information of the House:

"None but members of the Senate, their officers, the Governor and heads of the State departments, Judges of the Courts, of this Commonwealth, and families of the members of the present House and Senate, former members of the Legislature when introduced by a member of

the present House, and others who may be specifically introduced by a member, by permission of the Speaker, shall be permitted to come upon the floor of the House during its session; and no person shall be permitted to occupy the seats of the member; or interrupt a member by speaking to him in his seat, while the House is in session; and it shall be the duty of the Sergeant-at-Arms to give notice to any person offending against this rule."

The Chair must necessarily order anyone who is not entitled to the privileges of the floor to immediately leave the floor.

QUESTION OF PARLIAMENTARY INQUIRY

Mr. SARRAF. Mr. Speaker, I arise to a question of parliamentary inquiry.

The SPEAKER. The gentleman will state his question of parliamentary inquiry.

Mr. SARRAF. Mr. Speaker, did I understand the Speaker to say in the rule that he just announced that if they have the permission of the Chair they could sit with the legislators?

The SPEAKER. The rule says that no person shall be permitted to occupy the seats of the members.

Mr. SARRAF. Mr. Speaker, will you be kind enough to read the House rule again as you have just read it?

The SPEAKER. The Chair will again read Rule 91:

"None but members of the Senate, officers, the Governor and heads of the State departments, Judges of the courts, of this Commonwealth, and families of the members of the present House and Senate, former members of the Legislature when introduced by a member of the present House, and others who may be specifically introduced by a member, by permission of the Speaker, shall be permitted to come upon the floor of the House during its session; and no person shall be permitted to occupy the seats of the members; or interrupt a member by speaking to him in his seat, while the House is in session; and it shall be the duty of the Sergeant-at-Arms to give notice to any person offending against this rule."

Mr. SARRAF. Mr. Speaker, I understand, as you have just read the rule, that they may occupy seats by permission of the Speaker, is that correct?

The SPEAKER. The Speaker cannot give permission for persons to occupy the seats of the members. The Speaker can give permission for people to come upon the the floor of the House, upon the sides, but not in the seats of the members.

Mr. ANDREWS. Mr. Speaker, I ask for a verification of the roll.

STATEMENT BY MR. TURNER

Mr. TUNRER. asked and obtained unanimous consent to make the following statement:

Mr. Speaker and members of the House, I do not see how it is possible for us either to follow the roll call or the verification under the condition existing in this House. I think the conditions here are disgraceful. We have sat here fourteen weeks, and here we are within a short time of adjournment, and the confusion that is obtaining in this House is certainly not conducive to the transaction of legislative business or any other business of this House. It seems to me that the men who are now wandering about the floor of the House, spending their time conversing, could very well sit down for a few minutes and attend to the business of this House.

Mr. SPEAKER. The point of order is well taken. The Chair again requests that order be maintained in the House.

Mr. TURNER. Mr. Speaker, if the Chair through its courteous request for order in the House cannot maintain it, then I insist that the Sergeant-at-Arms be called upon to maintain order.

The SPEAKER. The members will take their seats.

Mr. JOHN E. BROWN. Mr. Speaker, if I recall the session of 1933, I think that order here, in comparison with it is very commendable. It is much better than it was in the session of 1933, under the Republican majority.

QUESTION OF PERSONAL PRIVILEGE

Mr. WITKIN. Mr. Speaker, I arise to a question of personal privilege.

The SPEAKER. The gentleman will state his question of personal privilege.

Mr. WITKIN. Mr. Speaker, I agree with the gentleman from Delaware, Mr. Turner, to this extent, that possibly there has been conversation, and possibly there has been unnecessary conversation, but it seems to me that the Speaker of the House has during tonight's session seen to it that the rolls were properly recorded and the rolls were properly called. Although there may have been levity and although there may have been some unnecessary conversation, I think that the Speaker of this House maintained proper order and decorum, and I believe that the vote that has just been recorded has been in accordance with the wishes of the members of this House. I for one want it noted on the record that the Speaker of this House has throughtout this session and during the present roll call maintained proper order and decorum in this House.

The SPEAKER. The Chair wishes to thank the gentleman from Phildelphia, Mr. Witkin for his remarks.

The roll was verified and was as follows:

YEAS—110

Allen,	Ferko,	Male,	Sarraf,
Anthony,	Finnerty,	McCreary,	Scanlon,
Baine,	Fitch,	McDermott,	Schwab,
Baker, J. J.,	Flanagan,	McDevitt,	Shaw,
Baldi,	Gates,	McElroy,	Shortz,
Barnhardt,	Gerard,	Melchiorre,	Shugarts,
Beadman,	Haberlen,	Mentzer,	Siegel,
Blumberg,	Hagerty,	Moomaw,	Simon,
Bradley,	Hamilton, F. P.,	Moore,	Sinwell,
Brancato,	Hamilton, R. S.,	Moran,	Smith, J. A.,
Brown, H. S.,	Harkins,	Munley,	Snyder, F. E.,
Brown, J. E.,	Harmuth,	Nagel,	Sowers,
Brumbaugh,	Hartman,	O'Keefe,	Stank,
Burke,	Hetrick,	Ominsky,	Stevens,
Cannon,	Hindman,	O'Neill,	Sumney,
Caputo,	Hirsch,	Patterson, C.,	Sweeney,
Coakley,	Hoffner,	Patterson, J. W.,	Tronzo,
Cochran,	Holland,	Pearson,	Tumelty,
Cohen,	Holstrom,	Pfaff,	VanAllsburg,
Coleman,	Kane,	Phillips,	VanSickle,
Coolahan,	Kelso,	Piole,	Wall,
Decker,	Kinney,	Powers,	Wasserman,
Diehl,	Kilroy,	Reising,	Weiss,
Dilley,	Klinger,	Rhys,	Welliver,
Downey, G. E.,	Linderman,	Rinn,	Welsh,
Eberharter,	Long,	Roan,	Wickersham,
Eroe,	Lovett,	Robinson,	Witkin,
Falkenstein,	Lynch,	Ruffennach,	Furman,

NAYS—35

Achterman,	Haluska,	Royer,	Surface,
Alexander,	Hermansen,	Schaeffer,	Terry,
Andrews,	Hoopes,	Schrock,	Turner,
Boose,	Horst,	Schrope,	Weidemann,
Boyer,	McKinney,	Serrill,	Wickersham,
Chervenak,	Merrell,	Shepard,	Wood,
Flinchbaugh,	Moul,	Shreiner,	Woodside,
Gillette,	Muir,	Snyder, J. L.,	Yourishin,
Habbyshaw,	Nothnagle,	Sproul,	

So the question was determined in the affirmative and the motion was agreed to.

The SPEAKER. Rule 14 has been suspended for the specific purpose of reporting from Committee House Bill No. 164, (Senate Bill No. 75).

REPORT FROM COMMITTEE

Mr. BLUMBERG, from the Committee on Constitutional Amendments re-reported as amended, House Bill No. 164, (Senate Bill No. 75), entitled:

A Joint Resolution proposing an amendment to article nine of the Constitution of the Commonwealth of Pennsylvania by adding thereto section one C.

The SPEAKER. The Chair will now lay before the House the question on the motion to suspend Rule 41 for the specific purpose of the immediate consideration of House Bill No. 164, (Senate Bill No. 75).

On the question,

Will the House agree to the motion?

The question was determined by a rising vote, one hundred and six members, or more than a majority, having voted in the affirmative the motion was agreed to.

BILL ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 164 (Senate Bill No. 75), as follows:

A Joint Resolution proposing an amendment to article nine of the Constitution of the Commonwealth of Pennsylvania by adding thereto section one C

Section 1 Be it resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met That the following amendment to the Constitution of the Commonwealth of Pennsylvania is hereby proposed in accordance with the eighteenth article thereof

That article nine of the Constitution of Pennsylvania is hereby amended by adding thereto the following section

Section 1C Political subdivisions shall annually reduce their respective tax levies on the assessed valuation of real estate so that the combined rates of all taxes (exclusive of taxes for debt service) for the year one thousand nine hundred and forty-three and any subsequent year on any parcel of real estate shall not exceed a total of ten mills The General Assembly shall enact legislation fixing the annual reductions to be made by classes of political subdivisions previous to the tax year one thousand nine hundred and forty-three and the maximum tax millage within said ten mill limitation which may be levied by any class of political subdivisions for the tax year one thousand nine hundred and forty-three and thereafter

The assessment or valuation of real property for tax purposes made for the year one thousand nine hundred and forty-three and thereafter shall be made only at the fair market value

On the question,

Will the House agree to the bill on third reading?

MOTION TO COMMIT BILL TO COMMITTEE OF THE WHOLE

Mr. ANDEWS. Mr. Speaker, I move that this bill be recommitted to the Committee of the Whole House for the purpose of amending the measure, line 2 page 2 by substituting the word "twenty" for the word "ten."

On the question,

Will the House agree to the motion?

Mr. WITKIN. Mr. Speaker and members of the House, I do not believe in the eleven years that I have been here that I have ever arisen to oppose my friend from Philadelphia, Mr. Blumberg. I do not know of a man in this House for whom I have higher regard and for whom I would do more politically and personally than for the gentleman from Philadelphia, Mr. Blumberg. I am with him until hell freezes over, but I cannot be with him in opposing the motion of the gentleman from Cambria, Mr. Andrews.

It is absolutely ridiculous and foolhardy for us to endeavor to say to a county, "You shall limit your taxes on real estate to a certain amount," when we know down deep in our hearts that unless they raise that amount of taxes they cannot run the county government. I do not know of a more painful duty that I have ever had than to oppose the man that I love the best, but I am going to ask the members of this House to vote in favor of the motion of the gentleman from Cambria, Mr. Andrews.

I voted to support the motion to suspend the rules because my friend and colleague Mr. Blumberg thought it was the right thing to do, but I also believe that we ought not to vote hypocritically, we ought not to endeavor, in order to coerce voters, to do that which we know cannot be done. Philadelphia—real estate board or no real estate board—can possibly get along with the taxes provided in this bill. Therefore, why should we vote affirmatively because it happens to be the first vote, and then hope that the next Legislature will vote to the contrary? I say to the membership of this House that we ought to support this motion and raise it to twenty mills, because without the twenty mills we cannot support county government. I relcase everyone of my Philadelphia friends, I release everyone of my Republican friends from voting in accordance with my speech.. Let them vote as they think right for their county, but, much as I hate to do so, I cannot conscientiously vote for this bill in its present form, and I say to you members of the House, that it is regrettable to me that after serving for eleven years, side by side with a man who helped to make me a good legislator, if I am one, to vote against him. I ask this House to vote in favor of the motion of the gentleman from Cambria, Mr. Andrews, much as I hate to do it.

Mr. ANDREWS. Mr. Speaker and members of the House, I made this motion in order that this House may be consistent and in order that the integrity of the Committee on Constitutional Amendments may be maintained. The issue involved in this bill was pending in the Committee on Constitutional Amendments, and was debated pro and con over a period of months. The Committee on Constitutional Amendments instructed its Chairman to report a bill to this floor carrying twenty mills as the figure. That was prior to the time when the real estate interests, interested in suburban developments and playing for millions, appeared upon the scene. Contrary to

the instructions of the committee, the printed bill appeared upon this floor as fifteen mills and not twenty mills, and then, as a result of arguments with which I am not acquainted, the committee which had stood for twenty mills brings in a report. What for? Its second guess, fifteen mills? No, ten.

Now, gentlemen of the House, I say to you in all seriousness that something very remarkable has occurred. If a committee meeting in session one day can advisedly report to this floor a bill bearing twenty mills as a figure, and only a few days later come in with a bill for ten mills, I think that in deference to the judgment of the Committee, its uninfluenced judgment, undictated judgment, because when the committee, Mr. Speaker, reported twenty mills, it reported its own convictions, and I am convinced and I am sure that many members of the House are convinced, that when the committee reported ten mills it did not report its convictions. I am prepared, as I believe other gentlemen of the House are prepared, to argue in defense of twenty mills as against ten mills, when the proper time comes, and I hope that the members of this House, in line with the original recommendation of the Committee will consent to go into a Committee of the Whole for the purpose of bringing this bill back to the form in which the Constitutional Amendments Committee reported it.

Mr. BLUMBERG. Mr. Speaker and members of the House, I had no intention of saying anything upon the merits of the bill, but felt that it was of sufficient importance in these closing hours of the session to have the attention of the House called to it, and therefore, I consented to make the motion to waive the rules so that this bill could properly be brought before the House.

The only reason that I rise to speak now is because I cannot, as a member of the Committee on Constitutional Amendments, sit by and hear innuendoes and veiled remarks which tend towards the assumption, to say the least, that sinister motives have been employed in getting this bill before you or in changing the millage set forth in the bill, or that powerful interests exercised any influence or control over the Committee whatever.

Until three days ago I was not acquainted with the bill. I became acquainted with it at a meeting of the Committee three days ago. At that time I personally made the motion to report the bill out with a millage of twenty mills. The Committee upheld that motion, there having been two sets of amendments offered, one at fifteen and one at twenty. The Chairman in reporting the bill to the House inadvertently sent the bill out with the amendment providing for fifteen mills, and so the bill was printed for fifteen mills. When the error was discovered, and because also the gentleman from Cambria decided that a public hearing was necessary on the bill, the bill was recommitted to the Committee for the purpose of hearing and further consideration. This Committee at its meeting this morning had a full Committee meeting and again considered the merits of the bill and by a vote decided that the bill be returned to the House with a millage of ten mills. While I may personally differ as to the correct limitation to be placed in this proposed constitutional amendment, I do believe that there is more that just that limitation involved. I believe that there is a great principle involved in this proposed constitutional amendment.

I appreciate very much what my best friend and colleague Mr. Witkin, has said about me, and I also regret that in these closing hours of the session he must stray from the correct legislative proceeding and vote against my thought. Up until now he has followed me, as he said, without any deviation, and so he was always right, and it is too bad in these closing hours that he must make a final mistake. Gentlemen, as I see this motion, we have before us a constitutional amendment which requires passage at two successive sessions of the Legislature, and then provide, what we in the democratic form of government believe to be the highest form, the solution to a problem, by a referendum to the people. Both major parties in the Commonwealth have agreed in their platforms, and the Governor of Pennsylvania repeated the pledge in his inaugural address, that the taxes on real estate be lowered. There was a time when the wealth of the Nation, the wealth of the State, was almost totally in real estate, and it was therefore necessary to tax real estate in order to defray the expenses of government, but with the more diversified form of wealth which we have enjoyed as a result of the vast prosperity up until the present depression, with the great increase in the cost of government, it has become necessary to more adequately distribute the burden of the cost of government. We cannot go on forever and kill the goose that lays the golden eggs. We cannot tax out the value of our real estate wealth. A high rate of taxation, carried to its extreme, is equivalent to confiscation, and the surest way to destroy the value of your real estate in the State is to tax it out of existence.

This proposed Constitutional Amendment, whether the limitation be ten or twenty mills, is a step towards a principle. It will bring before the people this oft discussed question, what are we going to do in the future about paying the cost of government? Are we going to leave out of our consideration for taxation the vast wealth of the State in personal property? Well, all of us know that we won't be able to do it. This session has passed the Woodward income tax amendment, which if passed by two successive sessions and adopted by the people, will mean we will have a graded income tax in the State, and I am sure we are tending in that direction, but at least this bill is necessary to bring the question before the citizens of the State. Whether the next session adopts ten or does not adopt ten, whether it accepts fifteen or twenty, is immaterial, but you are crystalizing sentiment, and you are coming to the time when the people of this Commonwealth will have to determine a tax policy once and for all. I therefore consider this constitutional amendment to be a very important matter. While I do not have any large interests, not being a large real estate owner, only owning my own small homestead, I still believe as a legislator, that we have got to face this question, and a bill of this importance should not be permitted to die because of technical objections that may be raised by my very astute and good friend, Mr. Andrews. I therefore ask that the motion made by my friend from Cambria, Mr. Andrews, be defeated.

Mr. WITKIN. Mr. Speaker and members of the House, I made my remarks and I won't repeat them, but if there is an attack made upon the gentleman from Philadelphia, Mr. Blumberg, that sinister motives have prompted his vote, I am frank to say that I am with Mr. Blumberg of Philadelphia. I know that no sinister motives have ever prompted him in any legisation that has ever come before

this House. I do not know whether the gentleman from Cambria Mr. Andrews, in referring to powerful interests or sinister motives referred to the gentleman from Philadelphia or not, but I have listened to the gentleman from Philadelphia, Mr. Blumberg. I do not agree with him. I cannot agree with him in his conclusions, but I am with him in the premise that he has no particular interest in this bill. When he said he owned his own homestead he forgot to say that there was a mortgage on it. I happen to know that there is. Therefore, I have resolved, after listening to my friend, that although I think he is wrong I am not going to vote against him and I am going to ask this House to permit me to vote present and not vote the way I think, although I am convinced that any attack upon the gentleman from Philadelphia, Mr. Blumberg, as to sinister motives is highly improper and I am going to stick with him, right or wrong.

Mr. TUMELTY. Mr. Speaker, I would like to interrogate the gentleman from Philadelphia, Mr. Witkin.

The SPEAKER. Will the gentleman from Philadelphia permit himself to be interrogated?

Mr. WITKIN. I will Mr. Speaker.

Mr. TUMELTY. Mr. Speaker, will the gentleman from Philadelphia, Mr. Witkin, advise this body if this bill is passed at the twenty mill rate, whether it would permit an increase in taxes in Philadelphia County, or not?

Mr. WITKIN. Mr. Speaker, may I ask the gentleman to repeat his question, because in my judgment it is not a proper question, but I will be glad to answer it if he can make sense out of it.

Mr. TUMELTY. Mr. Speaker, I am sorry if the gentleman from Philadelphia, who I know is very learned in the law, has not grasped what I am speaking of, but I would like to know if the gentleman from Philadelphia believes if this bill is passed at a twenty mill rate, it will not give the people in charge of taxing Philadelphia real estate opportunity to increase the tax rate?

Mr. WITKIN. Mr. President, I am frank to say to the gentleman from Philadelphia, Mr. Tumlety, that I have never refused to answer a question, but I am frank to say that the manner in which the question is asked is not understandable by me, and I would like the gentleman from Philadelphia, Mr. Tumelty, to frame the question so that I can give him a "yes" or "no" answer, and then make my explanation accordingly.

Mr. TUMELTY. Mr. Speaker, I will ask the gentleman from Philadelphia if he knows what the millage rate is in Philadelphia at the present time?

Mr. WITKIN. Mr. Speaker, it is higher than twenty mills.

Mr. TUMELTY. Mr. Speaker, will the gentleman take my word for it, it is 26.25?

Mr. WITKIN. It is 26.25 and thousand.

Mr. TUMELTY. Mr. Speaker, does the gentleman from Philadelphia know that the required debt service mileage is in Philadelphia county?

Mr. WITKIN. No, I do not, Mr. Speaker.

Mr. TUMELTY. Mr. Speaker, would the gentleman take my word for it if I told him it was 8.72?

Mr. WITKIN. Mr. Speaker, I cannot say that I will, unless the gentleman tells me that he knows it is a fact. I will always take him at his word. I thought it was a little less than 8.72.

Mr. TUMELTY. Mr. Speaker, the statistics that I have have not been compiled by myself but I have it from someone else that the 8.72 is required for the total debt service, which would leave about 18. plus or 18. minus, that would be necessary, and not twenty mills.

Mr. WITKIN. Mr. Speaker, may I ask the gentleman whether he means 18. plus dollars or mills?

Mr. TUMELTY. Mr. Speaker, I am speaking of mills. Eighteen mills and not twenty mills is all that would be necessary in Philadelphia County to stick to our present rate.

Mr. WITKIN. Mr. Speaker, as I understand it, this bill would merely set the limit at twenty mills. It could be anything less than twenty but not more than that. What worries me, if any particular county's budget would be set to require more than twenty mills, and the county, in order to balance its budget, would have to levy more than twenty mills, the county would be out of luck under this bill, and there would be no way under heaven or on earth by which the county could possibly could rectify its own budget and balance it.

Mr. TUMELTY. Mr. Speaker, now I believe we have got to the point where the gentleman from Philadelphia can understand my original question. Would the twenty mill rate, as provided for in this bill, give those in charge in Philadelphia an opportunity of increasing the tax, rate, increase the millage? In other words, they could increase it to twenty-eight, if it were put through at twenty. We have it at 26.25, is that right?

Mr. WITKIN. No, if this were put back at twenty, they could not increase it to twenty-one. If they were to be limited at twenty. They would have to increase the assessment on the properties, and that would be an indirect way of doing that which they have refused to do directly. In other words, if the limitation was twenty mills—

Mr. TUMELTY. Mr. Speaker, does the gentleman from Philadelphia, Mr. Witkin, realize that these twenty mills suggested in this bill is other than the debt service which I have told him is 8.72?

Mr. WITKIN. Mr. Speaker, yes.

Mr. TUMELTY. Mr. Speaker, will the gentleman from Philadelphia admit then that we could go to 28.72 rather than 26.25 as we have at the present time, if this bill were passed at 20.

Mr. WITKIN. Mr. Speaker, you could do that right now without any limit, and this bill limits it, so that you cannot go beyond it. In other words, under the present law you can do it without any limitation. This bill limits it. It is an attempt to interfere with the county budget. I say this, we have no right to endeavor to interfere by limitation upon a county budget. One county may be in one position and another county may be in another position, and the ten mills as provided in this bill is ridiculous There isn't a man in this House that can conscientiously say that ten mills is the limit that a county can put on real estate. The only possible reason that a man could vote for the ten mills is to be able to go back home and say that he has voted the proper limit.

POINT OF ORDER

Mr. BLUMBERG. Mr. Speaker, I arise to a point of order.

The SPEAKER. The gentleman from Philadelphia will state his point of order.

Mr. BLUMBERG. Mr. Speaker, the gentleman having finished his answer, the point of order is that the gentle-

man is indulging in his highly accomplished form of oratory instead of answering interrogations.

Mr. TUMELTY. Mr. Speaker, finally I would like to say that I do not regret the fact that I interrogated the gentleman from Philadelphia, Mr. Witkin.

Mr. WITKIN. Mr. Speaker, the interrogation by the gentleman from Philadelphia, Mr. Tumelty, has convinced me that the House ought to resolve itself into a Committee of the Whole in order to raise it from ten mills to twenty because by the very figures that he has propounded, to wit, 8.72 and 18.23 or the total that it is now of 26.25, in Philadelphia, has conclusively pointed to the fact that we must go beyond twenty mills in the city of Philadelphia, and, therefore, by his interrogation and by the information that he has accurately before him, given to him by somebody as an accurate set of facts, he has established the fact that we must have at least twenty mills or more in the County of Philadelphia in order to have the proper millage.

Mr. ANDREWS. Mr. Speaker and members of the House, I would like to say a brief word regarding the reference made by the minority leader to his very good friend, and my very good friend, the gentleman from Philadelphia. My position in the matter is this, that I believe that suburban realtors interested in development have deluded the farmer, and I think that the big interests who deluded the farmers into thinking that this ten mills was a good thing for him, also deluded the committee I am not questioning the integrity of the committee. I am questioning its judgment. I think that is a fair thing to do. There is no question of integrity involved but there is a question as to practical judgment.

Mr. JAMES W. PATTERSON. Mr. Speaker, I move the previous question.

The SPEAKER. The Chair does not see sufficient seconders.

Mr. HOOPES. Mr. Speaker and members of the House, I can appreciate the intention of the gentleman from Allegheny to cut off debate, but I can assure him I am going to be very brief in my remarks and I will confine my remarks in agreement with both the gentleman from Cambria, Mr. Andrews, and the gentleman from Philadelphia, Mr. Witkin. I think that it is of sufficient importance to tell the House about it. It seems to me that this particular measure, making a constitutional limitation upon a tax millage to ten mills for all purposes, school, county, borough and poor, is so ridiculous that we ought not to give it serious consideration. When I see an apparent majority of this House prepared to vote for it, it seems to me it is time for somebody to call a halt and ask whether you realize what it means. Many of you are in school districts where you have more than twenty mill, to say nothing about your boroughs, your counties and your poor taxes. Of course, it is very well to say that we want to reduce the taxes on real estate. Of course we all do. But until you find some method of doing it and putting it into affect, to put a provision like this in the Constitution is going to wreck havoc. They tried it in Ohio, they tried it in Michigan. What happened? They have a sales tax in both of those States. Do you want to make it so short you will have to have a sales tax? We have been in session for fourteen weeks and we do not seem to be able to find enough money to give the unemployed sixty-four cents a day. Yet you want to cut local taxes to such an extent that the State will have to appropriate something like $200,000,000 that will be necessary to take the place of it. How are you going to do it? The very statement of the question shows how ridiculous it is, and I sincerely hope that you will support the motion to go into a Committee of the whole and give the matter careful consideration.

Mr. WOODSIDE. Mr. Speaker and members of the House I know that this is a bad time to enter into a debate, but it is also a bad time to try to force through this Legislature a matter as serious as this. I wonder if the members of this House realize how much money a ten mill tax on real estate of Pennsylvania will raise. A ten mill tax upon real estate of Pennsylvania today will realize less than $100,000,000. At the present time the taxation on real estate raises approximately $330,000,000. Now, it is true that there is some of that $330,000,000 that could be raised in addition to this amount, something less than $100,000,000 as a result of taxation for the purpose of debt, but there would still be the necessity upon the government, the local government of this State, to either reduce their expenditures over one-third or else have the Legislature of Pennsylvania raise in taxes in some manner or other an amount of over $130,000,000.

I think it is mighty peculiar for us as a Legislature to ask the people to do a thing that we now have the authority to do. I never heard of such a proposition before. We now have the authority to set the amount of millage that can be charged by the school boards or by the county or by any other local district, and yet, big brother legislators as we are, we go to the people and say to them, "You compel us to do what we have the authority to do." Why not face this proposition in an intelligent manner? We all know that real estate carries a heavier burden than it really ought to carry. This very day we have passed a resolution for an amendment to the Constitution, and there are several others, I think, in the mill, whereby we hope to have graded taxation, and we hope, as a result of that, taxation can be placed upon those more able to pay, and will in some extent help out the real estate taxation and will reduce it. That is a proper step. But what would happen in case the people would turn down that proposition and make the graded income tax impossible? What would happen in a case like that? Where could we possibly get the money to carry on our local government? I think it is foolish for us to hamstring our local governments and to proceed in this manner, urging a constitutional amendment, and asking the people to compel us to do what we now have authority to do.

Mr. Speaker and members of the House, we ought to face this matter, this problem, in an intelligent manner and proceed in the right manner to raise taxes where we can raise them in order to relieve real estate from its burden, but not put the cart before the horse, and limit the amount of taxation which can be raised on real estate by asking the people to compel us to limit it, and then go on and pass the buck to the next Legislature. I think this resolution should be voted down, but if we have to adopt one, I would sooner adopt it with twenty mills than ten, which would make the carrying on of local government impossible without at least $100,000,000 more from the Legislature.

Mr. KILROY. Mr. Speaker, I would like to interrogate the gentleman from Philadelphia, Mr. Witkin.

The SPEAKER. Will the gentleman from Philadelphia, Mr. Witkin, permit himself to be interrogated?

Mr. WITKIN. I will, Mr. Speaker.

Mr. KILROY. Mr. Speaker, does the gentleman from Philadelphia, Mr. Witkin, believe that the author of this bill, Senator Ziesenheim, when he introduced it, was in error when he said we should limit it at ten percent?

Mr. WITKIN. Mr. Speaker, I do.

Mr. BLUMBERG. Mr. Speaker, may I say to my friend from Philadelphia, Mr. Witkin, that I certainly release him from any obligation he feels he has to vote along with me.

Mr. WITKIN. Mr. Speaker, I will vote "no". I will vote "aye" on this and against the bill.

On the question recurring,

Will the House agree to the motion?

The yeas and nays were required by Mr. ANDREWS and Mr. HALUSKA, were as follows:

YEAS—57

Alexander,	Haberlen,	Muir,	Stevens,
Allen,	Haluska,	Munley,	Stockham,
Andrews,	Hermansen,	Nothnagle,	Stone,
Barber,	Holstrom,	Phillips,	Sumney,
Boose,	Hoopes,	Roan,	Surface,
Boyer,	Jones,	Scanlon,	Trout,
Chervenak,	Kane,	Schrock,	Turner,
Coleman,	Kelso,	Serrill,	VanAllsburg,
Coolahan,	Kinney,	Shortz,	Weidemann,
Diehl,	Mason,	Shreiner,	Wood,
Duffort,	McCreary,	Sloan,	Woodside,
Flinchbaugh,	McDevitt,	Smith, J. A.,	Yeakel,
Gates,	McHenry,	Snyder, F. E.,	Yourishin,
Gillette,	Moore,	Snyder, J. L.,	Furman,
Habbyshaw,	Moul,	Sproul,	

NAYS—88

Altenburg,	Eberharter,	Long,	Schrope,
Anthony,	Eroe,	Longaker,	Schwab,
Arnold,	Falkenstein,	Lovett,	Shaw,
Baine,	Ferko,	Lynch,	Shepard,
Baker, J. J.,	Finnerty,	Male,	Shugarts,
Baldi,	Fitch,	McKinney,	Siegel,
Barnhardt,	Flanagan,	Melchiorre,	Simon,
Beadman,	Forrest,	Mentzer,	Simpson,
Blumberg,	Gerard,	Moran,	Sinwell,
Bradley,	Hagerty,	O'Keefe,	Smith, W. G.,
Brancato,	Hamilton, F. P.,	Ominsky,	Sowers,
Brown, J. E.,	Hamilton, R. S.,	Patterson, J. W.,	Stank,
Burke,	Harkins,	Pearson,	Sweeney,
Caputo,	Harmuth,	Pfaff,	Terry,
Coakley,	Hartman,	Piole,	Tronzo,
Cochran,	Hetrick,	Powers,	Tumelty,
Cohen,	Hindman,	Reising,	VanSickle,
Cooper,	Holland,	Rinn,	Wall,
Decker,	Kenney,	Robinson,	Wasserman,
Dent,	Kilroy,	Ruffennach,	Weiss,
Dilley,	Klingler,	Sarraf,	Welliver,
Downey, G. E.,	Kobelak,	Schaeffer,	Welsh,

So the question was determined in the negative and the motion was not agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

MOTION TO COMMIT BILL TO COMMITTEE OF THE WHOLE

Mr. WICKERSHAM. Mr. Speaker, I move that this House do now resolve itself into a committee of the whole for the specific purpose of amending Senate Bill No. 75, Printer's No. 43, page 2, line 2, by striking out word "ten" and inserting in lieu thereof the word "five", and amending page 2, line 6, by striking out the word "ten" and inserting in lieu thereof the word "five", and I ask for a roll call, Mr. Speaker.

On the question.

Will the House agree to the motion?

The yeas and nays were required by Mr. WICKERSHAM and Mr. WEIDEMANN.

Mr. WICKERSHAM. Mr. Speaker, I ask for a verification of the roll.

The roll was verified and was as follows:

YEAS—45

Alexander,	Habbyshaw,	Moore,	Snyder, F. E.,
Andrews,	Haberlen,	Moul,	Snyder, J. L.,
Barber,	Haluska,	Muir,	Sproul,
Boose,	Hermansen,	Munley,	Stockham,
Boyer,	Hoopes,	Nothnagle,	Trout,
Chervenak,	Jones,	Phillips,	Turner,
Coleman,	Kane,	Roan,	VanAllsburg,
Diehl,	Kinney,	Schrock,	Weidemann,
Duffort,	Mason,	Serrill,	Wickersham,
Flinchbaugh,	McCreary,	Shreiner,	Wood,
Gates,	McDevitt,	Sloan,	Woodside,
Gillette,	McHenry,	Smith, J. A.,	Yourishin,

NAYS—104

Achterman,	Downey, G. E.,	Longaker,	Schrope,
Allen,	Eberharter,	Lovett,	Schwab,
Altenburg,	Eroe,	Lynch,	Shepard,
Anthony,	Falkenstein,	Male,	Shortz,
Baine,	Ferko,	McDermott,	Siegel,
Baldi,	Finnerty,	McElroy,	Simon,
Barnhardt,	Fitch,	McKinney,	Simpson,
Beadman,	Flanagan,	Melchiorre,	Sinwell,
Blumberg,	Hagerty,	Mentzer,	Smith, W. G.,
Bradley,	Hamilton, F. P.,	Moomaw,	Sowers,
Brancato,	Hamilton, R. S.,	Moran,	Stevens,
Brown, J. E.,	Harkins,	O'Keefe,	Sumney,
Brumbaugh,	Harmuth,	Ominsky,	Sweeney,
Burke,	Hartman,	Patterson, J. W.,	Terry,
Caputo,	Hetrick,	Pearson,	Tronzo,
Coakley,	Hindman,	Pfaff,	Tumelty,
Cochran,	Holstrom,	Piole,	VanSickle,
Cohen,	Kelso,	Robinson,	Wall,
Coolahan,	Kenney,	Ruffennach,	Wasserman,
Cooper,	Kilroy,	Sarraf,	Weiss,
Decker,	Klingler,	Scanlon,	Welsh,
Dent,	Kobelak,	Schaeffer,	Furman,
Dilley,	Long,		

So the question was determined in the negative and the motion was not agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

QUESTION OF PARLIAMENTARY INQUIRY

Mr. COHEN. Mr. Speaker, I arise to a question of parliamentary inquiry.

Mr. SPEAKER. The gentleman will state his question of parliamentary inquiry.

Mr. COHEN. Mr. Speaker, the bill now having been reported to the floor of the House, is the bill susceptible to final action?

The SPEAKER. The question now is on third reading and final passage of the bill.

Mr. COHEN. Mr. Speaker, has the bill reached its final reading yet?

The SPEAKER. It has not.

MOTION TO PASS BILL OVER

Mr. TURNER. Mr. Speaker, I move that we now pass over Senate Bill No. 75, Printer's No. 43, and take up at this time the report of the Committee of Conference on House Bill No. 156.

On the question,

Will the House agree to the motion?

MOTION TO LAY ON TABLE

Mr. BLUMBERG. Mr. Speaker, I move that the motion made by the gentleman from Delaware, Mr. Turner, be tabled for the present.

Mr. COHEN. Mr. Speaker, I second that motion.

On the question,

Will the House agree to the motion?

Mr. COHEN. Mr. Speaker, I move the previous question.

Mr. ANDREWS. What is the previous question, Mr. Speaker?

The SPEAKER. The previous question is on third reading and final passage of Senate Bill No. 75. The other motions are secondary.

MOTION TO LAY ON TABLE

Mr. ANDREWS. Mr. Speaker, I move that Senate Bill No. 75 be placed upon the table and I ask for a roll call.

The SPEAKER. There is nothing in order at the present time but the moving of the previous question.

POINT OF ORDER

Mr. ANDREWS. Mr. Speaker, I arise to a point of order.

The SPEAKER. The gentleman will state his point of order.

Mr. ANDREWS. Mr. Speaker, there can be no motion for the previous question when the question has not been put to the House and a motion to table is in order at any time.

The SPEAKER. In answer to the point of order raised by the gentleman from Cambria, this House has suspended two of its rules for the purpose of immediately considering Senate Bill No. 75. As Senate Bill No. 75 is the business before this House, the previous question being moved by the gentleman from York naturally brings us to the third reading and final passage of this bill.

POINT OF ORDER

Mr. ANDREWS. Mr. Speaker, I arise to a point of order.

The SPEAKER. The gentleman will state his point of order.

Mr. ANDREWS. Mr. Speaker, a motion for the previous question does not preclude a motion to table.

The SPEAKER. The point of order is not well taken. The motion for the previous question precludes all other motions.

Mr. ANDREWS. Mr. Speaker, I will not appeal from the decision of the Chair although the decision of the Chair, in my opinion, is wrong.

The motion was seconded by Messrs. Simon, VanSickle, Sinwell, Coakley, Robinson, Mentzer, Sumney, Eberharter, John A. Smith, Ominsky, Finnerty, Moran, Klingler, Brumbaugh, Shugarts, Frank P. Hamilton, Moore, Schrope, Allen, John J. Downey and others.

On the question,

Shall the main question be now put?

It was agreed to.

On the question, recurring,

Will the House agree to the bill on third reading?

It was agreed to.

Mr. ANDREWS. I ask that the Speaker obtain order in the House, and that the members be required to answer clearly and distinctively to their names.

The SPEAKER. The members will answer clearly and distinctly when their names are called.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—130

Achterman,	Fitch,	McHenry,	Shaw,
Alexander,	Flanagan,	McKinney,	Shepard,
Allen,	Gates,	Melchiorre,	Shortz,
Anthony,	Gerard,	Mentzer,	Shugarts,
Arnold,	Gillette,	Merrell,	Siegel,
Baine,	Haberlen,	Moomaw,	Simon,
Baker, J. J.,	Hagerty,	Moore,	Sinwell,
Baldi,	Haluska,	Moran,	Sloan,
Blumberg,	Hamilton, F. P.,	Muir,	Smith, J. A.,
Boose,	Hamilton, R. S.,	Munley,	Smith, W. G.,
Bradley,	Harkins,	O'Keefe,	Snyder, F. E.,
Brancato,	Harmuth,	Ominsky,	Stank,
Brown, J. F.,	Hartman,	O'Neill,	Stevens,
Brownfield,	Hetrick,	Parks,	Stockham,
Brumbaugh,	Hindman,	Patterson, J. W.,	Stone,
Burke,	Hirsch,	Pearson,	Sumney,
Cannon,	Hoffner,	Pfaff,	Surface,
Caputo,	Holland,	Phillips,	Sweeney,
Coakley,	Holstrom,	Piole,	Terry,
Cochran,	Jones,	Powers,	Tronzo,
Cohen,	Kelso,	Reising,	Tumelty,
Coleman,	Kenney,	Rhys,	VanAllsburg,
Coolahan,	Kilroy,	Rinn,	VanSickle,
Decker,	Klingler,	Roan,	Wall,
Dent,	Kobelak,	Robinson,	Wasserman,
Diehl,	Long,	Royer,	Weiss,
Dilley,	Lovett,	Ruffennach,	Welliver,
Downey, G. E.,	Lynch,	Sarraf,	Welsh,
Eberharter,	Male,	Scanlon,	Yeakel,
Eroe,	Mason,	Schrock,	Yourishin,
Falkenstein,	McCreary,	Schrope,	Zappala,
Ferko,	McDermott,	Schwab,	Furman,
Finnerty,	McElroy,		

NAYS—35

Altenburg,	Forrest,	Moul,	Trout,
Andrews,	Habbyshaw,	Nothnagle,	Turner,
Barnhardt,	Hermansen,	Schaeffer,	Weidemann,
Beadman,	Hoopes,	Serrill,	Wickersham,
Boyer,	Horst,	Shreiner,	Winner,
Brennan,	Kane,	Simpson,	Witkin,
Chervenak,	Kinney,	Snyder, J. L.,	Wood,
Duffort,	Longaker,	Sowers,	Woodside,
Flinchbaugh,	McDevitt,	Sproul,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it with amendments in which the concurrence of the Senate is requested.

REASONS FOR VOTE

Mr. HOLLAND filed the following reasons for his vote:

Knowing that this bill is purely a political one and in the class of a "pink bill" I am voting "aye" with the hope that the next session, more business-like deliberations will be given this bill.

I do not think this bill was introduced with sincerity.

Mr. SCHAEFFER filed the following reasons for his vote:

I am voting "no" for the following reasons:

1. The same is unreasonable.
2. The motive of the sponsor is not clear.
3. The same will work a hardship, if enacted, upon growing communities and municipalities desiring or acquiring needed improvements.

Mr. SIMON filed the following reasons for his vote:

I am opposed to the tax limitation in this bill and am

voting "aye" only because it contains a referendum clause that permits the electorate to decide the question.

Mr. VanALLSBURG filed the following reasons for his vote:

No man in this House is more anxious to relieve farmers and home-owners of Pennsylvania from an unjust share of the burden of taxation than I.

A reasonable over-all tax limitation law has real merit, but Senate Resolution No. 75, which provides for a ten mill limitation without provision for millions of dollars for state subsidies to the local units of government of the state admittedly has become a football in a game being played for political advantage, which has neither merit nor an iota of sincerity of purpose to taxpayers. Its enactment surely would break down local government, destroy home rule, and result in the enactment of an obnoxious sales tax, as it did in Ohio and Michigan.

With this explanation I voted "yes" on this resolution for the sole purpose of preventing any charge of not being in sympathy with an honest endeavor to lower taxes on real estate.

STATEMENT BY MR. JOHN E. SMITH

Mr. JOHN E. BROWN asked and obtained unanimous consent to make the following statement:

Mr. Speaker and members of the House, I am not going to take very much of your time. I have been asked by some friends to raise some funds for and on behalf of our unemployed who are now with us. We are going to adjourn and we are going to return to our homes, and I want to say that there are 630 or more unemployed now in this Capitol, that there are babies sleeping on the marble floors down there, and I know you do not want that.

Now, we are going to have our pay tomorrow, and I would like to see the hat passed around. If the members of this House would put in a half dollar a piece, it would be a good start. I would ask, Mr. Speaker, that the page boys take the boxes around and receive donations and that the same be handed to the Chief Clerk for proper distribution among the unemployed.

I move you, Mr. Speaker, that the page boys be asked to take the boxes in each aisle and deceive any contributions the members may care to make. I will take one box myself.

The SPEAKER. The Chair rules that the motion of the gentleman from Washington is out of order. The rules of the House do not permit the taking up of a collection in the House during the session. The gentleman can make arrangements outside of the Hall of the House to take up collections if he so desires.

HOUSE BILL No. 69 TAKEN FROM TABLE

Mr. WEISS. Mr. Speaker, I move that House Bill No. 69, Printer's No. 232, together with the message which was laid upon the table be taken from the table.

The motion was agreed to.

SENATE MESSAGE

AMENDED HOUSE BILL RECALLED FROM THE GOVERNOR NON-CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 69.

An Act authorizing and directing the Department of Forests and Waters to investigate survey and report on the location and availability for purchase of certain lands suitable for reforestation with flood control as the objective and making an appropriation.

Said bill having been recalled from the Governor for the purpose of amendment. The vote had on final passage and third reading on said bill was reconsidered in the House of Representatives and the bill amended, in which amendments the Senate has non-concurred.

Mr. WEISS. Mr. Speaker, I move that the House recede from its amendments non-concurred in by the Senate.

On the question,

Will the House agree to the motion?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—202

Achterman,	Eberharter,	Mallen,	Serrill,
Alexander,	Eroe,	Mason,	Shaw,
Allen,	Falkenstein,	McCreary,	Shepard,
Altenburg,	Ferko,	McDermott,	Shortz,
Andrews,	Finnerty,	McDevitt,	Shreiner,
Anthony,	Fitch,	McElroy,	Shugarts,
Arnold,	Flanagan,	McHenry,	Siegel,
Atkins,	Flinchbaugh,	McKinney,	Simon,
Aukerman,	Flynn,	Melchiorre,	Simpson,
Baine,	Forrest,	Mentzer,	Sinwell,
Baker, F. T.,	Gates,	Merrell,	Sloan,
Baker, J. J.,	Gerard,	Moomaw,	Smith, J. A.,
Baldi,	Gillette,	Mooney,	Smith, W. G.,
Barber,	Green,	Moore,	Snyder, F. E.,
Barnhardt,	Greenstein,	Moran,	Snyder, J. L.,
Beadman,	Habbyshaw,	Moul,	Sowers,
Bernhard,	Haberlen,	Muir,	Sproul,
Blumberg,	Hagerty,	Munley,	Stank,
Boose,	Haluska,	Murrin,	Stevens,
Boyer,	Hamilton, F. P.,	Nagel,	Stockham,
Bradley,	Hamilton, R. S.,	Nothnagle,	Stone,
Brancato,	Harkins,	O'Keefe,	Stott,
Brennan,	Harmuth,	Ominsky,	Sumney,
Brown, H. S.,	Hartman,	O'Neill,	Surface,
Brown, J. E.,	Hefferon,	Panton,	Sweeney,
Brownfield,	Hermansen,	Parks,	Tahl,
Brumbaugh,	Hetrick,	Patterson, Cliff,	Terry,
Burke,	Hindman,	Patterson, J. W.,	Tronzo,
Cannon,	Hirsch,	Pearson,	Trout,
Caputo,	Hoffner,	Perry,	Tumelty,
Carr,	Holland,	Peters,	Turner,
Carson,	Holstrom,	Pfaff,	VanAllsburg,
Castor,	Hoopes,	Phillips,	VanSickle,
Chervenak,	Horst,	Piole,	Wall,
Coakley,	Jackson,	Powers,	Wasserman,
Cochran,	Jones,	Reising,	Weidemann,
Cohen,	Kane,	Reynolds,	Weiss,
Coleman,	Kelder,	Rhys,	Welliver,
Condon,	Kelso,	Rinn,	Welsh,
Coolahan,	Kenney,	Roan,	White,
Cooper,	Kilroy,	Robinson,	Wickersham,
Cordier,	Kinney,	Rooney,	Winner,
Davies,	Klingler,	Root,	Witkin,
Decker,	Kobelak,	Royer,	Wood,
Denning,	LaRue,	Ruffennach,	Woodside,
Dent,	Linderman,	Sarraf,	Yeakel,
Diehl,	Long,	Scanlon,	Yourishin,
Dilley,	Longaker,	Schaeffer,	Zappala,
Downey, G. E.,	Lovett,	Schrock,	Zimmerman,
Downey, J. J.,	Lynch,	Schrope,	Furman,
Duffort,	Male,	Schwab,	

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the House receded from the amendments non-concurred in by the Senate.

Ordered, that the Clerk inform the Senate accordingly.

BILL SIGNED BY THE SPEAKER

Bill numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the title was publicly read as follows:

HOUSE BILL No. 19.

An Act to amend sections two and three of the act approved the sixteenth day of May, one thousand nine hundred thirty-five (Pamphlet Laws, two hundred eight), entitled "An act to provide revenue for State purposes by imposing an excise tax, for a limited period of time, on the net incomes of certain corporations, joint-stock associations, and limited partnerships; providing for the assessment and collection of the tax, and appeals to courts; conferring powers, and imposing duties on certain persons, corporations, joint-stock associations, limited partnerships, State, and county officers, boards, and departments; making an appropriation, and providing penalties," by further defining net income and increasing the rate of tax for a limited period of time

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

SENATE MESSAGE

AMENDED HOUSE BILL RECALLED FROM THE GOVERNOR CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 15.

An Act ratifying confirming and validating the transfer of money from the State Stores Fund and the Motor License Fund to the General Fund and providing for the subsequent return from the General Fund of the transferred money

Said bill having been recalled from the Governor for the purpose of amendment, the vote had on final passage and third reading reconsidered in the House and the bill amended, in amendments the Senate has concurred.

SENATE MESSAGE

SENATE ADOPTS CONFERENCE COMMITTEE REPORT ON HOUSE BILL No. 59

The Clerk of the Senate being introduced, informed that the Senate has adopted the report of the Committee of Conference on the subject of the difference existing between the two Houses on House Bill numbered and entitled as follows:

HOUSE BILL No. 59.

An Act to amend sections one, three, four, seven, nine, ten, fourteen, fifteen, sixteen and eighteen to add section eighteen point one and to repeal section two of the act approved the tenth day of July one thousand nine hundred and nineteen (Pamphlet Laws eight hundred ninety-three) entitled "An act providing for assistance to certain mothers providing for the appointment of boards of trustees for the several counties of the Commonwealth and for the appointment of a State supervisor and assistants and fixing the salaries of such State supervisor and assistants defining the powers and duties of boards of trustees including the power of appointing assistants and investigators and the distribution of funds at their disposal providing for the apportionment of the State appropriation among the several counties and requiring counties coming under the provisions of the act to appropriate certain moneys and providing penalties" by providing for the appointment of a board of trustees for each county prohibiting political activity by members and employes of such boards changing the qualifications of mothers eligible for assistance requiring all counties to appropriate moneys for mothers' assistance except under certain circumstances providing for additional grants of State moneys in lieu of appropriations by counties unable to meet State appropriations providing for cooperation by the Department of Welfare with the Federal Social Security Board authorizing the Department of Welfare to cooperate with and to accept and disburse moneys received from the United States government for aid to dependent children and providing substitute provisions in case Federal grants for aid to dependent children shall fail for any reason.

REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 156

Mr. EBERHARTER. Mr. Speaker, I desire to call up the report of the Committee of Conference on House Bill No. 156, Printer's No. 245.

The report was read by the Clerk as follows:

To the Members of the Senate and House of Representatives:

We, the undersigned, Committee of Conference on the part of the Senate and House of Representatives for the purpose of considering House Bill No. 156, entitled: "An Act making an appropriation to the State Emergency Relief Board for direct relief, work relief and expenses; defining the purposes for which such moneys may be expended; prescribing the powers and duties of the State Emergency Relief Board, and certain State Departments; prohibiting political activity by employes of the State Emergency Relief Board; and prescribing penalties," respectfully submit the following bill as our report:

F. I. GELDER
PETER GRAFF III
J. S. RICE
Committee on the Part of the Senate

HERMAN P. EBERHARTER
HARRY J. BROWNFIELD
THOMAS WEIDEMANN
Committee on the Part of the House of Representatives

An Act making an appropriation to the State Emergency Relief Board for direct relief work relief and expenses defining the purposes for which such moneys may be expended prescribing the powers and duties of the State Emergency Relief Board and certain State departments prohibiting political activity by employes of the State Emergency Relief Board and prescribing penalties

Whereas it is the intent of the General Assembly to appropriate the total sum of forty-five million dollars ($45,000,000) for unemployment relief for the period ending January thirty-first one thousand nine hundred and thirty-seven and

Whereas by Act Number nine approved June twenty-fourth one thousand nine hundred and thirty-six the sum of seven million seven hundred sixteen thousand two hundred eleven dollars ($7,716,211) was appropriated to the State Emergency Relief Board for unemployment relief and by Act Number nineteen approved July fourteenth one thousand nine hundred and thirty-six the further sum of five million dollars ($5,000,000) was appropriated and by Act Number thirty-four approved August fifth one thousand nine hundred thirty-six the further sum of ten million dollars ($10,000,000) was appropriated for said purposes therefore

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of twenty-two million two hundred eighty-three thousand seven hundred eighty-nine dollars ($22,283,789) is hereby specifiaclly appropriated from the General Fund to the State Emergency Relief Board to provide direct relief work relief

and for administrative expenses as hereinafter provided during the period ending January thirty-first one thousand nine hundred and thirty-seven but the moneys hereby appropriated may be used for the payment of bills contracted by or with the authority of the State Emergency Relief Board for direct relief work relief or administrative expenses contracted prior to the effective date of this act Of the amount hereby appropriated not more than twelve per centum expended during the month of September one thousand nine hundred thirty-six not more than eleven per centum during the month of October one thousand nine hundred thirty-six not more than ten per centum during the month of November one thousand nine hundred thirty-six not more than nine per centum during the month of December one thousand nine hundred thirty-six and not more than eight per centum during the month of January one thousand nine hundred thirty-seven shall be used for administration expenses of the State Emergency Relief Board

Section 2 The State Emergency Relief Board shall make allocations from time to time out of the moneys appropriated to it among the several counties of this Commonwealth for work relief and direct relief on the basis of need and payments shall be made under such system of requisitioning and accounting as the Governor Auditor General and State Treasurer shall determine

Section 3 The money so allocated to a county over and above the sum set aside by the State Emergency Relief Board for work relief shall be available for expenditure in that county for direct relief for the unemployed who are without means of support through such agencies as shall be designated by the State Emergency Relief Board and under such rules and regulations as the board shall adopt

Section 4 Out of the appropriation made by this act the State Emergency Relief Board shall from time to time allocate to the State Veterans' Commission an aggregate of one hundred seventy-six thousand two hundred and fifty dollars ($176,250) for the payment of traveling expenses and for other authorized disbursements of the State Veterans' Commission and to furnish funds to provide the necessities of life for and to assist otherwise such Pennsylvania veterans of any war or the widows and infant children or dependents of such veterans as are sick disabled or indigent and who are without means

Section 5 The State Emergency Relief Board may from time to time expend or authorize the expenditure of such sums as may be necessary out of the appropriation made by this act not exceeding the limitation hereinbefore prescribed for the payment of salaries wages or other compensation of the director and other employes or assistants for the payment of postage traveling expenses mileage charges to the Department of Property and Supplies for the use of automobiles telephone rentals telephone toll charges telegrams expenses of operating and maintaining automobiles and other motor equipment newspaper advertising and notices freight express cartage for the purchase of automobiles furniture furnishings and equipment for the purchase of supplies printing binding patent indices for the payment of premiums on surety bonds for such officers and employes as may be required by statute or otherwise to furnish them for the faithful performance of their official duties or to account for funds in their possession for the payment of a premium or premiums on a policy or policies of liability insurance covering all motor vehicles owned and operated by the board which policy or policies shall protect both the Commonwealth and State officers or employes operating such motor vehicles against claims for damages for injury to person or property for the payment of a premium or premiums on a policy or policies of insurance insuring the Commonwealth against workmen's compensation liability to employes for injuries and to dependents of deceased employes of the board for payment to the State Work Relief Compensation Fund of such moneys as may be necessary under the provisions of the act approved the third day of June one thousand nine hundred thirty-three (Pamphlet Laws one thousand five hundred fifteen) for the payment of rents for such buildings offices rooms storage space and lands as may be required for the accommodation or performance of the work of the board and for such other uses as the State Emergency Relief Board may in its discretion deem necessary to carry out the purposes for which the appropriation is made under this act

Section 6 No investigator clerk or other employe of the State Emergency Relief Board shall be a member of or delegate or alternate delegate to any political convention nor be present at any such convention as an employe or in any official capacity nor serve as a member of or attend meetings of any committee of any political party or take any active part in political management or in political campaigns or use his position to influence political movements or use his position to influence the political action of any other person nor in any way or manner interfere with the conduct of any election or the preparation therefor at the polling place or with the election officers while the vote is being counted or the vote or ballot box is being returned save only for the purpose of marking and depositing his ballot nor be within fifty feet of any polling place during voting hours and the counting of the ballots except for the purpose of residence or travel Any person who shall violate any of the foregoing provisions shall be guilty of a misdemeanor and shall upon conviction thereof be punished by a fine not exceeding five hundred dollars ($500) and forfeit his position

Section 7 This act shall become effective immediately upon final enactment

On the question,

Will the House adopt the report of the Committee of Conference?

Mr. BROWNFIELD. Mr. Speaker, I ask that the report of the Committee of Conference be adopted.

Mr. HOOPES. Mr. Speaker and members of the House, I am not going to oppose the adoption of this report at this time, but I want to call the attention of the members to the fact that in the whereas clause on page 3, it says, "For the period ending January 31, 1937," and also on page 4, in section 1, in the appropriation clause, it refers, "during the period ending January 31, 1937."

I am very much afraid that the inclusion of those clauses in the bill may make it possible to force allocation of funds by the Relief Board at a proportionate amount each month for the unemployed, and as the total appropriation is much less than the total amount required at the present rate of expenditure, it may result in forcing a lot of people arbitrarily off of relief. I hope that that will not be the case and rather than vote against the relief appropriation bill, I am going to vote for it, but I call your attention to what I consider a very serious danger in the bill.

Mr. COHEN. Mr. Speaker and members of the House, I want to assure the gentleman from Berks, Mr. Hoopes, that this bill, just as I assured him at the end of the regular 1935 session on the General Appropriation Bill, where we appropriated money to the National Guard, that everything will be all right.

On the question recurring,

Will the House adopt the report of the Committee of Conference?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—202

Achterman,	Eberharter,	Mason,	Serrill,
Alexander,	Erne,	McCreary,	Shaw,
Allen,	Falkenstein,	McDermott,	Shepard,
Altenburg,	Ferko,	McDevitt,	Shortz,
Andrews,	Finnerty,	McElroy,	Shreiner,

Anthony,	Fitch,	McHenry,	Shugarts,
Arnold,	Flanagan,	McKinney,	Siegel,
Atkins,	Flinchbaugh,	Melchiorre,	Simon,
Aukerman,	Flynn,	Mentzer,	Simpson,
Baine,	Forrest,	Merrell,	Sinwell,
Baker, F. T.,	Gates,	Moomaw,	Sloan,
Baker, J. J.,	Gerard,	Mooney,	Smith, J. A.,
Baldi,	Gillette,	Moore,	Smith, W. G.,
Barber,	Greenstein,	Moran,	Snyder, F. E.,
Barnhardt,	Habbyshaw,	Moul,	Snyder, J. L.,
Beadman,	Haberlen,	Muir,	Sowers,
Bernhard,	Hagerty,	Munley,	Sproul,
Blumberg,	Haluska,	Murrin,	Stank,
Boose,	Hamilton, F. P.,	Nagel,	Stevens,
Boyer,	Hamilton, R. S.,	Nothnagle,	Stockham,
Bradley,	Harkins,	O'Keefe,	Stone,
Brancato,	Harmuth,	Ominsky,	Stott,
Brennan,	Hartman,	O'Neill,	Sumney,
Brown, H. S.,	Hefferon,	Panton,	Surface,
Brown, J. E.,	Hermansen,	Parks,	Sweeney,
Brownfield,	Hetrick,	Patterson, Cliff,	Tahl,
Brumbaugh,	Hindman,	Patterson, J. W.,	Terry,
Burke,	Hirsch,	Pearson,	Tronzo,
Cannon,	Hoffner,	Perry,	Trout,
Caputo,	Holland,	Peters,	Tumelty,
Carr,	Holstrom,	Pfaff,	Turner,
Carson,	Hoopes,	Phillips,	VanAllsburg,
Castor,	Horst,	Piole,	VanSickle,
Chervenak,	Jackson,	Powers,	Wall,
Coakley,	Jones,	Reising,	Wasserman,
Cochran,	Kane,	Reynolds,	Weidemann,
Cohen,	Kelder,	Rhys,	Weiss,
Coleman,	Kelso,	Rinn,	Welliver,
Condon,	Kenney,	Roan,	Welsh,
Coolahan,	Kilroy,	Robinson,	White,
Cooper,	Kinney,	Rooney,	Wickersham,
Cordier,	Klingler,	Root,	Winner,
Davies,	Kobelak,	Royer,	Witkin,
Decker,	LaRue,	Ruffennach,	Wood,
Denning,	Linderman,	Sarraf,	Woodside,
Dent,	Long,	Scanlon,	Yeakel,
Diehl,	Longaker,	Schaeffer,	Yourishin,
Dilley,	Lovett,	Schrock,	Zappala,
Downey, G. E.,	Lynch,	Schrope,	Zimmerman,
Downey, J. J.,	Male,	Schwab,	Furman,
Duffort,	Mallen,		

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative, and the report of the Committee of Conference was adopted.

Ordered, That the Clerk inform the Senate accordingly.

RESOLUTION No. 27

Mr. CANNON. Mr. Speaker, I desire to call up at this time Resolution No. 27, Printer's No. 233.

The resolution was read by the Clerk as follows:

In the House of Representatives, June 16, 1936.

Whereas, Among many non-operating industries in Pennsylvania is the huge shipyard in the Northeast section of the city of Philadelphia and

Whereas, This shipyard as a going concern could bid on contracts for ship construction for the Nation and

Whereas, It is necessary in the general movement of the government to create employment the Federal administration could with propriety and from the economical standpoint provide work by the construction of ships in this particular shipyard and

Whereas, The Governor of this Commonwaelth Honorable George H Earle and the Mayor of Philadelphia Honorable S Davis Wilson are doing their utmost to improve working conditions throughout the State and the City of Philadelphia therefore be it

Resolved, If the Senate concur that the General Assembly of this Commonwealth respectively urge construction of ships by the Federal administration in the shipyard located in the Northeast section of Philadelphia formerly known as the "Workshop of the World" and be it further

Resolved, That a copy of this resolution be forwarded to the President of the United States His Excellency the Governor of the Commonwealth the Secretary of the Navy and His Honor the Mayor of Philadelphia

On the question,

Will the House adopt the resolution?

It was adopted.

Ordered, That the Clerk present the same to the Senate for concurrence.

RESOLUTION

MAILING OF FILES

Mr. MOOMAW offered the following resolution which was twice read, considered and adopted:

In the House of Representatives, August 6, 1936.

Whereas, the files of bills, presented to, and the proceedings of, the General Assembly of the Extraordinary Session of 1936, are the property of the members thereof, and are desired by some of said members for preservation, therefore be it

Resolved, That the Secretary of Property and Supplies shall, upon the request of the Chief Clerk of the House, forward such files and supplies belonging to members of the House of Representatives as they may designate, to such address as shall be furnished by them to the Chief Clerk, and that a copy of this resolution be forwarded by the Chief Clerk to the Secretary of Property and Supplies.

RESOLUTION No. 56

Mr. ANDREWS. Mr. Speaker, I desire to call up at this time Resolution No. 56, Printer's No. 236.

The resolution was read by the Clerk as follows:

In the House of Representatives, July 30, 1936.

Whereas, The General Assembly transferred to the General Fund by House Bill No. 168 the sum of One Million Dollars ($1,000,000) from the State Insurance Fund and by House Bill No. 170 the sum of One Million Five Hundred Thousand Dollars ($1,500,000) from the State School Fund, for the purpose of providing immediate funds to meet appropriations from the General Fund.

Resolved (if the Senate concur), That the General Assembly hereby pledges that at its session in 1937 it will raise revenue by taxation or otherwise for the purpose of repaying the moneys transferred from the aforesaid funds and will enact appropriate legislation to effectuate the repayment of such moneys transferred from such funds.

On the question,

Will the House adopt the resolution?

It was adopted.

Ordered, That the Clerk present the same to the Senate for concurrence.

STATEMENT BY MR. MOOMAW

Mr. MOOMAW asked and obtained unanimous consent to make the following statement:

Mr. Speaker and members of the House, it is quite apparent that this session is going to be closed in a very short time, if not in a few minutes.

Many weeks ago, in fact on May 19th, there was passed in this House the Unemployment Compensation Bill, the key measure to the social security program for this Special Session. The bill was passed by this House practically unanimously. That measure remained in committee in the State until public opinion demanded that it be removed from committee and placed upon the Senate calendar for vote. It came out of committee amended practicially beyond recognition. Whether the amendments inserted by the Senate were an attempt to deliberately

kill the bill or not is a matter for the people of Pennsylvania to decide. The House in its mandate by practically unanimously passing the bill demanded that the bill be brought out in the form in which it passed this House. However, as you have seen by the prints, as it came out on the Senate Calendar, it was mutilated to a point where it was not even workable. I was a member of the committee on conference to which this bill was assigned and, to say the least the Democratic members of that conference committee made every effort and every possible and reasonable and sensible compromise to enact this measure into law. The bill as it was originally presented rightfully placed the control of unemployment compensation in the hands of the Department of Labor and Industry, where you will all admit, regardless of political affiliations, it belongs. The Senate amended it to put the administration into the chasm of politics and mire it in Republican control. The amendments of the Senate, as you probably know, would have placed this most important piece of legislation in the hands of a five member commission, one appointed by the Governor with the advice and consent of the Senate, one by the Speaker of the House, one by the President Pro Tempore of the Senate, one by the Auditor General and one by the State Treasurer. Why they omitted the Secretary of Internal Affairs I do not know, other than to be sure that this measure would be under Republican control. The original bill placed it in the hands of the Department of Labor and Industry with a commission or board of appeal acting entirely independently and appointed by the Governor, as all other commissions in the history of Pennsylvania have been appointed. In conference the Democratic conferees suggested the placing of this bill or this law in the hands of a committee of three appointed by the Governor, with dated terms of two, four, and six years, respectively, to administer the act, and when the State employment agencies would be called to really work upon this law for them act under this commission, namely after January 1, 1938. This suggestion was not agreeable to the Republican conferees, indicating that their only desire was to plunge unemployment compensation for the State of Pennsylvania deeply in the chasm of politics, where the Republicans could control it, and in the hands of the Republican Party which without a doubt has been against social legislation and particularly unemployment compensation since it has first shown itself on the horizon, after having been passed by the Roosevelt Administration in Washington.

I appeal to the members of the Republican Party and particularly to those members of the conference committee that we still have a few moments left in which to reconsider their action. In deliberately killing this piece of social legislation, it will jeopardize the workers of Pennsylvania to the extent of $20,000,000 for the year 1936. It has been placed properly and directly on the doorstep of the Republican Party, it is their baby, and it is their responsibility for any losses that the workers of Pennsylvania may suffer by their not enacting this measure into law at this session of the Legislature.

LEAVE TO PRINT STATEMENT BY MR. DENT

Mr. DENT asked and obtained leave to print the following statement:

Mr. Speaker, the two differences which exist between the Republicans and Democrats on the question of the unemployment insurance bill, which is House Bill No. 55, Senate No. 41, are these:

1. Under the Bill as presented by the House the administration of the unemployment insurance is placed under the Department of Labor and Industry, with a board of three appointed by the Governor to administer the Act; one to represent labor, one to represent industry and one to represent the public. These appointments to be subject to the approval of the Senate. The amendment by the Republican majority of the Senate provides for the administration of the bill through a commission of five, one to be pointed by the Governor with the approval of the Senate, one to be appointed by the President pro tem of the Senate, one to be appointed by the Speaker of the House, one by the Auditor General and one by the State Treasurer. No provision is made in the Republican amendment for representation on this Board of labor, industry or the public. This difference was to be taken up by a Conference Committee appointed by the House and the Senate.

This Committee consisted of Senators Coyne, Chapman and Shapiro and Representatives Moomaw, Dent and Wickersham, the representation of the Committee being an equal number of Republicans and Democrats. After failing to reach agreement the following compromise was suggested by the Democratic committee members:

First, that the administration of the Unemployment Insurance Bill be taken from the Department of Labor and Industry and set up under a separate commission of three to be appointed by the Governor, one to be representative of labor, one to be representative of industry and one to be representative of the public. All employes of the Commission to be appointed on a merit basis. The appointment of this Commission to be made by the Governor before the Bill is passed by the Senate, after an informal conference to be held by the Governor with Republican members of the Senate. The Republican members to be given the right to nominate one of the commissioners who had the longest term of service—six years. The Governor to appoint the remaining two for a period of two and four years respectively, the Governor's appointments to be discussed with representatives of the Republican Senate before being made. The Governor agrees to withdraw any nomination made by him upon cause shown by the Republican Senators. The State Employment offices under the provision of the amendment offered by the Republican Senators were to be removed from the Department of Labor and Industry where they have served for fifteen years, and were to be placed under the Unemployment Insurance Commission. That would be satisfactory providing that these offices remain under the Department of Labor and Industry for two years to retain the benefits we are now receiving from the Federal Government. The State of Pennsylvania will receive approximately $450,000 this year and approximately $450,000 next year as the Federal Government's share of the cost of operating this agency. It was important not to lose this, because the employment service has given valuable service throughout the State of Pennsylvania through its thirteen offices in providing jobs for the unemployed. Approximately 35,000 persons were placed last year through the Employment services under the Department of Labor and Industry.

Fifteen states which have passed unemployment insurance legislation use either of two methods for its administration—through the Department of Labor and Industry

or under a Civil Service Commission. In all of the States, with either method in use, the appointments are made by the Governor.

This was a compromise by the Democratic members of the Conference Committee but was refused by the Republican members of the Committee. To say that this is unfortunate is putting it mildly. The result is that the workers in Pennsylvania will lose the benefits to be derived from approximately $22,000,000 in taxes which will be levied upon industry in Pennsylvania and put into a general fund of the United States Treasury, to be distributed over the whole country without any benefits being derived by the people of Pennsylvania.

The appointment of the administrators by the Republican majority as set up in amendments by them is unknown and unheard of. It would bring to a stop all of their activities and compel appointment of a new and inexperienced board within six or eight months. The terms of the members of the commission expire when the persons appointing them leave office. The office of the President pro tem of the Senate expires December 1, 1936. The term of the Speaker of the House expires at the same time. The Auditor General and State Treasurer go out of office on the first Monday of May, 1937, and the terms of those appointed on the Commission by those above mentioned officers also expire.

It is evident that the Republican majority does not understand, or understanding it, must have deliberately set out to destroy the possibility of unemployment insurance in Pennsylvania. In this connection it must be brought to the attention of the public and must be remembered in connection with this controversy.

1. The conference committee consisted, as I have said, of Senator Coyne, Senator Chapman and Senator Shapiro. Senator Chapman voted against the unemployment bill. The appointment of one of the members would be given to the President pro tem of the Senate, Senator Homsher who voted against the Bill. It must be remembered that he voted against this bill even after the amendments had been inserted by the Republican Senate majority.

Any sane person with any knowledge of the importance of the subject of unemployment insurance can realize that this attitude of the Republican majority was antagonistic, and that the Conference Committee had no hope of arriving at a compromise. The only thing that can account for this attitude is that the Republican Party deliberately set out to kill the bill.

LEAVE TO PRINT STATEMENT BY MR. WICKERSHAM

Mr. WICKERSHAM. asked and obtained leave to print the following statement:

Mr. Speaker, the Democratic Administration has killed the Unemployment Insurance Bill for purely political purposes. It has scorned all efforts directed toward a compromise and insist that the administrative machinery remain under the control of the Governor and the Department of Labor and Industry, where politics would be the controlling factor in all important decisions.

An Administration that has already shown an unusual aptitude for injecting politics into Mother's Assistance, could be depended upon to follow the same course with Unemployment Compensation. The problem of Unemployment Compensation is too important, too vital to the people, to permit its administration by a Board or Department subservient to the political whims of a Governor who places the personal gain of himself and his henchmen above all other interests.

The Unemployment Insurance Act, as amended and passed by the Senate, provided for civil service to insure non-partisan and non-political administration. It provides for transfer of the Public Employment Offices to the Commission and distribution of unemployment comsation through such offices as contemplated by Section 303, clause (a), (2) of the Federal Social Security Act. It provides for administration by an independent commission, divorced from control by any State Department. Of the fifteen states that have passed Unemployment Compensation Acts up to this time, only two have placed administration control under State Departments.

The Act as passed by the Senate has been flatly rejected by the Democratic Administration. In an effort to compromise, the Republican conferees submitted a proposal to abandon both the Democratic and Republican plans for the administration of the Act and substitute in lieu thereof and independent commission of three members, with minority representation, the commissioners to be elected by state-wide vote. This, too, has been rejected by the Democratic Administration. The only conclusion that can be drawn from such action that this administration does not want Unemployment Insurance to become a law in Pennsylvania.

In a vain attempt to deceive the Conference Committee, a representative of the Department of Labor and Industry submitted to it a memorandum to the effect that if the administration of Unemployment Compensation was not given to that Department, Pennsylvania would lose the federal benefits provided for in the Wagner-Peyser Act. Such a statement is false and convicts the Department of deliberate deception or hopeless incompetence. Not only has our independent research revealed this falsehood, but our position has been confirmed by an opinion given us by the Director of the Legislative Reference Bureau, John H. Fertig. Such action by the Department of Labor and Industry is another convincing proof that it should not be entrusted with the administration of Unemployment Compensation.

The Republican Members of this Senate, realizing the importance of Unemployment Compensation, have attempted to provide the best bill possible under the circumstances. If this bill is allowed to die, if all efforts of compromise fail, the blame should be placed where it belongs—on the Democratic Administration of Pennsylvania.

ANSWER TO INTERROGATION

Mr. COHEN. Mr. Speaker and members of the House, some time ago the gentleman from Delaware, Mr. Sproul, made a request of me for information relative to the conduct—

POINT OF ORDER

Mr. TURNER. Mr. Speaker, I arise to a point of order.

The SPEAKER. The gentleman from Delaware will state his point of order.

Mr. TURNER. Mr. Speaker, the gentleman has not stated the purpose for which he arose nor has he asked for unanimous consent.

The SPEAKER. The point of order is well taken. For what purpose does the gentleman rise?

Mr. COHEN. Mr. Speaker, I rise for the purpose of answering an interrogation, which was made about three days ago by the gentleman from Delaware, Mr, Sproul.

Mr. TURNER. Mr. Speaker, I arise to a point of order.

The SPEAKER. The gentleman will state his point of order.

Mr. TURNER. Mr. Speaker, the gentleman from York has not asked for consent to make a statement, but to answer an interrogation.

The SPEAKER. The point of order is not well taken. The gentleman from York is replying to a request made by the gentleman from Delaware, Mr. Sproul.

POINT OF ORDER

Mr. TURNER. Mr. Speaker, I arise to a point of order.

The SPEAKER. The gentleman will state his point of order.

Mr. TURNER. The gentleman from York cannot answer the interrogation without the consent of the House.

The SPEAKER. The point of order is not well taken. The gentleman is not answering an interrogation but he is answering a request for information which the gentleman from Delaware, Mr. Sproul asked for three days ago.

POINT OF ORDER

Mr. TURNER. Mr. Speaker, I arise to a point of order.

The SPEAKER. The gentleman will state his point of order.

Mr. TURNER. Mr. Speaker, I renew my point of order because the gentleman from York and the gentleman from Delaware were just talking down here in front of the House a few minutes ago.

COMMUNICATION FROM DEPARTMENT OF HEALTH

Mr. COHEN. Mr. Speaker in order to save time I desire to have the following communication from the Department of Health filed and printed in the Appendix to the Legislative Journal.

The SPEAKER. The report will be filed and printed in the Appendix to the Legislative Journal.

LEAVE TO PRINT STATEMENT BY MR. SPROUL

Mr. SPROUL asked and obtained leave to print the following statement:

Mr. Speaker, my friend, the gentleman from Philadelphia Mr. Burke, on May 5th, in discussing the cost of relief, stated he was sure the Governor would be glad to hear of suggestions helpful toward reducing such cost. I take it this invites anyone's answer and offer ideas which occur to me as sound, practical, businesslike means of effecting some reduction. These conclusions are partially made from talking to an investigator with experience; some are his suggestions, others are inferences of mine. I approach the matter in the same manner as any businessman would study his problems.

There has been much said concerning data available to us giving accurate costs. I agree that the figures given are the result of our present relief spending program but are figures given suggesting a saving in expenditure aside from grants? Has proper study been made of a business saving without considering relief purely from the case worker's stand point? Do we have mostly case supervision or executive supervision over case supervision? Proper regard should be had for Civil Service among experienced case workers instead of having them subject to hiring and firing at will, making them afraid of their jobs.

Their case conclusions should not be influenced by their own employment. The trend is toward case workers exercising executive supervision. Their work should be in the field where they are qualified to work. I have been told there are about twelve supervisors over each hundred workers (or visitors), and believe that number is excessive and should be reduced. Case workers might tend to put people on relief so their own jobs are perpetuated. This tendency should be avoided.

Now as to the visitor's work: Where formerly a case worker visited about two hundred cases in a period of six weeks their visits are now cut down to about one hundred every two months for the reason that two-thirds of the case worker's time spent in writing up mostly unnecessary details and one-third upon reports thus reversing the schedule to its former status. I believe in thorough investigation but a business supervisor should be in charge. Complaints are heard in many localities that persons can not be hired for two or three days at a time because of these persons refusal to work, preferring to stay on relief. Now, there is a reason for that. It takes from seven to fifteen days to get a person on relief. If these persons offered work could get back on relief promptly instead of suffering this delay, more would be willing to work on a per diem basis. A credit should be allowed to these day workers which would save the Commonwealth thousands of dollars and persons who were physically able to work and yet refused should be reported and have their relief allotment reduced. Another reduction in expense would be to combine the work of agencies visiting the same home such as Blind, Old Age, Mother's Assistance, and relief case workers. If these different recipients or applicants were visited by one or two representatives instead of the several, I feel sure a material saving would result.

To sum up my remarks, if more attention and thought were given toward reducing expenses in overhead and management, considerable saving would ensue. A method should be devised so that no able person could be in the position of choosing to stay on relief rather than accept any proffered employment. The taxpayer is footing the enormous bill of those who have benn offered partial occupation and who formerly lived comfortably on it.

QUESTION OF PERSONAL PRIVILEGE

Mr. WITKIN. Mr. Speaker, I arise to a question of personal privilege.

The SPEAKER. The gentleman will state his question of personal privilege.

Mr. WITKIN. Mr. Speaker and members of the House I realize that the hour is late, but may I ask your indulgence with me for just a few moments. I know the remarks that I am going to make may not meet with your views, but as this will be the last speech that I shall ever be privileged to make on the floor of this House, I would ask your kind attention.

Mr. Speaker and members of the House, I thank you for

your quietness and I sincerely trust that you will bear with me for just a few moments.

I have been privileged to represent my legislative district since 1925. These closing hours bring to an end my legislative career in Harrisburg of the Commonwealth of Pennsylvania. I want to say very frankly to you and I want to say it deeply and with the greatest degree of sincerity as one man speaking to another, that it is rather a sad occasion for me. I have been here, I have met with my fellowmen from all parts of the State, I have fought with my political friends and with my political enemies. I am about to retire.

I want to express my sincere sense of appreciation, first, to the Republican membership of this House. They have honored me by making me their floor leader. I want to say to those men that I appreciate the loyalty with which they have stood with me through every battle that we have fought here. I hope that those whose names I do not mention will remember that even though I do not mention their names, I have always considered that they are part and parcel of whatever little success the Republican minority in this House has been able to attain. But there are one or two or perhaps three gentleman in this House toward whom I would consider myself most derelict in my duty were I not to refer to them.

The first gentleman to whom I want to refer as being one of the bulwarks of the Republican organization and who has helped me considerably in every trial and tribulation that I have had is a gentleman whom I consider one of the most studious and conscientious legislators that Pennsylvania has ever had. You may disagree with him, you may not think that he is always right, but I do want to say that he is sincere, he is honest, he has been a member of the steering committee, and we have looked to him on many occasions for advice and help, and he has always given to me good, sound advice and excellent help. I refer to the gentleman from Delaware, Mr. Turner.

There are other men in the Republican Party here to whom I should refer, like Gordon Mason of Luzerne, and Charley Baldi of Philadelphia, and many another man in the Republican delegation who has helped me to carry on in the battles we have had. The entire Steering Committee has so done.

I hope those of you who are now listening, and I appreciate your attention, will bear with me when I speak but a few words for one man in particular, of whom I cannot help but make a few remarks. I came to the Legislature in 1925. I was a novice and knew very little about legislation, and the leaders of the Republican Party said at that time to a friend of mine, "Take this young man under your wing and help him," and that man so did from the very day I walked into this House. He taught me parliamentary procedure, he took me under his wing, and he helped to make of me, whether it was well done or whether it was not well done, whatever it happens to be, what I am to day in this Legislature. He has been my constant friend and my constant companion. I owe him a political debt, I owe him a friendly debt, and God willing I hope to be able with whatever power is given to me by the Almighty to pay back to him that which he has done for me in this Legislature. I refer to the best friend I have ever had in Harrisburg, to my constant companion, to the man who has ever stood by my side, my good friend from Philadelphia, Arnold Blumberg.

There is just one other remark I want to make, and that is, I want to say to my Republican friends of the Republican Caucus that I appreciate deeply and sincerely the honors that you have conferred upon me. Your nomination of me as the candidate for Speaker of the House of Representatives is an honor that I shall cherish, and is an honor that I shall take with me until my parting days, an honor that I shall hand down to those who follow me in my walk of life, and I sincerely thank each and every Republican member of this House for that honor, and I say so not by way of flattery and not by way of merely using idle words, but because I feel it.

I have fought for the Republican Party to the best of my ability. I may have made mistakes, I may have been wrong, but I can assure the members of my party if ever I made a mistake in their interests or against their interests, it was not due to the fact that I was disloyal, but it was merely due to the fact that man is prone to make mistakes. I hope and trust that the man who succeeds me as leader of the Republican membership here shall merely do that which I have tried to do, and that is to fight hard and squarely.

I am not conceited or immodest when I say this one word: I have tried in the eleven years that I have been here to stand for one principle and that is to keep my word and to keep faith with my fellow men. I do not know of any career for a young man where greater advantages can ever be given to him, and were I endeavoring to preach, I would say but one word to any man who comes to this House, and that is, always put your cards on the table and shoot squarely. I do not care what the times may be, I do not care whether he belongs to the Democratic Party or whether he belongs to the Republican Party, so long as he is a man who will not even permit his party make him break his word. I am a great believer in the fact that power and wealth are but fleeting possessions, which may disappear overnight, but there is one attribute in this world that men never lose, and that is their own individual character.

May I say but a word to my Democratic colleagues of this House, and that is that I have received at the hands of the Speaker of this House fair treatment. I may not have been in accord with all of his decisions; I may not have agreed with him in the treatment accorded the minority of this House by his decisions, but I sincerely and honestly believe that in his heart he has been fair. I have never failed to receive his recognition. To the Democratic majority of this House I want to say that I part from you with the full sense of the fact that at the hands of the majority I have received fair treatment. You have given the Republican Party the opportunity to express itself. I do not say—and I say this very frankly—that I have agreed with all the rules and regulations that you have passed in this session, and I will say, very frankly, as I said at the beginning of the session, that I do not agree with the policy of airplaining or sending bills through this House without proper consideration, but I will say that the Speaker of this House, and the majority leader of this House, and the majority members of this House have always given me the opportunity of expressing the opinions of the Republican minority in this House. Some of your decisions, some of your actions, some of the things that you have done with bills, and some of the legislation that you have passed I have strongly opposed, and I do not now apologize for that opposition, but you have given me the right to express my thoughts, and when

efforts were made to gag, a great number of the Democrats in this House immediately stopped that gagging.

There is only one other thing, I believe, I would like to say to you, and that is this: I went through the campaign in the past year and in that campaign I fought for the success of the Republican Party. The people of Philadelphia, whether wisely or not, honored me by electing me as a County Commissioner. In that campaign I was attacked. I was attacked by members of the Democratic Party in this House. Men, I do not mind being attacked. The only thing that I resented was that that attack was not the truth. One of the members of the House, whose name I shall not mention, took the radio and made public addresses in which he misconstrued the facts, in which he charged me with voting a certain way on certain bills when down deep in his heart he knew that I did not vote that way on those bills. I resented that, because I would not play the game that way. I believe if a man voted "yes" on a bill that his opponent may criticize him for that vote and rake him over the coals, but I do not think he can go far in life if when a man votes "yes" and you know he voted "yes" that you tell the people that he voted "no." That I object to, for that I criticize. That I find fault with but from the members of the Democratic majority I have received fair treatment, I have received fair treatment from the majority leader of this House, and I have no fault to find in that respect. I shall leave the Legislature with a great deal of thanks to the many members I have met. I have come in contact with people from all over the State. I have seen them come and go here. I have watched many a man.

I want to make one other observation and I will close. When I first became a member of this House in 1925, whenever a member arose on the floor of this House to endeavor to refute the sincerity or honesty of any man directly or indirectly by the most remote innuendo, even his own friends have deplored that fact. In this House unfortunately we have engaged in personalities. I may have been guilty of that offense myself. If I have I apologize for having been guilty of that offense, but we ought not to show animus, because after all life is but a short span, the Almighty gives us but a short life in this great world of ours. We ought to try and fight our battles without imputing false or improper motives to our fellow men. You may be wrong, but if you think that you are right, then you have the right to fight for it. I believe that when a man is elected by a particular party he ought to stick to that party, because the party is bigger than any man who has ever lived. If the Republican Caucus wanted me to vote a certain way although I believed them to be wrong, I also believe that the Caucus is bigger than the party, because the principle of our government, down to and including the lowest of an organization up to the President of the United States—this government of ours is a party government and the party is bigger than any man within it. You have the right to stick by your party. As I leave here, I merely want to say to you that I have no personal bitterness, no personal animosity. We should not entertain bitterness or animosity toward a man because he expresses his convictions, and we should not attack the leader of either the majority or the minority because he voices the feelings of his party. We should realize that he speaks those things of which his party wants him to speak.

I close by saying to you that I leave with no hard feelings toward any man of the Democratic Party or any man of the Republican Party and I hope none of you think ill of me.

I am leaving here tonight, as I have said, with no bitterness towards a single man, because down deep in my heart I bear no animosity or bitterness toward any man living. I feel that all men have a right to think and speak as they believe. I leave tonight, after eleven years of service in this Legislature, with the feeling that during those eleven years I have battled and battled hard. Always when you battle try to battle fairly and squarely.

I leave you with this thought: God willing, whether the next House be a Democratic House or whether it be a Republican House, let us dedicate ourselves to the proposition that there will be no indulging in personalities, that we will be on a common ground, that we will fight our battles, that we will win or lose with a smile, and when we walk out of that door we are just again fellow men.

Once more, Mr. Speaker and members of the House, I say to you all God speed. I am going back to Philadelphia. I hope to come up here during the Legislative sessions. I will not come here as a member. I just want to make one observation and then I will close.

Eleven years ago I succeeded Jefferson W. Smith, an old man in his sixties. I was the leader of the thirteenth ward in this primary and I was permitted to select my successor, and I want to say to the members of the House that the man whom I select to succeed me and whom I hope will win is the man whose place I took eleven years ago and that is that fine and honorable man, Jefferson W. Smith.

Mr. Speaker and members of the House, I thank you and I hope and trust that you will consider that I have not tried to lecture you improperly but that you will take it as coming right down deep from my heart. Au Revoir.

RESIGNATION OF HON. MORTON WITKIN

Mr. WITKIN. Mr. Speaker, in order that the record may be straight, I now present to you my resignation as Representative of the Eighth Legislative District of the City of Philadelphia to take effect at the close of this day's session.

The SPEAKER. The Chair accepts with regret the resignation of the gentleman from Philadelphia, Mr. Witkin.

The resignation will be noted in the Journal and printed in the Legislative Journal.

August 6, 1936.

Honorable Roy E. Furman,
Speaker of the House of Representatives,
Harrisburg, Pennsylvania.

Dear Mr. Speaker:

I hereby tender my resignation as a member of the House of Representatives from the Eighth Legislative District of the City of Philadelphia, to take effect at the close of this day's Session.

Respectfully submitted,

MORTON WITKIN.

Mr. MASON. Mr. Speaker and members of the House, the Republican delegation of the House has given to me the most difficult task in my legislative career, that of saying goodbye to Mort. I well recall just two years ago, January of 1935, when we as members of the Republican minority, gathered in our first caucus to determine upon whom we should place the mantle of floor leader. We

realized that this man must have certain qualifications, that he must be trained in legislative procedure, must be capable, must be aggressive, must be honest and above all, that man's word must be his bond. And we turned to Morton Witkin of Philadelphia, and he accepted the thankless task that had been offered to him by us.

The records of the regular session of 1935 and of this Special Session now closing show how well Mr. Witkin filled that task that we had given to him, and his record in prior years since 1925 shows full well what type of representative he has been, and how well and earnestly he has striven in these legislative halls. Some of the newer members of the House perhaps are not thoroughly imbued with the legislative traditions of this chamber but we who in point of time are older men know full well that the very walls of this House re-echo with the memories of the tasks and refresh the memories of members on both sides of the House and above all the prayers that were offered, and we who are lucky enough to be able to tread these legislative halls again will refresh our memories of the various associations we have had.

Yes, in 1937, when the Speaker's gavel calls the House to order, there will be the shadowy picture of the former Speaker standing above you, and from the very walls themselves and at the various seats you will see in your own imagination and in your own memory men who have returned to private life still standing there as they stood before, and the legislative battles, the interrogations, the speeches, question of personal privilege will all bring back those battles and interrogations as of other days.

Mort, you are leaving us, we are not leaving you. Were it within our power, we would not permit you to leave the legislative halls, we would be selfish enough to try to keep you here, so that we would have the benefit of your friendship, your capability and your leadership, but we know full well that you must go on to higher things. There is only one thing that we want to be certain of, that you will retain in your mind and in your heart of legislative memories, even though you may be miles away from these halls, and that the various names of each and every one of our colleagues will always be fresh before you, and that their friendship for you will always be remembered by you.

There is little else that I can say, but speaking for the group that are around me now, the group that have fought with you and stood back of you through all these years, from your oldest friend, your most sincere critic and admirer, Arnold Blumberg, to the newest Republican member of the House, let me say this, good luck and God speed you to a long, successful and happy career.

Mr. FORREST. Mr. Speaker and members of the House, addressing my few remarks to the Republican floor leader and speaking on behalf of our members, I do not arise to sing a swan song, for I dare say, Mort, that this moment opens the doors of greater opportunity. Nor do I stand here like Mark Anthony, "I come not to bury you but to praise you," because your deeds will outlive any words that I may be able to utter. Nor do I come to philosophize, because, as well may be said, "Well done, thou good and faithful servant." I know that that is not your desire. I rise merely to express a thought in which words are inadequate and human voices are inarticulate to express the profound feeling of gratitude of the members of this House for the service that you have performed for the Republican Party, yes, to the people of Pennsylvania, during these last eleven years which you have spent in these halls.

I bespeak, I dare say, the sentiment of every member of this House when I say that your leadership has been most invaluable during a most trying time. You are to be complimented upon your tolerance and your patience in helping us and in aiding us in our problems which we have met in these sessions. I dare say that all of us will say that your frankness and honesty has not been surpassed except by your impeccable good faith which I know you hold so dearly and on occasions I know that you have sacrificed and jeopardized your political advantage to hold that honesty.

Therefore, on behalf of this group of the Republican Party I present to you this small token, which in an humble expresses our esteem, and may God give you speed.

Mr. WITKIN. Mr. Speaker and members of the House, you have been most indulgent, and I am frank to say, that I do not often get sentimental or emotional, and I do not often lose the ability to use words, but, believe me, when I say to you that my heart is too filled to be able to make any extended thanks. However, I say to my Republican colleagues that from the bottom of my heart I thank you, I love you, for this kind momento. There is no gift that you could have selected by the searching of the furthermost recesses of your heart, which would be more acceptable than the gift you have given me, to wit, the signature of each and every member of the Republican Party, of your confidence and trust in me, and I only hope as life goes on I shall be able to continue to so conduct myself as to have merited the confidences which by this gift you have given to me. I thank you.

RESOLUTION

THANKS AND CONGRATULATIONS EXTENDED TO HON. MORTON WITKIN

Mr. CLIFF S. PATTERSON offered a resolution which was twice read as follows:

In the House of Representatives, August 6, 1936.

There is a certain fellowship engendered through association as members of a common organization or body, which even the most acrimonious of differences cannot destroy. This is indeed true of membership in the House of Representatives of this Commonwealth, divided as it is between the major political parties.

Our esteemed comrade, "Mort" Witkin, has tendered his resignation as a member of this House. It is with sincere sorrow that we bid him goodbye. Some of us have at times considered him a thorn in our sides, but we hate to see him go.

Resolved, That a vote of thanks be given to Mr. Witkin for his long and faithful service as a member of the General Assembly, together with the hearty wishes of his fellow-members for long continued success and usefulness both in public and private life. We bid him adieu and God-speed.

Resolved, That a copy of these resolutions be transmitted by the Chief Clerk to the Honorable Morton Witkin.

On the question,

Will the House adopt the resolution?

Mr. COLEMAN. Mr. Speaker and members of the House, I listened with a great deal of attention to the delightful and inspirational speech of the minority floor leader, and I think that in his remarks he has exposed a hitherto unrevealed side of his life, that while at times

we frankly confess on this side of the House his keen logic, his withering interrogations, his rapier-like satire has on many occasions burned us up a bit, but during it all many of us felt that beneath the rough exterior there beats a heart as human and as sympathetic as any heart in the land. The warm red blood of the race which he represents flowing and comingling with the life currents of other peoples has in all of the world produced men to stir with quickening speech, to thrill with ecstatic song, to die with superb bearing, to live for their families, to have faith in their friends, and, through it all, to wear a smile that carries sunshine and warmth wherever it beams. This is the race from which Mort Witkin has sprung and eminently does he illustrate its noblest traits. I know of no man to whom I could point as a truer example of real American manhood, possessing, as he does, a standard of honesty and decency that no ambition could cause him to violate. I have always been impressed with his persistence and his consistent encouragement that is essentially of the common soldier in the army that he lead on the other side.

We are told that Sir Christopher Wren built St. Paul's Cathedral, and also Michael Angelo built St. Peter's, but we hear nothing of the common soldiers, the common workmen, who plotted their weary way with pick and shovel. History heralds the proud admiral who wins the sea fight, but we hear nothing of the men who manned the blood soaked decks of the battleships. Without them victory would have been impossible. We hear stories and sing the praises of generals with their gleaming swords and shining spurs, but we hear nothing of the common soldier knee deep in the mud of the trenches. No historian emblazons his name on the pages of history, but in simple devotion to duty he plays his part and makes victory possible.

I have always admired Mort Witkin because he has never said that he knew it all, he has never said that he himself was the cause of the success that the minority party in this House has had. He has always acknowledged the splendid cooperation of the men in that great little band that he has on the other side. I would like to think of what Bob Ingersoll, a contemporary of Abe Lincoln, said on the occasion of the death of his brother. Bob had an undying affection for his brother, and when he died he delivered a splendid eulogy at the graveside. Here is what he said in part: "He added to the sum of human joy, and if everyone for whom he had done some loving service were to place a blossom on his grave he would sleep tonight beneath a wilderness of flowers."

We can paraphrase that and make it applicable here by saying here that if everyone for whom Mort Witkin had done some loving service were to attend an informal testimonial such as this is, there is not a building in the State of Pennsylvania that would be adequate to accommodate the crowd. On many occasions we sat here, and many times we felt that we were bested in argument because of the keen logic, the withering interrogation of the man who leaves the forces on the other side. But with it all, we always had for him a great deal of admiration and respect. His manner of handling himself on the floor and on his feet won our love, compelled our respect and challenged our admiration. I would like to think of what the late Speaker said about the House of Representatives. You recall that in the last day of the regular session, in a setting not unlike this, and about the time, that the late Speaker got up there and said, "I like to look upon the General Assembly as a sort of mirror, a kind of screen, in which is reflected the entire life of the State of Pennsylvania. Here we get every idea and every ideal of the great Commonwealth that is represented here in two hundred and eight House members. And here is where we come, and in a democratic, peaceful way we fight it out." And then, on the last day, notwithstanding that we feel sometimes, when the battle is hot, that many of us are going to yield to the gladitorial urge within us, but on the last day there is always that pang of sorrow, that feeling of regret. We are glad to say this morning that that is the feeling we have had for Mort Witkin. I know that I am expressing the sentiment of the people on this side of the House, the majority party, when I say to this gentleman that we wish him God speed. We know that with his splendid fighting spirit, his great knowledge of government, his keen desire to get ahead, that is going to carry him far in the Commonwealth of Pennsylvania in politics.

In closing I wish to say just this, that I think of the old passage, "Seest thou a man diligent in his business, he shall stand before kings," which is an adequate description of Mort Witkin. We wish him God speed and many years of health and of happiness.

Mr. COHEN. Mr. Speaker and members of the House, I feel that I should say a few words relative to the gentleman from Philadelphia who is departing from our midst. I have been tremendously touched by the fact that the eleven years of his service in the Commonwealth of Pennsylvania should end in such a setting as this, but I am also tremendously touched by the fact that the gentleman from Philadelphia goes with the sincere appreciation, not only of the majority membership of this House, but of the Democratic Administration. I dare say that there is no man in the entire Republican Assembly either in this House or in the Senate, who is held in higher esteem by the Democratic Administration than the gentleman from Philadelphia. Our dealings with him have been on the highest plane, consistent with the representation of the Democratic Party and the representation of the Republican Party, and when we felt the necessity of sometimes trying to ameliorate a recalcitrant Senate, it was to the gentleman from Philadelphia, that the leadership of this House, and the Administration appealed. I say that when the gentleman from Philadelphia leaves this House for further service in the Commonwealth, in the County of Philadelphia and in the Nation, he bears with him the sincere respect, and the honest admiration of the Democratic Administration of the Commonwealth of Pennsylvania.

On the question recurring,

Will the House adopt the resolution?

It was unanimously adopted.

Mr. WITKIN. Mr. Speaker and members of the House, I cannot help but rise to say this, that one had a right to expect glowing words and tribute from the Republican Party, being a member of that party, but to have such a resolution introduced by the Democratic Party, my opponents, to me goes down with me to the day I die. Believe me when I say to you,—and put this on record,—that tears come to my eyes because I know of no finer tribute that could come from my opponents than that the son of Russian immigrants who came to this country, should have been permitted to achieve the honor of both parties of this House.

NOTIFICATION THAT SENATE IS READY TO ADJOURN SINE DIE

The Committee on the part of the Senate being introduced, informed that the Senate is ready to adjourn sine die at 12:00 o'clock noon this day.

The SPEAKER. The Chair thanks the Committee on the part of the Senate.

RESOLUTION

HONORARY LIFE MEMBERSHIP TENDERED TO HON. JOHN M. FLYNN

Mr. BLUMBERG offered a resolution which was twice read as follows:

In the House of Representatives, August 6, 1936.

The dean of this House is serving his last term as the representative of his district. Elected first in 1902, the Honorable John M. Flynn was re-elected for each succeeding term by the voters of Elk County. He has served in this House continuously for a period of thirty-four years, a record in which any man may take pride, and one which, so far as is known, has not been equalled or excelled in the history of Pennsylvania.

The same acumen which made him a successful business man, likewise made him an influential legislator. He is a man known, respected and loved throughout this Commonwealth, an outstanding political figure, a real statesman.

It is with heartfelt regret that we, who, through association as members of the House of Representatives, have profited by his seasoned experience and kindly guidance, contemplate his absence from these halls during future legislative sessions. None of us, as legislators, and but few of us as individuals, remember a time when "Jack" Flynn was not an important member of this body; therefore be it

Resolved, That the Honorable John M. Flynn be tendered an honorary life membership in the House of Representatives of the Commonwealth of Pennsylvania, with all rights and privileges, save only such as are reserved to elected members by the Constitution and laws of this Commonwealth and by the rules of this House; and be it further

Resolved, That we, who have served with Mr. Flynn through the many legislative days of the current term, hereby express our sorrow and sense of loss over his retirement, but at the same time, rejoice with him in the well-earned rest from the exacting duties of public office. We wish him continued health and happiness, and assure him that our respect and devotion shall be his always; and be it further

Resolved, That a copy of this resolution be transmitted to Mr. Flynn by the Chief Clerk of this House.

On the question,

Will the House adopt the resolution?

Mr. TURNER. Mr. Speaker and members of the House, I have been given the task of saying something in behalf of this resolution at a time when it is extremely difficult for me to find words to say what I would like to say, in view of many speeches that have been made the flowing oratory and the well turned phrases expressing the opinions of the members of the House as to those who are leaving our ranks at this time.

There are other men who are departing from our midst after a number of years of service, and I know that it is no feeling of disregard of the splendid service that they have given to the Commonwealth in their time here that something has not been added to the proceedings this evening, that we might say Au Revoir to them in the same terms, but when a man has served for thirty-four years, as Jack Flynn has served, and when his contribution to the affairs of the House, when his contribution to the people of Pennsylvania—whether we have agreed always with his policies or not— have been of the character of those of Jack Flynn, it seems but fitting that this House should adpot a resolution of this kind and express to him not only our appreciation but what must be the wishes of the people of the Pennsylvania, and our well wishes for a continued, happy, prosperous and well being future.

A number of the members of this House have provided a fund, with which will be purchased a suitable gift to be presented to Mr. Flynn to mark his service, in order that he may carry away with him something that he can keep through the rest of his life as a memory of the associations here and of the good fellowship that has existed. Good fellowship, after all, and the friendship we have made are the only rewards we can have for the time that we spend here. I know that each and every one of you tonight, as you have expressed your opinions of my colleague, to whom I am deeply grateful for the words that he spoke in reference to me—I know that each and every one of you too, as you have met your colleagues and associates here, whether they be on the one side or the other, will carry away with you a memory, not of the battles we have had, not any of the bitternesses of which my colleague spoke, but that you will carry throughout the rest of your life something undefinable, something you cannot exactly tell, something that you cannot exactly put into words, but something that will always draw you closer, and something, as you meet each other, or as you hear something about your former colleagues, will have for you a peculiar significance, that will reach inside of you and will not be superficial.

So Mr. Speaker and members of the House, I want to second the resolution tonight. Jack Flynn stands out as a sterling citizen. Jack Flynn has contributed much to the work of this House in the years that I have been here. I have many times disagreed with him but I have respected his opinions, I have felt that it was solid, I have felt that it was tinctured with the judgement that comes from years of experience. I have felt that he has fought for those things which he believed to be right and those things which he believed to be for the best interests of the people of Pennsylvania. So, whether we be Republicans or Democrats, whether we believe in the theories of government that he has endeavored to put into practice and endeavored to write into the statute books of Pennsylvania, whether we agree with him or not, I think we all can tonight wish him well. We can all say that we regret that we cannot all have the same opinions here, for, after all in this melting pot of ideas of men called from sixty-seven different counties in the State, with their differing problems, out of that melting pot come the laws that govern this great Commonwealth and have made it great; that have developed its resources; that have developed its farms; that have developed its industries. So, whether we agree with him or not, we can feel that the advantage of the people in having that difference of opinion, if it be an honest opinion, can be bent only for the best interests of the Commonwealth.

On the question,

Will the House adopt the resolution?

It was unanimously adopted.

RESOLUTIONS

THANKING OFFICERS AND EMPLOYES OF LEGISLATIVE REFERENCE BUREAU

Mr. VAN SICKLE offered the following resolution which was twice read, considered and adopted:

In the House of Representatives, August 6, 1936.

Resolved, That the members of the House of Representatives extend their thanks and appreciation to the Director and other officers and employes of the Legislative Reference Bureau, for the valuable assistance rendered to the House during this Extraordinary Session of 1936.

THANKING HON. MARSHALL SHEPARD FOR SERVICES

Mr. HARKINS offered the following resolution which was twice read, considered and adopted:

In the House of Representatives, August 6, 1936.

Resolved, That the thanks of the Members of the House of Representatives be extended to the Honorable Marshall L. Shepard for his services as Chaplain of the House during this Extraordinary Session.

THANKING REV. OSCAR F. R. TREDER

Mr. SHEPARD offered the following resolution which was twice read, considered and adopted:

In the House of Representatives, August 6, 1936.

The daily invocation of Divine blessing and guidance is a matter of great comfort and inspiration to the Members of the General Assembly. Communion with our Maker and Redeemer, always a solemn ceremony, may be made an added joy in the leadership of a saintly man and by an able delivery.

During the present Special Session, it has been our pleasure and privilege to be frequently led in prayer by our estimable brother, Rev. Oscar F. R. Treder, Rector of St. James Episcopal Church in Bedford; therefore be it

Resolved, That the House of Representatives tender a vote of thanks to Rev. Treder for the many times he has offered the prayers of this House; and be it further

Resolved, That a copy of these resolutions be forwarded by the Chief Clerk to Rev. Treder at Bedford.

THANKING OFFICERS AND EMPLOYES OF HOUSE

Mr. NOTHNAGLE offered the following resolution which was twice read, considered and adopted:

In the House of Representatives, August 6, 1936.

Resolved, That the thanks of the Members of the House of Representatives be tendered to all the officers and employes of the House, for the efficient and courteous manner in which they attended to the duties of their respective positions during this Extraordinary Sesson of 1936.

THANKING PRESS

Mr. BALDI offered the following resolution which was twice read, considered and adopted:

In the House of Representatives, August 6, 1936.

Resolved, That the thanks of the members of the House of Representatives be extended to the representatives of the Press, for the fair and impartial manner in which they reported the proceedings of this Extraordinary Session of 1936.

THANKING CHIEF CLERK WILLIAM P. GALLAGHER

Mr. BURKE offered a resolution which was twice read as follows:

In the House of Representatives, August 6, 1936.

Resolved, That the thanks of the Members of the House of Representatives be extended to William P. Gallagher, the Chief Clerk, for the courteous, able and efficient manner in which he attended to the duties of his office, and for the many favors which he extended to the members of the House during this Extraordinary Session of 1936.

On the question,

Will the House adopt the resolution?

Mr. BURKE. Mr. Speaker and members of the House, as this occasion progresses, it has become exceedingly difficult for anyone speaking to use the appropriate expressions. I know my repertoire has been exhausted for the last half hour. In carrying out the precedent of extending our congratulations and thanks and paying our tribute to the various officers of this House, I think we are sometimes prone to be a little superficial, and the fact that we are carrying out the custom probably induces a lack of generosity. But on this occasion I wish to dispel from your mind any lack of generosity that may exist on my part. I feel in presenting this resolution that I am participating in the honor which we are offering to Mr. Gallagher. I know that there is no one in this House who appreciates more the fine store of experience that he has always left at the disposal of all of the members. He possesses the highest virtue that any man may possess, that of affability, and it was this affability that lent warmth to some of the sessions we have had in this House, and I feel honored in singing my swan song in this House, that the subject of my words is a man who is my real friend.

Mr. TURNER. Mr. Speaker and members of the House, I hesitate to arise a second time, but I do feel that we ought not to permit the passing of this resolution without saying something from the Republican side for the splendid courtesies, the wonderful cooperation, and the genial good will of the Chief Clerk of this House. We have been received with the greatest of courtesy by him. Our requests have been promptly filled. I have seen no occasion when there was any difference made by him as between any members of the House, and I am sure that the Republican members of this House concur wholeheartedly in this resolution and express to him our deep appreciation for the service that he has rendered.

Mr. HOOPES. Mr. Speaker and members of the House, I want to add my sincere appreciation for the service which I have received from the Chief Clerk. I find that he is ever-willing to help and that he has been very kind and patient with me at all times. I certainly want to join with the majority and the minority parties in thanking him for this service.

On the question recurring,

Will the House adopt the resolution?

It was unanimously adopted.

THANKING DEMOCRATIC FLOOR LEADER

Mr. WITKIN. Mr. Speaker and members of the House, in offering this resolution, the remarks that I made a few moments ago govern, and I shall not repeat them, but they refer to the gentleman from York, Mr. Cohen, and I ask unanimous consideration of this resolution at this time.

The resolution was twice read, considered and unanimously adopted as follows:

In the House of Representatives, August 6, 1936.

Resolved, that this House commend and congratulate

the gentleman from York, Mr. Cohen, for his intelligent, able and forceful labors as the majority floor leader in this chamber during the session now closing, and expresses its appreciation of the service he has rendered through his untiring efforts in the interest of legislation for the public welfare.

THANKING DEPUTY SECRETARY OF COMMONWEALTH

Mr. ALEXANDER offered the following resolution which was twice read, considered and adopted:

In the House of Representatives, August 6, 1936.

The arduous and exacting duties of a State legislator are often simplified and lightened by the helpfulness and cooperation of attaches of the administrative department of the State government, upon whom we must frequently depend for information, and from whom we are often glad to accept other services helpful in the furtherance of the legislative business.

Among those who have been especially helpful during the present protracted summer session of the General Assembly, and who has spared himself neither time nor effort in his willingness and cheerfulness in receiving and serving the members of this body, is the genial deputy secretary of the Commonwealth, Mr. J. Warren Mickle, of Bedford County; therefore be it

Resolved, That the members of the House of Representatives hereby tender their respects and thanks to Mr. Mickle for his cooperation and real assistance in handling the many difficult matters that have been before this House; and be it further

Resolved, That these resolutions be spread on the minutes and a copy thereof be transmitted to Mr. Mickle by the Chief Clerk of the House.

The SPEAKER. The Chair now turns over the gavel to the Chief Clerk.

CHIEF CLERK (William P. Gallagher) in the Chair.

THANKS EXTENDED TO THE SPEAKER

Mr. ANDREWS offered a resolution which was twice read as follows:

In the House of Representatives, August 6, 1936.

The fair and impartial administration of the business of this House during the special session, the decorum which was preserved under most trying conditions, justified the wisdom of its choice of a Speaker.

A session conspicuous for its spirit of partisanship, for its honest divergence of views, for its adventurous spirit leading into new legislative paths, called for high qualities of leadership in the office of Speaker. Under these trying difficulties, his voice silenced no rightful protest, nor stilled a voice raised in the cause of justice. He maintained at all times the dignity of this House, and that decorum which is the right of the legislative body of a sovereign state to expect, therefore be it

Resolved, That the House of Representatives extend to its Speaker, the Honorable Roy E. Furman, its sincere thanks for his courtesy, fairness and consideration, as well as its congratulations on the successful administration of the office of Speaker during this special session of the General Assembly;

Resolved, That a copy of this resolution be transmitted to the Honorable E. Furman by the Chief Clerk of this House.

On the question,

Will the House adopt the resolution?

Mr. ANDREWS. Mr. Chief Clerk, I have heard upon occasions of those who furnished dinner to weary legislators, and I am wondering why it has not occurred to some of them to order breakfast. After a tempestuous voyage, Mr. Chief Clerk, we have arrived at this quiet haven, and soon I think it will be twelve o'clock, Thursday.

I have been given the happy portion of having a limited part in these proceedings. I wonder why we do not hold these lodges of sorrow and sessions of praise at more frequent intervals during our legislative careers. The part given me, just one part in this ceremony, Mr. Chief Clerk, was given I presume on the theory that my affections and appreciations are only suitable of engrossing one subject, but I assure you, you are wrong. I can entertain all of the cordial feelings and relations for the minority leaders which all of the others have expressed. I think if there are any two men in the House who have understood each other, it has been the minority leader and myself. I have always respected him and I have never tried to push him in a corner, and I have always appreciated the fact that he did not try to push me.

Mr. Chairman, when we fought it out at this special session, there were some people who were inclined to believe or to wonder whether we had placed a great head or at least a mature head on a pair of Greene County shoulders. As the days have gone by we have found that it has been a great head and a mature head, upon a pair of Greene County shoulders. It has been my fortune to serve in this House under three Speakers, under the late Grover Talbot, under the late Wilson Sarig and under our present Speaker, and I am proud to say that during that procession I have seen the standard maintained as set by the first Speaker, under whom I served, Grover Talbot. The tradition runs to this effect, that when a man, a member of a party, becomes the Speaker, he ceases to become a factionalist and becomes a parliamentarian, and that his duties cease to run solely to one side of the House, but it is his business to see that both sides of the House are accorded fair and equal treatment.

Mr. Chairman, I think one of the proudest pages in the history of legislatures in recent days is the fact that our Speaker, in times that threatened tempests and riots, stood steadfast, and that the House of Representatives of the State of Pennsylvania, unterrified by any threat, maintained order stands to its credit throughout the confines of this State. And for that stand, for that steadfast dignity, that stand which appreciated the dignity of this House, we have primarily our Speaker to thank, in that in maintaining order he showed a high range of statesmanship. I could say other things about our Speaker and about all of these members of the House, our majority leader, all of the ones that I hold in affection. You know I sometimes say that I stand on the floor of this Huse and get more attention and less votes than any member I ever saw, but I do, in passing to the desk, Mr. Chief Clerk, this resolution, want to pay my tribute not only to the gentlemen on this side of the House, who refused me as an outsider in the beginning of this session, gradually admitted me to the fold, and finally, as the majority leader has said, at the tail end of a session, picked me out, and to the members on that side of the House, with whom I have maintained the most cordial relations, on the basis concerning which the minority leader spoke, that the plighted work stands for the plighted word.

Mr. WITKIN. Mr. Chief Clerk and members of the House, if there is one man in this House whom I should not like and about whom I should not say anything worth while, it is the Speaker of the House. He is the only man

who in my political career has succeeded in licking me. I was a candidate against him and he won. Therefore, I don't know why I should be asked to say anything nice about him. However, we win or we lose. You all know that when I ran against him I didn't have much hope of winning. I want to say this about the Speaker of the House, I want him to know and I want the House to know that if I did not mean what I am about to say I would not say it, I wouldn't say it because we are in the closing days of the session, and because we are then handing out flattering remarks to one another. I want to say about Roy Furman, the Speaker of the House, in my opinion he is a typical young American, who has come to the floor of this House and who has won his spurs and achieved the Speakership of this House by reason of his ability to display those qualities of leadership that he possesses. During the unfortunate illness last session of the Legislature of Representative Frank Ruth it came to Roy Furman to act as majority floor leader of this House. I want to say that, being the minority leader at the time, I was always able to deal with him with my cards upon the table. He was frank, he was honest, he never resorted to trickery. He was constantly the leader on an honest and fair basis. He won the respect not only of the Democratic membership of this House, but he always maintained and kept the respect of the Republican membership of this House. We knew he was a leader, and he was and is a young man. I predict for him a great future. I am frank to say I hope that as a member of the Democratic Party he never presides as Speaker over this House. I cannot but hope that the Republican Party shall elect the Speaker. I do say this of him, he has been a fair Speaker. He has, as I said before, ruled against us on many an occasion but he has always afforded us recognition. He has never stifled us, he has been fair and honest in his deliberations. I want to re-echo the remarks made by the gentleman from Cambria, Mr. Andrews, that when the time came in this House that people were marching upon the Capitol, and when it appeared that unruly demonstrations were to govern this branch of the Legislature, it was his fortitude, it was his courage, it was his sense of that which was right and honest, that maintained order in this hall of this Legislature, and for that maintenance of order and decorum in this hall, if he had never done anything else, he would be entitled to our everlasting thanks and gratitude.

I want to say in conclusion to you, Roy Furman, that the Republican membership of the House join with your Democratic colleagues of the House in wishing you in the life that lies before you the greatest amount of joy, the greatest amount of happiness, and if I may be permitted to use the words of the late John M. Patterson, one of the leading judges of the Common Pleas Court of Philadelphia County, "May the darkest shadow that shall ever cross your path or the path of any of your loved ones be that of a dancing sunbeam."

Mr. COHEN. Mr. Chief Clerk and members of the House, we of the majority are deeply appreciative of the opportunity of paying this tribute to our Speaker. It is very gratifying at the close of a session to feel that the selection of a Speaker at the beginning of a session was justified, and I feel, as we close this session that the Democratic majority can get renewed inspiration from its choice of Roy Furman as the Speaker of this House of Representatives.

The problems that confront a Speaker at a special session are entirely different from those with which a Speaker is confronted in a general or regular session. In a general session the work gradually builds up, but in this extraordinary session, without any preparation, without any great amount of indication that he would be chosen to lead this House of Representatives, Roy Furman was immediately thrown into the cauldron of political and economic differences. He was immediately thrown into what has proven to be one of the most disputatious sessions that the General Assembly has ever seen. He was immediately thrown into a session of the Assembly that was confronted with grave social, economic and tax probems, and he was thrown into a session that was represented by an able and militant minority. He was thrown into a session that we are seeing out today, with a feeling that we have accomplished something for ourselves and for the people of the Commonwealth, and that accomplishment in no small degree is due to the honesty of effort and the integrity of thought, and to the endurance and willingness to work of our Speaker, Roy Furman. I must differ with the gentleman from Philadelphia. I say that the greatest of service that we members of this next General Assembly could give to the Commonwealth of Pennsylvania would be to re-elect to the Speakership of this House the gentleman from Greene.

Mr. HOOPES. Mr. Chief Clerk and members of the House, it is with great pleasure that I join in praising the fairness of our Speaker, Roy Furman, with possibly one exception, which I fully discussed on this floor shortly thereafter, when, under very great provocation he did not grant me recognition. On all other occasions I have found him ever-ready to recognize me, even though he well knew that I was trying to throw a monkey wrench into the plans of the party that he represents. Only yesterday he gave an excellent example of his fairness when under considerable difficulty I was attempting to interrogate a member of the majority to make a point clear, and another member of the majority moved the previous question. The Speaker very graciously stated that if he would permit the interrogation to be continued a short time he felt that the previous question would not be necessary, and I believe that events justified the Speaker's action. He showed at that time and on many other occasions his desire to be absolutely fair, and that, after all, is the first duty of a presiding officer, and as the spokesman of a minority of one at this special session, I can whole heartedly join in the tributes which have been paid to our Speaker by the representatives of the majority and minority parties in this House.

Mr. SHEPARD. Mr. Chief Clerk and members of the House, I am happy that I woke up in time to add my tribute of respect and appreciation of the fine qualities that are represented in our Speaker, Roy Furman. I have often prayed for him, mentioned his name, because I felt that he needed it. A young man facing such a gigantic task to preside over this General Assembly has certainly needed divine guidance and I think that my prayers have been answered, when we consider the success that he has achieved. I bid him God speed and I hope that he shall return, and, God willing, I hope to return too, and bring my humble colleagues along with me here. We have fought in this House, and sometimes we have felt like we were members of the minority group, but nevertheless, Roy Furman has been fair to everybody in this House,

and I hope that I shall have the privilege of voting for him at the next session as a member of the majority group. In saying goodbye to my good friend also, Mr. Morton Witkin, I hope that he shall have four years of successful administration in the County Commissioners' office, and as for his party I hope that it shall continue to be the minority party in this House.

Mr. WEISS. Mr. Chief Clerk and members of the House, I am happy as one of the young members to be a part of the program in honoring our Speaker. Enough has been said, in glowing terms about the wonderful qualities of his leadership as Speaker. I got to know him intimately while serving on the Local Government Commission, and I got to admire his fine, modest demeanor, and I can pay him no finer tribute than to say that he is an humble protege of the Honorable Wilson G. Sarig, late Speaker of this House. Elected by the Democratic majority of this House as one of the youngest Speakers in the history of this Commonwealth, he has displayed wisdom and keen deliberation in many important decisions that came before this body at this special session, and I say that his fair, impartial and unbiased judgment has been upheld by the admiration by the minority party of this House. In fact I must say that the minority party, with their enthusiastic cooperation in having and fostering this testimonial for our Speaker speaks volumes for the esteem in which he is held by that group. I can say that during the last weeks of this session, when thousands of the unemployed jammed the corridors of the Senate and the House, we in the House not only admired him, but the hundreds of visitors throughout the entire Commonwealth, who were spectators here, commented with admiration and respect upon the wonderful and judicious manner in which he upheld, not only order and decorum, but discipline in the House, and upheld the dignity of this body, and I might say that the more dignified Senate might take a leaf out of his book.

I want to say in closing, Roy Furman, this entire membership of this House is proud of you, and I say this to you in the presence of your charming wife and your sister and your many friends from Greene County, who will long remember this occasion.

I say, on behalf of the entire membership of this House, it gives me a distinct pleasure to give you a few tokens of our appreciation and esteem. I must say, as far as the selection of this gift is concerned I must yield and admit the admirable taste of the charming young lady from Philadelphia, Miss Anna Brancato, a member of this House. First, I want to give to Roy a wonderful timepiece for his wrist. I hope as time and the years go on it will enable him to observe, when the next session convenes, twelve o'clock, and we hope that that means twelve o'clock.

We also hope that this beautiful Westminister chimes, you will take home, I know your wife will enjoy it, and we hope that during the off session of the Legislature you will stick around the house with your family and hear this clock chime.

The SPEAKER. Members of the House, I want to say to you that I certainly appreciate what has been said and done here tonight for me. It is hard for me to speak, I can assure you.

This is one of the happiest occasions of my life, as was the fact that I was elected to the Speakership. I feel that it is the highest honor that the House of Representatives can bestow upon one of its members, and I appreciate the honor deeply. Whatever success may have come to me during this special session, I owe to the cooperation and help of the membership of this House and the employes of this House. It is impossible for one person to carry on any great work without assistance and help. I want to say, and I sincerely mean it, that the work of this House could not have been carried on in the manner in which it was if the membership had not been loyal to their duties and stayed here through the many long weeks attending to their particular duties.

I appreciate these tokens that you have given to me tonight, and as Mr. Weiss has said they will be very valuable to me because I now realize that you people knew I needed something to tell the time, or that I was unable to tell the time. I can assure you that within a few months I will be able to correctly know when the hour of twelve or nine or whatever time it may be, has arrived.

I want to thank the membership for their splendid cooperation during this session. I feel that I owe a vote of thanks to each and every member for what they have done, their diligence in their work, and I want to wish you happiness and success in your lives. I thank you.

PRESENTATION TO MRS. ROY E. FURMAN

Miss BRANCATO. Mr. Chief Clerk and members of the House, I consider it a distinct pleasure to have been selected to present these beautiful flowers to the real Speaker of the House of Furman, Mrs. Furman, and in behalf of the membership of this House I present you with these beautiful flowers.

The SPEAKER (Roy E. Furman) in the Chair.

PRESENTATION TO MISS ANNA M. BRANCATO

Mr. HAGERTY. Mr. Speaker, Mr. Franklin Moore has just sent an official notice to state that breakfast is ready at the Penn-Harris.

However, Mr. Speaker and fellow members, it gives me great pleasure and I deem it a privilege to be selected by my colleagues to present a small token of appreciation to one of our illustrious members.

This is in appreciation of her every effort in behalf of the people of Pennsylvania as well as in appreciation of her well known good sportsmanship and all round good fellowship to her colleagues from Philadelphia and the rest of the State.

Miss Brancato, may this small token always remind you of the many happy friendships we have made during our legislative sessions.

Miss BRANCATO. Mr. Speaker and members of the House, I want to thank you from the bottom of my heart for the many kindnesses that you have given to me and I am really deeply greatful for everything. I want to say to you Au Revoir but not goodbye.

COMMITTEE TO WAIT UPON SENATE

Mr. FLINCHBAUGH offered the following resolution which was twice read, considered and adopted:

In the House of Representatives, August 6, 1936.

Resolved, That a committee of three be appointed to wait upon the Senate and inform that body that the House is ready to adjourn sine die at 12 o'clock noon this day of August, 1936.

APPOINTMENT OF COMMITTEE TO WAIT UPON SENATE

The SPEAKER. The Chair appoints as a Committee to wait upon the Senate and inform that body that the House is ready to adjourn sine die at 12.00 o'clock noon this day Messrs. Flinchbaugh, Roan and Coolahan.

COMMITTEE TO WAIT UPON GOVERNOR

Mr. COHEN offered the following resolution which was twice read, considered and adopted:

In the House of Representatives, August 6, 1936.

Resolved, That the Speaker appoint a Committee of three to wait upon His Excellency, the Governor of the Commonwealth, and inform him that the House of Representatives is ready to adjourn sine die this day at 12:00 o'clock.

APPOINTMENT OF COMMITTEE TO WAIT UPON GOVERNOR

The SPEAKER. The Chair appoints as a Committee to wait upon His Excellency, the Governor, and inform him that the House of Representatives is ready to adjourn sine die at 12:00 o'clock noon this day Messrs. Cohen, Witkin and Brownfield.

QUESTION OF PERSONAL PRIVILEGE

Mr. SIEGEL. Mr. Speaker, I arise to a question of personal privilege.

The SPEAKER. The gentleman will state his question of personal privilege.

Mr. SIEGEL. Mr. Speaker, inadvertently I was recorded as voting "aye" when the roll was called on House Bill No. 19. I voted "no" and desire to be so recorded.

The SPEAKER. The remarks of the gentleman under his question of personal privilege will be spread upon the Journal.

RETURNING HOUSE BILL NO. 69 TO THE GOVERNOR

Mr. WEISS offered the following resolution which was twice read, considered and adopted:

In the House of Representatives, August 6, 1936.

Resolved (if the Senate concur), That House Bill No. 69, Printer's No. 232, entitled "An Act authorizing and directing the Department of Forests and Waters to investigate survey and report on the location and availability for purchase of certain lands suitable for reforestation with flood control as the objective and making an appropriation" which was recalled from the Governor, July 15th, for further consideration, be returned to the Governor without amendments.

Ordered, That the Clerk present the same to the Senate for concurrence.

SENATE MESSAGE

RESOLUTION FOR CONCURRENCE

The Clerk of the Senate being introduced presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, August 6, 1936.

Resolved (if the House of Representatives concur), That the Chief Clerks of the Senate and House of Representatives be directed to have the copy of the Journals of the two Houses of this session prepared and placed in the hands of the Director of the Bureau of Publications within ten days after the close of the session, and the Director of the Bureau of Publications is hereby directed to have the said Journals printed, bound and delivered to the Chief Clerks of the Senate and House of Representatives within sixty days after the receipt of the copy therefor.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

AMENDED SENATE BILL CONCURRED IN BY SENATE

The Clerk of the Senate being introduced informed that the Senate has concurred in the amendments made by the House of Representatives to Senate Bill numbered and entitled as follows, viz.:

SENATE BILL No. 75.

A Joint Resolution proposing an amendment to article nine of the Constitution of the Commonwealth of Pennsylvania by adding thereto section one C

SENATE MESSAGE

CONCURRENCE IN HOUSE RESOLUTION No. 56

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives as follows:

In the House of Representatives, July 30, 1936.

Whereas The General Assembly transferred to the General Fund by House Bill Number one hundred sixty-eight the sum of One Million Dollars ($1,000,000) from the State Insurance Fund and by House Bill Number one hundred seventy the sum of One Million Five Hundred Thousand Dollars ($1,500,000) from the State School Fund for the purpose of providing immediate funds to meet appropriations from the General Fund

Resolved (if the Senate concur) That the General Assembly hereby pledges that at its session in one thousand nine hundred thirty-seven it will raise revenue by taxation or otherwise for the purpose of repaying the moneys transferred from the aforesaid funds and will enact appropriate legislation to effectuate the repayment of such moneys transferred from such funds

SENATE MESSAGES

CONCURRENCE IN HOUSE RESOLUTION No. 27

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives as follows:

FEDERAL ADMINISTRATION URGED TO CONSTRUCT MORE SHIPS IN THE NORTHEAST SECTION OF PHILADELPHIA

In the House of Representatives, June 16, 1936.

Whereas Among many non-operating industries in Pennsylvania is the huge shipyard in the Northeast section of the City of Philadelphia and

Whereas This shipyard as a going concern could bid on contracts for ship construction for the Nation and

Whereas It is necessary in the general movement of the government to create employment the Federal administration could with propriety and from the economical standpoint provide work by the construction of ships in this particular shipyard and

Whereas The Governor of this Commonwealth Honorable George H. Earle and the Mayor of Philadelphia

Honorable S Davis Wilson are doing their utmost to improve working conditions throughout the State and the City of Philadelphia therefore be it

Resolved If the Senate concur that the General Assembly of this Commonwealth respectively urge construction of ships by the Federal administration in the shipyard located in the Northeast section of Philadelphia formerly known as the "Workshop of the World" and be it further

Resolved That a copy of this resolution be forwarded to the President of the United States His Excellency the Governor of the Commonwealth the Secretary of the Navy and His Honor the Mayor of Philadelphia

SENATE MESSAGE

SENATE ADOPTS CONFERENCE COMMITTEE REPORT ON HOUSE BILL No. 156

The Clerk of the Senate being introduced, informed that the Senate has adopted the report of the Committee of Conference on the subject of the difference existing between the two Houses on House Bill numbered and entitled as follows:

HOUSE BILL No. 156.

An Act making an appropriation to the State Emergency Relief Board for direct relief and expenses defining the purposes for which such moneys may be expended prescribing the powers and duties of the State Emergency Relief Board and certain State departments prohibiting political activity by employes of the State Emergency Relief Board and prescribing penalties

REPORT OF COMMITTEE TO WAIT UPON SENATE

Mr. FLINCHBAUGH. Mr. Speaker, the committee appointed by you to inform the Senate that the House is ready to adjourn sine die at 12:00 o'clock noon this day has performed that duty.

The SPEAKER. The Committee is discharged with the thanks of the House.

SENATE MESSAGE

RESOLUTION CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives, as follows:

In the House of Representatives, August 5, 1936.

Resolved (if the Senate concur), That House Bill No. 69, Printer's No. 232, entitled "An act authorizing and directing the Department of Forests and Waters to investigate survey and report on the location and availability for purchase of certain lands suitable for reforestation with flood control as the objective and making an appropriation" which was recalled from the Governor, July 15th, for further consideration, be returned to the Governor without amendments.

BILLS SIGNED BY THE SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

HOUSE BILL No. 15.

An Act ratifying confirming and validating the transfer of money from the State Stores Fund and the Motor License Fund to the General Fund and providing for the subsequent return from the General Fund of the transferred money

HOUSE BILL No. 59.

An Act to amend sections one three four seven nine ten fourteen fifteen sixteen and eighteen to add section eighteen point one and to repeal section two of the act approved the tenth day of July one thousand nine hundred and nineteen (Pamphlet Laws eight hundred ninety-three) entitled "An act providing for assistance to certain mothers providing for the appointment of boards of trustees for the several counties of the Commonwealth and for the appointment of a State supervisor and assistants and fixing the salaries of such State supervisor and assistants defining the powers and duties of boards of trustees including the power of appointing assistants and investigators and the distribution of funds at their disposal providing for the apportionment of the State appropriation among the several counties and requiring counties coming under the provisions of the act to appropriate certain moneys and providing penalties" by providing for the appointment of a board of trustees for each county prohibiting political activity by members and employes of such boards changing the qualifications of mothers eligible for assistance requiring all counties to appropriate moneys for mothers' assistance except under certain circumstances providing for additional grants of State moneys in lieu of appropriations by counties unable to meet State appropriations providing for cooperation by the Department of Welfare with the Federal Social Security Board authorizing the Department of Welfare to cooperate with and to accept and disburse moneys received from the United States government for aid to dependent children and providing substitute provisions in case Federal grants for aid to dependent children shall fail for any reason

HOUSE BILL No. 69.

An Act authorizing and directing the Department of Forests and Waters to investigate survey and report on the location and availability for purchase of certain lands suitable for reforestation with flood control as the objective and making an appropriation

HOUSE BILL No. 156.

An Act making an appropriation to the State Emergency Relief Board for direct relief work relief and expenses defining the purposes for which such moneys may be expended prescribing the powers and duties of the State Emergency Relief Board and certain State departments prohibiting political activity by employes of the State Emergency Relief Board and prescribing penalties

COMMUNICATION

The SPEAKER laid before the House the following communication which was read by the Clerk .

URGING PASSAGE OF HOUSE BILLS Nos. 54 and 75

A telegram from the Pittsburgh Central Labor Union urging passage of House Bills Nos. 54 and 75.

Referred to the Committee on Appropriations.

BILL SIGNED BY THE SPEAKER

Bill numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the title was publicly read as follows:

SENATE BILL No. 75.

A Joint Resolution proposing an amendment to article nine of the Constitution of the Commonwealth of Pennsylvania by adding thereto section one C

REPORT OF COMMITTEE TO WAIT UPON GOVERNOR

Mr. COHEN. Mr. Speaker, your committee appointed to wait upon His Excellency, the Governor, and advise him that the House of Representatives is ready to adjourn sine die at 12:00 o'clock noon has performed its duty.

The SPEAKER. The Chair receives the report of the Committee and discharges it with the thanks of the House.

ADJOURNMENT SINE DIE

The SPEAKER. This being the day and hour fixed by concurrent resolution of the Senate and House of Representatives as the time when the General Assembly shall adjourn sine die and the hour of 12:00 o'clock noon having arrived, I declare this Extraordinary Session of the House of Representatives of 1936 adjourned without day.

APPENDIX

TO THE

LEGISLATIVE JOURNAL

EXTRAORDINARY SESSION OF 1936

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APPENDIX
TO THE
LEGISLATIVE JOURNAL
EXTRAORDINARY SESSION OF 1936

REASONS FOR PARDONS GRANTED BY THE GOVERNOR FROM JANUARY 15, 1935, TO DATE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 4, 1936.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to present herewith the reasons for pardons granted by me from January 15, 1935, to date.

GEORGE H. EARLE.

BOARD OF PARDONS

In re Application of Berry Martin—No. 182
January Session, 1935.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Berry Martin, convicted of second degree murder in the Court of Oyer and Terminer of Armstrong County, on March 26, 1927, be commuted from ten years to eight years, expiring on March 26, 1935.

Our reasons for making this recommendation are as follows:

In 1927, the applicant became involved in a quarrel with one Jockey Jones, who had a quarrelsome disposition. Believing Jones was about to draw a gun, the applicant shot and killed him. At the trial, the applicant was unable to prove that the deceased had a gun or that he was attempting to shoot the applicant. The applicant was convicted of murder of the second degree and was sentenced to the Western State Penitentiary for from ten to twenty years.

It appears to us, after careful investigation and from after-discovered evidence, that the deceased had a gun and had attempted to shoot the applicant. If this evidence had been available at the trial the degree of the crime at the greatest would have been voluntary manslaughter. Up to the time the applicant can be released, he will have served over eight years of his minimum sentence. We believe he has been sufficiently punished.

The applicant was never involved in any other trouble. His conduct and employment records during his incarceration have been excellent. The trial judge states: "In view of the fact that this defendant has served more than three-fourths of his minimum sentence and the circumstances surrounding the shooting, I would have no objection to the extension of clemency." The applicant is over fifty-six years of age.

The applicant will be on parole until 1947. Our recommendation is contingent upon his securing legitimate employment.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

PHILIP H. DEWEY,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE
Governor.

BOARD OF PARDONS

In re Application of Ernest Raymond Weber—No. 997
January Session, 1935.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Ernest Raymond Weber, convicted of manslaughter, in the Court of Oyer and Terminer and G. J. D. of Luzerne County, on May 26, 1930, be commuted from six years to four years, ten months, expiring on March 26, 1935.

Our reasons for making this recommendation are as follows:

The applicant, when only nineteen years of age, became involved in a quarrel. He punched one of his assailants who fell to the ground and died as a result of a fractured skull sustained in the fall. The applicant pleaded guilty to manslaughter and was sentenced to serve a term of from twelve years in the Eastern State Penitentiary. He has now served almost five years of his sentence. We believe he has been sufficiently punished.

The Honorable Benjamin R. Jones, the Judge who sentenced the applicant, stated to a parole agent, who investigated the case, that he had no objection to the applicant's release and would be willing to give him a chance to reestablish himself and again become a law-abiding citizen. The District Attorney of Luzerne County states: "Under all the circumstances if the members of your Honorable Board believe that the applicant has been sufficiently punished, this office has no objection to the granting of the application." The Board of Trustees of the Eastern State Penitentiary report that the applicant had no previous criminal history and that his institutional record is satisfactory.

The applicant will be on parole until 1942. Our recommendation is contingent upon his securing legitimate employment.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE.
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

PHILIP H. DEWEY,
Secretary of Internal Affairs

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of Clarence E. Heitman—No. 1060
January Session, 1935.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members

of the Board of Pardons recommend that Clarence E. Heitman, convicted of forgery, in the Court of Oyer and Terminer and Q. S., of Philadelphia County, on December 16, 1929, be pardoned.

Our reasons for making this recommendation are as follows:

The applicant pleaded guilty to several charges of forgery in 1929. He was sentenced to serve a term of from five to ten years in the Eastern State Penitentiary. In 1932, his minimum term was commuted to three years and one month, and on January 19, 1933, he was released on parole. He was never involved in any other trouble. His conduct and employment records during his incarceration were excellent. Since his release on parole his conduct has been exemplary. The Board of Trustees of the Eastern State Penitentiary states: "Recommended for clemency. Although this man is out on parole at the present time, the officials of the institution have kept in close touch with his activities and feel that he is deserving of a pardon from parole."

The applicant has an excellent opportunity to be promoted by the firm which employs him. A pardon will in part remove the stigma of his conviction and will be of material assistance to his advancement.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

PHILIP H. DEWEY,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of Bertram L. Succop—No. 1365
January Session, 1935.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that Bertram L. Succop, convicted of malfeasance: misdemeanor, in the Court of Quarter Sessions of Butler County, on Sept. 15, 1932, be pardoned.

Our reasons for making this recommendation are as follows:

The applicant was convicted on several counts of malfeasance. The jury recommended "that the very lightest possible sentence be given." The applicant was sentenced to imprisonment in the Allegheny County Prison for one year. In July, 1933, his sentenced was commuted from one year to five months and twenty days. He was released from the Allegheny County Prison on or about August 1, 1933. The acts which resulted in the applicant's conviction were on the orders of a superior. We believe he was involved in a system sometimes used in the conduct of municipal affairs. There was no proof the applicant directly or indirectly benefited from the misdemeanors. Prior to his conviction he enjoyed an excellent reputation and during his incarceration was a model prisoner. Since his release he has conducted himself in an exemplary manner and has established himself in business. We feel that there is a strong probability that he will not likely again engage in any other activity of a criminal nature.

Major General Edward C. Shannon, Commander of the 28th Division and former Lieutenant Governor of the Commonwealth, appeared before us and recommended the granting of a pardon. General Shannon stated that he had served in the World War with the applicant and commended him highly for his excellent war and service record.

A pardon will in part remove the stigma of the conviction from the applicant and his family, and will be of material assistance to his advancement.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

PHILIP H. DEWEY,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of Taylor M. Anderson—No. 1404
January Session, 1935.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Taylor M. Anderson, convicted of robbery in the Court of Quarter Sessions of Centre County, on March 2, 1932, be commuted from five years to three years, expiring on March 2, 1935.

Our reasons for making this recommendation are as follows:

The applicant and two others held up and robbed the Citizens Building and Loan Association, of Philipsburg, Pennsylvania. Shortly after the commission of the robbery the applicant was captured. He was never involved in any other trouble and always had an excellent reputation. His wife and three children are in urgent need of his support.

Mr. W. M. Osler, of Franklin, Pennsylvania, a former business associate of the applicant appeared before us and stated that he would guarantee employment. Judge Fleming, who sentenced the applicant, states: "Relative to the application of Taylor M. Anderson for a pardon, I beg to say that I am inclined to believed that this man should have clemency extended him. I would concur, therefore, in the application for clemency for this man, believing that he has been sufficiently punished and that the cause of his trouble was his association with Williams, or Martin."

The applicant's conduct and employment records during his incarceration have been excellent. The applicant will be on parole until 1942.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

PHILIP H. DEWEY,
Secretary of Internal Affairs.

Warrants dated March 12, 1935.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of John M. Long—No. 1869
January Session, 1935.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of John M. Long, convicted of arson with attempt to defraud insurer, in the Court of Quarter Sessions of Butler County, on December 2, 1933, be commuted from two years to one year, three months, expiring on March 2, 1935.

Our reasons for making this recommendation are as follows:

In 1933, the applicant pleaded guilty to arson with attempt to defraud the insurer. He was sentenced to serve a term of from two to twenty years in the Western State Penitentiary. He was never involved in any other trouble. His conduct and employment records during his incarceration have been excellent. We believe he has been sufficiently punished.

The trial district attorney states: "As I stated before I believe he (the applicant) has been sufficiently punished." The Chief of Police of Butler Township, who made the information and arrested the applicant advises us that he believes the applicant has served enough of his sentence and that he will henceforth conduct himself in a law-abiding manner.

We do not believe the applicant should be on parole for twenty years and recommend a pardon should be applied for in two years.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

PHILIP H. DEWEY,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of Reid A. Gilbert—No. 2117
January Session, 1935.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that Reid A. Gilbert, convicted of aggravated assault and battery in the Court of Quarter Sessions of Philadelphia County, on April 5, 1932, be pardoned.

Our reasons for making this recommendation are as follows:

On April 5, 1932, the applicant was convicted of aggravated assault and battery. He was sentenced on the same day to pay a fine of $1.00 and costs, make restitution of $100., and to serve thirty days' imprisonment in the county prison. On April 9, 1932, the sentence was reconsidered and the applicant was sentenced to make restitution of $100., and serve four days in the county prison from time of commitment, the costs and fine being remitted.

At the time of the commission of the crime for which the applicant was convicted, he was a police officer in the City of Philadelphia, and in patroling his beat broke up a group of young men who were gambling. The District Attorney's representative of Philadelphia County appeared before us at the open session and stated that he would recommend a pardon. A letter dated February 26, 1935, addressed to the Secretary of the Board, from the District Attorney's office in Philadelphia, reads as follows:

> "In accordance with the request of the Board of Pardons at its session on February 20, 1935, I am writing to inform you that the District Attorney's Office of this County has no objection to the granting of a pardon to the above named petitioner (the applicant).
>
> "In this case one Elmer Gallagher was the prosecutor, and it was stated to the Board that Gallagher had been arrested prior to the arrest of the petitioner. I have looked into the case of Gallagher and find that he was charged with larceny and receiving stolen goods, and that on May 31, 1928, he entered a plea of nolle contendere, and was adjudged guilty, and placed on probation for one year. There is nothing in the record in the Gilbert case to show that Gallagher's arrest was brought to the attention of the Court at the time of Gilbert's trial."

After a careful investigation of the facts in the case, there is considerable doubt in our minds as to the applicant's guilt. The applicant was never involved in any other trouble and had a clear record in the police department. The conviction made his dismissal from the police force mandatory and until a pardon is granted an application for reappointment will not be considered.

Gilbert has honorable discharges from the United States Army and from the Civilian Conservation Corps. A pardon will in part remove the stigma of the conviction from the applicant and will be of material assistance to his advancement.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

PHILIP H. DEWEY,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of Jack Chaffee—No. 2118
January Session, 1935.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Jack Chaffee, convicted of burglary and larceny in the Court of Oyer and Terminer and Quarter Sessions of Monroe County in December 15, 1931, be commuted from six and one-half years to three and one-half years expiring on June 15, 1935.

Our reasons for making this recommendation are as follows:

In 1931, the applicant pleaded guilty to burglary and larceny, and was sentenced to the Eastern State Penitentiary for six and one-half to thirteen years. The Deputy Warden in charge of the New Eastern State Penitentiary at Graterford states: "His (the applicant's) conduct has been excellent since his transfer to this Institution and he has shown a wonderful spirit in his attitude in helping the discipline of this Institution by his ability

in teaching inmate classes in our Educational Department." The district attorney of Monroe County states: "In my judgment the application for clemency in the above case is meritorious. From such information as is available, I believe that the applicant can safely be released from prison." The trial district attorney states: "If his story is believed, and his record if imprisonment as stated, and parole recommended by the prison board, I can see no good reason for opposing same at this time." Judge Samuel E. Shull sentenced the applicant and tells us, "What merits there might be to this application could best be passed upon by those who have had the defendant in charge during his incarceration. His offense occurred at this time we were having an epidemic of burglary and larceny in this community, but I have no knowledge as to whether or not this defendant was involved in anything more than the offense to which he entered a pleas of guilty."

The Board of Trustees of the Eastern State Penitentiery reports to us that the applicant has a satisfactory institutional record and no previous criminal history and recommend consideration. The Supervisor of Paroles also recommends a commutation of sentence.

The applicant will be on parole until 1944. Our recommendation is contingent upon his securing legitimate employment.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

PHILIP H. DEWEY,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of Alphonso William Puskiung—No. 2123
January Session, 1935.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Alphonso William Puskiung, convicted of robbery in the Court of Oyer and Terminer and Quarter Sessions of Philadelphia County on October 29, 1931, be commuted from five years to three years, five months expiring on March 29, 1935.

Our reasons for making this recommendation are as follows:

In 1931, the applicant pleaded guilty to holding up and robbing the Regal Shoe Store in Philadelphia. He was sentenced to serve a term of from five to ten years in the Eastern State Penitentiary. At the time of the commission of the offense the applicant was only eighteen years of age. He had never been involved in any other trouble and exhibits none of the traits of a habitual criminal.

In our opinion the applicant has reformed and is a fit subject to again take his place in society. By the time he can be released he will have served approximately three and one-half years of his sentence. We believe he has been sufficiently punished. His conduct and employment records during his incarceration have been excellent.

The applicant will be on parole until 1941. Employment has been assured.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth

CHARLES J. MARGIOTTI,
Attorney General.

PHILIP H. DEWEY,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of Joseph Thomas Casey—No. 2135
January Session, 1935.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that Joseph Thomas Casey, convicted of aggravated assault and battery in the Court of Quarter Sessions of Philadelphia County, on October 21, 1919, be pardoned.

Our reasons for making this recommendation are as follows:

In 1919 the applicant was convicted of aggravated assault and battery and sentenced to serve a term of three months in the Philadelphia County Prison. The Philadelphia District Attorney's representative appeared before us at the open session and stated that it was his opinion that a pardon should be granted. In a letter dated February 26, addressed to the Secretary of the Board, he states:

"In accordance with the request of the Board of Pardons at its session on February 20, 1935, I am writing to inform you that the District Attorney's Office of Philadelphia County has no objection to the granting of a pardon to the above-named petitioner (the applicant)."

We are of the opinion that the person the applicant struck was the aggressor and that any blows the applicant struck were in self-defense. The applicant was never involved in any other trouble and has an excellent reputation in the community in which he lives.

The applicant is regularly employed but wishes to obtain a license to conduct an employment agency. A pardon will be of material assistance in obtaining a license and will in part remove the stigma of the conviction from the applicant and his family and will be of assistance in the applicant's advancement.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

PHILIP H. DEWEY,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of Samuel Sugar (Zucchero)—No. 1025 March Session, 1935.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that Samuel Sugar (Zucchero), convicted of receiving money without consideration from the proceeds of the earnings of a woman engaged in prostitution, in the Court of Quarter Sessions of Crawford County, on November 28, 1930, be pardoned.

Our reasons for making this recommendation are as follows:

In November, 1930, the applicant was convicted of receiving money without consideration from the proceeds of the earnings of a woman engaged in prostitution. He was sentenced to serve a term of from five to ten years in the Western State Penitentiary. The United States Department of Labor has lodged a detainer for deportation at the Western State Penitentiary. The applicant is the son of Italian immigrants and came to this country as a child with his parents. He has not been naturalized and will be deported unless a pardon is granted. He has no friends or relatives in his native country. We believe that deportation would inflict a cruel and unnecessarily harsh punishment. The applicant was never involved in any other serious trouble. He has served approximately one-half of his minimum sentence. We believe he has been sufficiently punished and are satisfied that he is not a habitual criminal.

Legitimate employment has been secured and an excellent home has been provided for the applicant.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

PHILIP H. DEWEY,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of Fred R. Sarver—No. 1029 March Session, 1935.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Fred R. Sarver, convicted of robbery with offensive weapon, in the Court of Oyer and Terminer of Washington County, on April 7, 1930, be commuted from seven years to five years, one month, expiring on May 7, 1935.

Our reasons for making this recommendation are as follows:

The applicant pleaded guilty to robbery in 1930. He was sentenced to serve a term of from seven to fourteen years in the Western State Penitentiary. He was never involved in any other trouble. His employment and conduct records during his incarceration have been excellent. We believe he has been sufficiently punished and are satisfied that he is not a habitual crminal. The trial district attorney states: "* * * believe the application at this time merits consideration." The supervisor of paroles recommends a commutation of sentence.

The applicant will be on parole until 1944. Employment has been assured.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

PHILIP H. DEWEY,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of Herman Girolami—No. 1118 March Session, 1935.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Herman Girolami, convicted of being armed with offensive weapons to rob, robbery, assault with intent to rob, in the Court of Quarter Sessions of Philadelphia County, on December 9. 1929, be commuted from ten years to five years, five months, expiring on May 9, 1935.

Our reasons for making this recommendation are as follows:

The applicant was convicted of being armed to rob and conspiracy to assault with intent to rob, in 1929. He was sentenced to serve a term of from ten to twenty years in the Eastern State Penitentiary. One accomplice in the crime was placed on five years' probation, a second accomplice was released after serving twenty-nine months, a third accomplice finished a probationary period of two to four years and was deported, and a fourth accomplice was sentenced to serve a term of from five to ten years and received a commutation of sentence in February, 1934.

The applicant's conduct during his imprisonment has been excellent and he refused to take any part in the recent riots of the New Eastern State Penitentiary at Graterford. The applicant is the only one of a large family who has ever been involved in any trouble. The family enjoys an excellent reputation in the community in which they live. We do not believe the applicant to be a habitual criminal. The Deputy Warden in charge of the New Eastern State Penitentiary at Graterford states, "His (the applicant's) conduct has been excellent in my observation of him and in my opinion, he should be an asset instead of a liability to society should clemency be granted to him."

The applicant will be on parole until 1949. Employment has been assured.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

PHILIP H. DEWEY,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of Frank Nye—No. 1159
March Session, 1935.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Frank Nye, convicted of breaking and escaping a penitentiary, in the Court of Quarter Sessions of Centre County, on August 4, 1930, be commuted from two years to one year, four months, expiring on May 13, 1935.

Our reasons for making this recommendation are as follows:

In 1929, the applicant was sentenced to a term of from two to four years in the Western State Penitentiary for entering a building with intent to steal. In 1930, he escaped but surrendered himself to the authorities within a few days and was sentenced to serve a term of from two to four years for the escape charge. He has served the maximum sentence of the original charge and almost one and one-half years on the escape charge. We believe he has been sufficiently punished and are satisfied that he is not a habitual criminal.

The applicant will be on parole until 1938. Our recommendation is continued upon his securing legitimate employment.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

PHILIP H. DEWEY,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of Malcolm Baracca—No. 1288
March Session, 1935.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the maximum sentence of Malcolm Baracca, convicted of robbery, receiving stolen goods, in the Court of Oyer and Terminer of Allegheny County, on May 13, 1932, be commuted from four years to one year, ten months, expiring on July 2, 1937.

Our reasons for making this recommendation are as follows:

In 1932, the applicant pleaded guilty to robbery and receiving stolen goods. He was sentenced to serve a term of from two to four years in the Western State Penitentiary. The sentence was commuted to a minimum term of one year and two months and he was released on parole the same month. In April, 1934, while on parole, he was sentenced to serve a sentence of sixty days in the Allegheny County Jail for driving an automobile while intoxicated. Upon his release, he was returned to the Western State Penitentiary to serve the remainder of the unexpired maximum term of the original sentence. By the time he can be released he will have served eight months for the violation of his parole. The assistant district attorney who tried the case on the bill charging him with driving an automobile while intoxicated, states, "In the case of the Commonwealth vs. Malcolm Baracca, who was tried in the Court of Quarter Sessions of Allegheny County in the month of June of this year, on a charge of driving while intoxicated, I beg to state I was the trial assistant in the case, and the evidence was very, very meagre; in fact, I was most surprised when the jury rendered a verdict of guilty. I understand now that at the time of his conviction, he was on parole and he is to be required to serve the balance of the term under the parole. I personally feel that this would be a grave injustice, because the character of the offense of which he was charged and the calibre of evidence produced at the trial certainly would not warrant such a step. I feel this man, if returned to society, would make a good citizen, as he is now married and was leading an exemplary life up until the time of this unfortunate incident. Anything you can do for this man will be personally appreciated by me." The trial judge states, "In view of the circumstances of this particular case, I consider the defendant has been sufficiently punished and that it would be unjust to compel him to serve for upwards of two or three years additionally. The penitentiary authorities inform me that under their rules they have no alternative but to detain him. The only remedy seems to be a pardon. I strongly recommend it." The supervisor of paroles also recommends commutation of sentence. We do not believe the applicant to be a habitual criminal.

The applicant will be on parole until 1937. Employment has been assured.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

PHILIP H. DEWEY,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of William J. Rock—No. 1347
March Session, 1935.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of William J. Rock, convicted of robbery with offensive weapon, in the Court of Oyer and Terminer of Washington County, on January 23, 1932, be commuted from five years to three years four months, expiring on May 23, 1935.

Our reasons for making this recommendation are as follows:

The applicant pleaded guilty to robbery, being armed with an offensive weapon. He was sentenced to serve a term of from five to ten years in the Western State Penitentiary. By the time he can be released he will have served approximately one-half of his minimum sentence. We feel he has been sufficiently punished and are satisfied that he is not a habitual criminal. The trial district attorney states:

"On May 13, 1933, on the occasion of a former application by the above named defendant, Judge Cummins, now deceased, advised your Board as follows: 'Recommend that above applicant be granted clemency when he has served two years of the minimum term imposed'.

"On September 6, 1934, this office, in advising the Pardon Board as to its position on this application, quoted the above letter of Judge Cummins and stated that we felt that there was merit to the application,

that defendant was not likely to again offend, and we believed that the letter of the sentencing judge was entitled to the earnest consideration of the Board, inasmuch as that letter indicated the belief on the part of Judge Cummins that he probably had been a little too severe under the circumstances.

"We are therefore of the opinion that the recommendation of the sentencing judge could be acted upon favorably."

The applicant will be on parole until 1942. Employment has been assured.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

PHILIP H. DEWEY,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of Arthur Broughton—No. 1350
March Session, 1935.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Arthur Broughton, convicted of breaking and entering with intent to steal and larceny, in the Court of Fourth Judicial District of Tioga County, on February 24, 1930, be commuted from nine years to five years, three months, expiring on May 24, 1935.

Our reasons for making this recommendation are as follows:

In 1930, the applicant and several others pleaded guilty to several charges of breaking and entering and larceny. The applicant at that time was 19 years of age and was sentenced to serve a term of from nine to thirty years in the Eastern State Penitentiary. One accomplice received a sentence of from six to fifteen years. This sentence was commuted in 1932. Another accomplice received a sentence of from two to five years and he was released on parole in 1932. The crime consisted of stealing a number of chickens. The applicant has served over five years of his minimum sentence. We believe he has been sufficiently punished and are satisfied he is not a habitual criminal The Board of Trustees of the Eastern State Penitentiary recommends commutation.

The applicant will be on parole until 1960. Employment has been assured.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

PHILIP H. DEWEY,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of Chester McCue—No. 1418
March Session, 1935.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Chester McCue, convicted of breaking and escaping a penitentiary, in the Court of Quarter Sessions of Centre County, on February 19, 1931, be commuted from two years to one year three months, expiring on May 15, 1935.

Our reasons for making this recommendation are as follows:

The applicant was sentenced to the Western State Penitentiary for from two to four years for felonious shooting. He was transferred to the Rockview Farm Prison, from which institution he escaped in the same year. He has served over the maximum term of his original sentence of four years. With the exception of his escape, his employment and conduct records during his incarceration have been excellent. The trial judge states: "After a careful study of this case, I am satisfied that executive clemency should, at this time, be extended to the petitioner (the applicant)". We believe the applicant has been sufficiently punished and are satisfied he is not a habitual criminal.

The applicant will be on parole until 1938. Employment has been assured.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

PHILIP H. DEWEY,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of Pasquale Puliti—No. 1511
March Session, 1935.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Pasquale Puliti, convicted of robbery, being armed with an offensive weapon, in the Court of Quarter Sessions of Philadelphia County on March 2, 1933, be commuted from five years to two years two months, expiring on May 2, 1935.

Our reasons for making this recommendation are as follows:

In 1933, the applicant, when 19 years of age, pleaded guilty to several charges of robbery. He was sentenced to serve a term of from five to ten years in the Eastern State Penitentiary. Because of his youth and his previous good record, he was transferred to the Pennsylvania Industrial School at Huntingdon, in February 1934. The applicant displays no characteristics of a habitual criminal and we believe there is little probability of recidivism.

The applicant will be on parole until 1953. Our recom-

mendation is contingent upon his securing legitimate employment.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

PHILIP H. DEWEY,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of Stanley Kolasienski Koloshinski
No. 1520
March Session, 1935.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Stanley Kolasienski Koloshinski, convicted of statutory rape, in the Court of Oyer and Terminer of Luzerne County, on May 20, 1929, be commuted from seven years six months to five years eleven months, expiring on April 20, 1935.

Our reasons for making this recommendation are as follows:

The applicant pleaded guilty to statutory rape in 1929. He was never convicted of any other serious crime. He has served almost six years of his minimum sentence. His conduct and employment records during his incarceration have been excellent. We believe he has been sufficiently punished and are satisfied he is not a habitual criminal.

The applicant will be on parole until 1944. He has sufficient funds to maintain himself for some time after he is released.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

PHILIP H. DEWEY,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of Eugene Ehrhart—No. 1533
March Session, 1935.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Eugene Ehrhart, convicted of burglary; receiving stolen goods, in the Court of Oyer and Terminer of Allegheny County, on April 22, 1932, be commuted from three and one-half years to three years, expiring on April 22, 1935.

Our reasons for making this recommendation are as follows:

In 1932, the applicant pleaded guilty to burglary and receiving stolen goods. He was sentenced to serve from three and one-half years to seven years in the Western State Penitentiary. We believe he has been sufficiently punished. Our reasons are as follows: (1) The applicant was never involved in any other trouble; (2) His conduct and employment records during his incarceration have been excellent; (3) He will have served by the time he can be released over three years of his minimum sentence. We are satisfied that he is not a habitual criminal.

The trial judge states, "In the matter of application of Eugene Ehrhart for rehearing, I believe it would be advisable to extend clemency at this time. Shortly after being sentenced a child was born to this man and he has now served almost three years of his three and one-half year minimum. I have no doubt that he will return to his family and endeavor to provide for them. The recitation of facts in the petition is substantially correct." The supervisor of paroles recommends a commutation of sentence.

The applicant will be on parole until 1939. Our recommendation is contingent upon his securing legitimate employment.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth

CHARLES J. MARGIOTTI,
Attorney General.

PHILIP H. DEWEY,
Secretary of Internal Affairs

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of McKinley Nelson—No. 1579
March Session, 1935.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of McKinley Nelson, convicted of voluntary manslaughter, in the Court of Oyer and Terminer of Allegheny County, on March 17, 1933, be commuted from three years to two years one month, expiring on April 17, 1935.

Our reasons for making this recommendation are as follows:

In 1933, the applicant pleaded guilty to voluntary manslaughter. He was sentenced to serve from three to six years in the Western State Penitentiary. The report of the resident physician of the penitentiary states that the applicant "is suffering from Multiple Tuberculous abcesses as well as Pulmonary Tuberculosis. There is very little hope for his recovery." The applicant was never involved in any other trouble. The trial judge states: "However, I believe if the defendant (the applicant) is suffering from disease, as he states in his application, that clemency should be extended in view of the fact that the case was not an aggravated one." The assistant district attorney

who tried the case states: "I certainly would not oppose the granting of his petition."

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

PHILIP H. DEWEY,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of Steve Celich—No. 1636
March Session, 1935.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Steve Celich, convicted of conspiracy, extortion, and unlawful carrying of firearms, in the Court of Quarter Sessions of Dauphin County, on March 24, 1934, be commuted from four years to two years, one month, expiring on April 24, 1935.

Our reasons for making this recommendation are as follows:

In 1933, the applicant, when only seventeen years of age, pleaded guilty to conspiracy, extortion, and unlawful carrying of firearms. He was sentenced to the Eastern State Penitentiary to serve a term of from four to eight years. In February 1934, he was transferred to the Pennsylvania Industrial School. His conduct and employment records during his incarceration have been excellent and he was never involved in any other trouble. He has served over one-half of his minimum sentence. We believe he has been sufficiently punished and are satisfied he is not a habitual criminal. If released he intends to continue with his high school education.

The applicant will be on parole until 1941.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

PHILIP H. DEWEY,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of George Lewis—No. 1649
March Session, 1935.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of George Lewis, convicted of violating liquor laws; escape (2 charges), in the Court of Oyer and Terminer and Quarter Sessions of Delaware County, on March 20, 1931, December 14, 1931, December 5, 1932, be commuted from three years, six days to two years, five months, expiring on May 5, 1935.

Our reasons for making this recommendation are as follows:

In 1931, the applicant was convicted of violating of liquor laws and was sentenced to serve a term of from one to three years in the Delaware County Prison. He escaped from that institution and was recaptured. He was sentenced to serve a term of from eighteen months to three years in the Delaware County Prison for breaking and escaping jail. He again escaped from jail but was captured the same day. In December, 1932, he was sentenced to serve a term of from one and one-half to three years in the Eastern State Penitentiary for the second escape. The Board of Trustees of the Eastern State Penitentiary states: "Recommended for commutation, although it is understood that this man has escaped from prison twice, due to his unusual institutional record this recommendation is made. This man has a very large family and he sends every cent of his earnings to his family." The supervisor of paroles also recommends a commutation of sentence. The applicant was never involved in any other trouble. We believe he has been sufficiently punished, and are satisfied he is not a habitual criminal.

The applicant will be on parole until 1940. Our recommendation is contingent upon his removal to the State of New Jersey.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

PHILIP H. DEWEY,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of George Windemaker—No. 1670
March Session, 1935.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of George Windemaker, convicted of breaking and escaping penitentiary, in the Court of Oyer and Terminer and Quarter Sessions of Centre County, on September 17, 1928, be commuted from three years to one year one month expiring on April 23, 1935.

Our reasons for making this recommendation are as follows:

In 1925, the applicant pleaded guilty to larceny, receiving stolen goods and operating an automobile without a license. The crimes consisted of the theft of two automobiles which were returned to the owners within three days. He was sentenced to serve a term of from three to seven years in the Eastern State Penitentiary. In 1927, he escaped from the Rockview Farm Prison to which institution he had been transferred. He was recaptured the following year with a stolen car in his possession. He pleaded guilty to the charges of breaking and escaping the penitentiary and larceny of an automobile. He was sentenced to serve a term of from three to seven years in the Western State Penitentiary, sentence to run concurrently. He has been incarcerated for over eight years for the larceny of three automobiles and breaking and escaping the penitentiary. We believe he has been sufficiently punished. His conduct and employment records during his

incarceration have been excellent. The supervisor of paroles recommends a commutation of sentences.

The applicant will be on parole until 1941. Our recommendation is contingent upon his securing legitimate employment.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

PHILIP H. DEWEY,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of Paul Bowman—No. 1699
March Session, 1935.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Paul Bowman, convicted of breaking and entering and larceny, in the Court of Oyer and Terminer and Quarter Sessions of Lehigh County, on October 1, 1928, be commuted from ten years to six years and seven months, expiring on May 1, 1935.

Our reasons for making this recommendation are as follows:

In 1928, the applicant pleaded guilty to several charges of breaking and entering. He was sentenced to serve a term of from ten to twenty years in the Eastern State Penitentiary. He has served over three-fourths of his minimum sentence. His conduct and employment records during his incarceration have been excellent. The trial district attorney states: "* * * I think it is only fair and just that Bowman's (the applicant's) sentence should be commuted, providing of course that Bowman's attitude and conduct while incarcerated warrants it. I have been informed by the penitentiary authorities that his conduct there has been of the best." The trial judge states: "My impression is that Edward McGovern was the leader of the criminal enterprise and that Paul Bowman was carried away by McGovern's persuasion. In any event, whether this is true or not, Paul Bowman is entitled to the same degree of clemency. I have been in touch with the applicant's mother and from what she says I think the applicant has been sufficiently punished." The Board of Trustees of the Eastern State Penitentiary states: Recommended for commutation. Has exceptional home contacts."

The applicant will be on parole until 1948. Employment has been assured.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

PHILIP H. DEWEY,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of James Harshman—No. 1772
March Session, 1935.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of James Harshman, convicted of robbery, in the Court of Quarter Sessions of Allegheny County, on April 3, 1930, be commuted from ten years to five years, one month, expiring on May 3, 1935.

Our reasons for making this recommendation are as follows:

In 1930, the applicant pleaded guilty to robbery. He was sentenced to serve a term of from ten to twenty years in the Western State Penitentiary. The reports which we have received indicate that applicant was a man of good habits and of considerable industry and was goaded into leaving home by the interference of his mother-in-law. This led to loss of work and eventually to the applicant engaging in this robbery. The applicant's parents are honest and hard-working citizens and none of the family were ever involved in any trouble and all have excellent reputations. The applicant shows no characteristics of a habitual criminal. We believe that he has been sufficiently punished. He was never involved in any other trouble and his conduct and employment records during his incarceration have been excellent.

The applicant will be on parole until 1950. Our recommendation is contingent upon his securing legitimate employment.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

PHILIP H. DEWEY,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of John Cochran—No. 1773
March Session, 1935.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of John Cochran, convicted of voluntary manslaughter, in the Court of Oyer and Terminer of Washington County, on May 27, 1933, be commuted from four years to one year, eleven months, expiring on April 27, 1935.

Our reasons for making this recommendation are as follows:

In 1933, the applicant was convicted of voluntary manslaughter and was sentenced to serve a term of from four to eight years in the Western State Penitentiary. The facts of the case are as follows: The applicant at the time of the commission of the crime was a police officer in the city of Washington, Pa. The applicant was attempting to make an arrest and was being defied and resisted. The deceased reached in his pocket, in which he was carrying a gun, whereupon the applicant shot and killed him. The deceased, on a number of occasions, made remarks that

an officer would never take him as long as he had a gun in his possession.

Judge Gibson states: "It appears to me that where a breach of the peace has been committed and the deceased was in the immediate vicinity and there defied the officer and was being taken to the police station to explain his conduct there, it is asking too much of an officer to hold that he must wait until he has been shot at by the prisoner or until the prisoner has actually drawn a deadly weapon, before the officer can use his weapon for his own protection. In this case the deceased was armed, and his conduct in striking at the officer and breaking away was consistent with his previously declared purpose that he would not be taken by any policeman while he had that gun in his possession; and under the circumstances it looks to me as though the sentence of not less than four or more than eight years in the penitentiary is an exceedingly heavy penalty imposed upon an officer who was apparently in good faith attempting to perform his duty, even though he may have been mistaken."

We are entirely in accord with Judge Gibson's comments. The applicant has been incarcerated for almost two years of his minimum sentence. We are satisfied that he is not a habitual criminal.

He will be on parole until 1941. Employment has been assured.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

PHILIP H. DEWEY,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of Samuel Freedman—No. 1786

March Session, 1935.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Samuel Freedman, convicted of assault, being armed with an offensive weapon to rob, in the Court of Oyer and Terminer of Philadelphia County, on November 24, 1930, be commuted from ten years to four years, six months, expiring on May 24, 1935.

Our reasons for making this recommendation are as follows:

In 1930, the applicant was sentenced to serve a term of from ten to twenty years in the Eastern State Penitentiary for being armed to rob and conspiracy. He will have served, by the time he can be released, four and one-half years of his minimum sentence. At the time he became involved in the trouble, he was only eighteen years of age. His conduct and employment records during his incarceration have been excellent. The report of the penitentiary shows that he is suffering from moderate severe heart lesion. We do not think the applicant is a habitual criminal. An excellent home has been provided for him if he is released and arrangements have been made for suitable employment.

The applicant will be on parole until 1950.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

PHILIP H. DEWEY,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of Joseph Murphy—No. 1823

March Session, 1935.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that Joseph Murphy, convicted of robbery, in the Court of Oyer and Terminer and G. J. D. of Allegheny County, on September 16, 1927, be pardoned.

Our reasons for making this recommendation are as follows:

In 1927, the applicant was convicted of robbery and was sentenced to serve a term of from five to ten years in the Western State Penitentiary. In 1930, his minimum sentence was commuted to a term of three years and one month and he was released on parole. The applicant was never involved in any other trouble. His conduct and employment records during his incarceration were excellent. The trial judge states: "I have examined his (the applicant's application and so far as it is within my knowledge, I believe that the facts set forth are correct. I will have no objection to granting this man a pardon. The District Attorney of Allegheny County states, "The facts surrounding the robbery of which this applicant was convicted, as contained in his petition for pardon, are substantially correct. Inasmuch as this applicant was granted a commutation of sentence in 1930 and has since conducted himself as an orderly citizen, this department would have no objection to the granting of a pardon to this applicant."

A pardon will, in part, remove the stigma of the conviction and will be of material assistance to his advancement.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

PHILIP H. DEWEY,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of Joseph Luciano—No. 1836
March Session, 1935.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Joseph Luciano, convicted of robbery, being armed with an offensive weapon, in the Court of Oyer and Terminer of Erie County, on February 14, 1931, be commuted from five years to four years, two months, expiring on April 14, 1935.

Our reasons for making this recommendation are as follows:

The applicant was convicted of robbery, being armed with offensive weapons in 1931. He was sentenced to serve a term of from five to ten years in the Western State Penitentiary. He has served over four-fifths of his minimum sentence. He was never involved in any other trouble and his conduct and employment records during his incarceration have been excellent. We believe he has been sufficiently punished and are satisfied he is not a habitual criminal.

The applicant will be on parole until 1941. Employment has been assured.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

PHILIP H. DEWEY,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of Ira Ferry—No. 1858
March Session, 1935.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Ira Ferry, convicted of burglary and larceny, in the Court of Oyer and Terminer and Quarter Sessions of Warren County, on November 22, 1932, be commuted from three years to two years, five months, expiring on April 22, 1935.

Our reasons for making this recommendation are as follows:

In 1932, the applicant pleaded guilty to burglary and larceny and was sentenced to a term of from three to eight years in the Western State Penitentiary. The trial district attorney states:

"This young man (the applicant) has been confined in the penitentiary for practically two years and both the Court and myself feel that the time that he has served upon his sentence has been sufficient punishment and, perhaps to have him continue there longer would be a disadvantage to him in his future deportment.

"We, therefore, recommend to your Honorable Board that you grant him this clemency that he asks at this meeting."

The applicant's employment and conduct records during his incarceration have been excellent. He has four dependents who are in urgent need of his support. By the time the applicant can be released he will have served over one-half of his minimum sentence. We believe he has been sufficiently punished.

The applicant will be on parole until 1940. Employment has been assured.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

PHILIP H. DEWEY,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of Alfred S. Powell—No. 1885
March Session, 1935.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Alfred S. Powell, convicted of robbery together with other persons, larceny of automobile in the Court of Oyer and Terminer and Quarter Sessions of Philadelphia County, on December 20, 1929, be commuted from fifteen years to five years, five months, expiring on May 20, 1935.

Our reasons for making this recommendation are as follows:

In 1929, the applicant pleaded guilty to several charges of robbery. He was sentenced to serve a term of from fifteen to thirty years in the Eastern State Penitentiary. His conduct and employment records during his incarceration have been excellent. The Board of Trustees of the Eastern State Penitentiary recommend clemency because "1. Satisfactory institutional record, 2. Good home environment. Has served approximately six years of a sixteen year minimum sentence. Has considerable criminal history of arrests without punishment. Two partners in crime in this case have been granted clemency." We do not believe the applicant to be a habitual criminal and feel that he has been sufficiently punished.

The applicant will be on parole until 1959. Legitimate employment has been assured and an excellent home has been provided for him.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

PHILIP H. DEWEY,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of James Schriner—No. 1917
March Session, 1935.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of James Schriner, convicted of breaking and entering and larceny, in the Court of Oyer and Terminer and Quarter Sessions of Columbia County, on October 7, 1933, be commuted from two and one-half years to one year, seven months, expiring on May 7, 1935.

Our reasons for making this recommendation are as follows:

The applicant pleaded guilty to breaking and entering and larceny in 1933. He was sentenced to serve a term of from two and one-half to five years in the Eastern State Penitentiary. He has served over one-half of his minimum sentence. His conduct and employment records during his incarceration have been excellent. He was never involved in any other trouble. We believe he has been sufficiently punished and are satisfied that he is not a habitual criminal.

The applicant will be on parole until 1938. Employment has been assured.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

PHILIP H. DEWEY,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of William Edwin Kilpatrick—No. 1937
March Session, 1935.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that William Edwin Kilpatrick, convicted of robbery, in the Court of Oyer and Terminer and Quarter Sessions of Allegheny County, on October 30, 1919, be pardoned.

Our reasons for making this recommendation are as follows:

In 1919, the applicant was convicted of robbery. He was sentenced to the Allegheny County Jail for six months but was paroled after having served a little over two months. After a careful investigation, it appears that no robbery had been committed, but a fight occurred in which two of the applicant's friends assaulted a third friend. The applicant has been employed as a police officer for the Department of Public Safety in the City of Pittsburgh for the past eight years. All the reports which we have received indicate that the applicant has an excellent reputation. His superiors in the police department speak highly of his work, record and character. The Assistant District Attorney who tried the case recommends pardon. A recent ruling of the Department of Public Safety of Pittsburgh will cause the applicant to lose his position because of the conviction unless a pardon is granted. A pardon will not only permit him to retain his position but will, in part, remove the stigma of the conviction from the applicant and his family and will be a material assistance to his advancement.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

PHILIP H. DEWEY,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of Elmer C. Cannon—No. 2143
March Session, 1935.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: the above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that Elmer C. Cannon convicted of embezzlement; fraudulent conversion in the Court of Quarter Sessions of Phildelphia County, on February 5, 1930, be pardoned.

Our reasons for making this recommendation are as follows.

In 1930, the applicant was a police officer in Philadelphia. He had charge of a clothing fund and when a shortage of approximately six hundred dollars was discovered he admitted appropriating the money to his own use to relieve financial distress caused by the illness of some members of his family. All of the money converted was repaid. On a plea of guilty, sentence was suspended and costs were imposed. The trial judge states, "The application of Elmer C. Cannon to the Board of Pardons seems to be meritorious and I believe it should be granted." The Supervisor of paroles concurs in this recommendation. Lemuel B. Schofield, Esquire, who was Director of Public Safety in Philadelphia at the time of the applicant's arrest, states, "A pardon for this man (the applicant) will be a real benefit and I know of no reason why it should not be granted." The applicant was never involved in any other trouble. We do not believe that he is a habitual criminal.

A pardon will, in part, remove the stigma of the conviction from the applicant and his family and will be of material assistance to his advancement.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

PHILIP H. DEWEY,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of Ferdinand Walter Keller—No. 2145

March Session, 1935.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Ferdinand Walter Keller, convicted of robbery, in the Court of Common Pleas of Oyer and Terminer of Lackawanna County, on February 11, 1928, be commuted from fifteen years to seven years, three months, expiring on May 11, 1935.

Our reasons for making this recommendation are as follows:

In 1928, the applicant, when only 19 years of age, pleaded guilty to robbery. He was sentenced to serve a term of from fifteen to thirty years in the Eastern State Penitentiary. His conduct and employment records during his incarceration have been excellent. He was never convicted of any other crime. He has been incarcerated for over seven years and we believe he has been sufficiently punished and are satisfied he is not a habitual criminal.

The applicant will be on parole until 1958. Our recommendation is contingent upon his securing legitimate employment.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

PHILIP H. DEWEY,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of Sam Mollise—No. 2151

March Session, 1935.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Sam Mollise, convicted of robbery, in the Court of Quarter Sessions of Allegheny County, on March 31, 1931, be commuted from fifteen years to four years, one month, expiring on April 30, 1935.

Our reasons for making this recommendation are as follows:

In 1931, the applicant was convicted of robbery and receiving stolen goods. He was sentenced to serve a term of from fifteen to thirty years in the Western State Penitentiary. One accomplice was acquitted, the second accomplice was sentenced to serve a term of seven months to one year in the Allegheny County Workhouse and the third accomplice was sentenced to serve from two to six years in the Allegheny County Workhouse. The applicant has served over four years of his minimum sentence. He was never involved in any other trouble. His conduct and employment records during his incarceration have been excellent. We are satisfied that he is not a habitual criminal and we believe he has been sufficiently punished.

The applicant will be on parole until 1961. Our recommendation is contingent upon his securing legitimate employment.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

PHILIP H. DEWEY,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of Nicholas Foanio—No. 2153

March Session, 1935.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Nicholas Foanio, convicted of highway robbery, in the Court of Quarter Sessions of Northampton County, on October 18, 1932, be commuted from four years to two years six months, expiring on April 18, 1935.

Our reasons for making this recommendation are as follows:

In 1932, the applicant was convicted of highway robbery. He was sentenced to serve a term of from four to eight years in the Northampton County Prison. He was never involved in any other trouble. He will have, by the time he can be released, served over one-half of his minimum sentence. We believe he has been sufficiently punished and are satisfied he is not a habitual criminal.

The applicant will be on parole until 1940. Employment has been assured.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

PHILIP H. DEWEY,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of Andrew Joseph McCartney—No. 2155

March Session, 1935.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Andrew Joseph McCartney, convicted of robbery, being armed with offensive weapon, in the Court of Oyer and Terminer and Quarter Sessions of Philadelphia County, on April 20, 1926, be commuted from ten years to nine years, expiring on April 20, 1935.

Our reasons for making this recommendation are as follows:

The applicant was convicted in 1926 of robbery, being armed with an offensive weapon. He was sentenced to serve a term of from ten to twenty years in the Philadelphia County Prison. The Superintendent of the Philadelphia County Prison states: "Replying to your letter of December 28, 1934, the application of Andrew Joseph McCartney is meritorious. He was a very good prisoner while incarcerated and his conduct was excellent. We feel that he can safely be released and that he will try to do the right thing."

The trial judge states: "I have no objection to your paroling him for the rest of his minimum term." The supervisor of paroles recommends a commutation. The applicant was never involved in any other trouble. At the time of his arrest, he was only nineteen years of age and by the time he can be released he will have served nine years of his minimum sentence. We do not believe him to be a habitual criminal and believe he has been sufficiently punished.

The applicant will be on parole until 1946. Our recommendation is contingent upon his securing legitimate employment.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

PHILIP H. DEWEY,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of Phillip Frankfeld—No. 2158

March Session, 1935.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Phillip Frankfeld, convicted of inciting to riot and obstructing legal process, in the Court of Quarter Sessions of Allegheny County on February 15, 1934, be commuted from two years to seven months, expiring on May 1, 1935.

Our reasons for making this recommendation are as follows:

In 1934, the applicant was convicted of inciting to riot and obstructing legal process. He was sentenced to serve a term of from two to four years in the Allegheny County Workhouse. Four alleged accomplices were placed on probation and one accomplice was sent to the Allegheny County Workhouse but was paroled after serving forty-six days. The facts of the case are as follows:

A group of friends and neighbors had gathered at a sheriff's sale of a farmer's personalty in Patton Township, Allegheny County. The crowd had already assembled when the applicant was invited and urged to address the group. No violence was used. Three bids were made for the property which was finally sold for $1.50 and returned to the original owner. The Superintendent of the Allegheny County Workhouse stated to an investigator of the Board of Pardons that the applicant has been a model prisoner and has been granted many special privileges and is not considered a criminal. Dr. Philip I. Bookstaber and a number of other persons appeared at the regular session of the Board and pleaded for clemency for the applicant. Many prominent citizens of the State and Country, unions, American Civil Liberty Union and thousands of individuals have recommended clemency.

We believe the applicant has been sufficiently punished and are satisfied he is not a habitual criminal.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

PHILIP H. DEWEY,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of Edgar Joseph Connolly—No. 2161

March Session, 1935.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the maximum sentence of Edgar Joseph Connolly, convicted of larceny of an automobile, in the Court of Quarter Sessions of Philadelphia County, on February 14, 1927, be commuted from ten years to two years, two months, expiring on May 23, 1935.

Our reasons for making this recommendation are as follows:

In 1927, the applicant, when only 18 years of age, was sentenced to a term of from two to ten years in the Eastern State Penitentiary for the larceny of an automobile. He was released on February 14, 1929. In 1934, he was sentenced to a term of six months in the Philadelphia County Prison for the larceny of an automobile. Unless a commutation of the maximum sentence is granted, the applicant will be required to serve the remainder of the unexpired term of the original sentence. Judge MacNeille, who sentenced the applicant on the second charge, stated at the time of the sentence, "I don't know whether the district attorney will join but I will write to the Pardon Board and say I think in view of all the circumstances the sentence I pass upon him is all he ought to serve. I think he ought to be pardoned for anything in addition to this. * * * I should regret it if he should be obliged to serve a long term for violation of parole merely on account of the charge for which he was convicted before me. His offense for which I tried him was the taking of an automobile for the purpose of a ride. He apparently did not intend to keep it permanently, but did intend to return it."

The supervisor of paroles approves a commutation of the maximum sentence. We do not believe the applicant to be a habitual criminal. He will be on parole until 1937. Our recommendation is contingent upon his securing legitimate employment.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

PHILIP H. DEWEY,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of Cleveland Burrell—No. 2163
March Session, 1935.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Cleveland Burrell, convicted of robbery, receiving stolen goods, entering a building, in the Court of Quarter Sessions of Allegheny County, on January 24, 1930, be commuted from ten years to five years, four months, expiring on May 24, 1935.

Our reasons for making this recommendation are as follows:

In 1930, the applicant was convicted of robbery, receiving stolen goods and entering a building. He was never involved in any other trouble. His conduct and employment records during his incarceration have been excellent. The assistant district attorney who tried the case states, "After careful consideration of all the facts in connection with above case, I am in favor of the granting of applicant's petition for clemency. So far as our records are concerned, he has had no previous convictions and I believe that, under the circumstances, the sentence imposed was somewhat severe." We do not believe the applicant to be a habitual criminal.

The applicant will be on parole until 1950. Our recommendation is contingent upon his securing legitimate employment and a suitable place in which to reside.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

PHILIP H. DEWEY,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of Clinton Moorhead—No. 2164
March Session, 1935.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Clinton Moorhead, convicted of breaking and entering and larceny, in the Court of Oyer and Terminer of Columbia County, on March 7, 1932, be commuted from four years to three years and one month, expiring on April 7, 1933.

Our reasons for making this recommendation are as follows:

In 1932, the applicant pleaded guilty to breaking and entering and larceny. He was sentenced to serve a term of from four to eight years in the Eastern State Penitentiary. He was never convicted of any other crime. He has served three fourths of his minimum sentence. His conduct and employment records during his incarceration have been excellent. We believe he has been sufficiently punished and are satisfied that he is not a habitual criminal.

The applicant will be on parole until 1940. Employment has been assured.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

PHILIP H. DEWEY,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of Melvin Miller Schlossman—No. 2168
March Session, 1935.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: the above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Melvin Miller Schlossman, convicted of felonious entry and larceny in the Court of Oyer and Terminer of Lancaster County, on June 14, 1932, be commuted from four years to two years, ten months, expiring on April 14, 1935.

Our reasons for making this recommendation are as follows:

The applicant pleaded guilty to felonious entry and larceny in 1932. He was sentenced to serve a term of from four to eight years in the Eastern State Penitentiary. The crime consisted of stealing seven chickens valued at approximately $9.00. The applicant has served almost three-fourth of his minimum sentence. We belive that the sentence of from four to eight years was not commensurate with the crime and feel that the applicant has been more than sufficiently punished.

The applicant will be on parole until 1940. Employment has been assured.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

PHILIP H. DEWEY,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re application of Joseph David, Jr.—No. 2171

March Session, 1935.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: the above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that Joseph David, Jr., convicted of fornication and bastardy in the Court of Quarter Sessions of Allegheny County, on March 24, 1933, be pardoned.

Our reasons for making this recommendation are as follows:

In 1933, the applicant was convicted of fornication and bastardy and sentenced to pay $3.50 weekly for five years, $4.50 for nine years and $80.00 lying-in expenses. The applicant has always maintained his innocence. The prosecutrix has filed an affidavit with the Board in which she absolves the applicant from any and all blame. The district attorney of Allegheny County states, "In the above entitled case, the mother of the illegitimate child came into my office and maintained that your applicant was not the father of her child. I find this girl to be of very low mentality. While in my office she alleged that one Joseph Crowley, an uncle by marriage, was the father of her child and made an information against him. This information was nolle prossed by reason of the former conviction of above applicant. We felt it would be a waste of time and money to try the case. I am not satisfied to sustain a conviction based upon the testimony of this girl. I would, therefore, recommend to Your Honorable Board, that this pardon be granted." The Supervisor of Paroles recommends a pardon. After a careful investigation and consideration of the facts in the case, we believe the applicant innocent of the crime for which he was convicted.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

PHILIP H. DEWEY,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of Charles A. Heckman—No. 2176

March Session, 1935.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Charles A. Heckman, convicted of fraudulent conversion and rehypothecation of securities without consent, in the Court of Quarter Sessions of Lehigh County, on September 27, 1933, be commuted from one year, six months to one year, expiring on April 18, 1935.

Our reasons for making this recommendation are as follows:

In 1933, the applicant was convicted of fraudulent conversion and rehypothecation of securities. He was sentenced to pay a fine of $500 and costs of prosecution and imprisonment in the Lehigh County Prison for one year and six months. The facts of the case are as follows: The prosecutor had pledged bonds as collateral security for a note with the Allentown Trust Company, of which the applicant was president. The note contained no authorization for rehypothecation without consent. The applicant repledged the bonds with the Pennsylvania Company to secure loans of the Allentown Trust Company. The bonds were repledged without any reference to the prosecutor's note. Later a renewal note for the indebtedness was executed by the prosecutor, the renewal note containing an authorization to rehypothecate the securities pledged as collateral. The prosecutor lost nothing through the rehypothecation.

It appears to us that the repledging was done solely through an inadvertence and lack of knowledge of the particular acts governing the rehypothecation of securities and was entirely without any criminal intent or benefit to the applicant.

The applicant has served approximately one year of his sentence. His reputation in the community in which he lived is of the best. We have received many letters from respectable persons in Allentown, all urging the granting of clemency. The applicant was never involved in any other trouble and surely is not a habitual criminal. We believe he has been sufficiently punished.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

PHILIP H. DEWEY,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of Harry Beideman, Jr.—No. 2192

March Session, 1935.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Harry Beideman, Jr., convicted of robbery, being armed with an offensive weapon, in the Court of Oyer and Terminer and Quarter Sessions of Philadelphia County, on March 2, 1934, be commuted from two years, to one year, three months, expiring on June 2, 1935.

Our reasons for making this recommendation are as follows:

The applicant was involved in a series of robberies. Two older accomplices were placed on probation. The applicant was sentenced to serve a term of from two to twenty years in the Eastern State Penitentiary. At the time of the commission of the crimes, he was only eighteen years of age. He was never involved in any other trouble. His conduct and employment records since his incarceration have been excellent. We believe he has been sufficiently punished and are satisfied that he is not a habitual criminal.

The applicant will be on parole until 1954. He has an

excellent home to which he can go and employment has been assured.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

PHILIP H. DEWEY,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of Angelli Clemente—No. 2194

March Session, 1935.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that Angelli Clemente, convicted of murder, second degree, in the Courts of Oyer and Terminer and Quarter Sessions of Washington County, on February 10, 1919, be pardoned.

Our reasons for making this recommendation are as follows:

In 1919, the applicant pleaded guilty to murder in the second degree. He was sentenced to serve a term in the Western State Penitentiary of from ten to twenty years. In 1929, he was released on parole. His conduct and employment records, prior to, during, and subsequent to his incarceration have been excellent. The supervisor of paroles recommends a pardon. The Board of Trustees of the Western State Penitentiary states: "Would recommend pardon on account of good record during imprisonment and six year period of parole."

A pardon will in part remove the stigma of the conviction and will be of considerable assistance to the applicant's advancement.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

PHILIP H. DEWEY,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of Louis Llorens—No. 2196

March Session, 1935.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Louis Llorens, convicted of robbery, being armed with an offensive weapon, in the Court of Quarter Sessions of Philadelphia County, on October 15, 1929, be commuted from twenty years, to five years, six months, expiring on April 15, 1935.

Our reasons for making this recommendation are as follows:

In 1929, the applicant was convicted of robbery. He was sentenced to serve a term of from twenty to forty years in the Eastern State Penitentiary. The applicant is a native of Spain and a deportation warrant has been lodged against him at the Eastern State Penitentiary. Our recommendation is for the purpose of, and contingent upon, his deportation to Spain.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

PHILIP H. DEWEY,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of Alfredo Florio—No. 2199

March Session, 1935.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that Alfredo Florio, convicted of robbery, in the Court of Quarter Sessions of Philadelphia County, on April 28, 1933, be pardoned.

Our reasons for making this recommendation are as follows:

The applicant was convicted of robbery in 1933 and was sentenced to serve a term of two years in the Philadelphia County Prison. He was released to the custody of the immigration authorities who are holding him for deportation as the applicant is a native of Italy, and had been previously convicted of another crime involving moral turpitude, namely burglary and receiving stolen goods.

The applicant has no friends or relatives in his native country. His wife and child are citizens of the United States. The trial judge states, "There was no doubt that he was in the commission of the crime, but from the evidence it would appear that he only had a minor part to play. When these men were arrested they were placed in different cells in the station house, and an Italian police officer was placed in a nearby cell as a man charged with intoxication, who listened to the conversation of the other men in the cell rooms, and then testified against them in court. From his testimony, none of the occupants of the different cells addressed any conversation or remarks to Florio (the applicant), and he in turn made none to them. From the evidence in this case I do believe that he was less involved than any one of the others, and for that reason if the Board of Pardons sees fit to pardon this man, it would have my approval." The supervisor of paroles recommends a pardon.

We believe deportation would inflict a cruel and unnecessarily harsh punishment upon the applicant and his

family. He has been assured of employment and has an excellent home to which he can go.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

PHILIP H. DEWEY,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of Victor John Errichetti—No. 2200
March Session, 1935.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that Victor John Errichetti, convicted of being armed to rob conspiracy to rob, in the Court of Quarter Sessions of Philadelphia County, on July 14, 1933, be pardoned.

Our reasons for making this recommendation are as follows:

In 1933, the applicant was found guilty on two bills charging him with being armed to rob and conspiracy to rob. He was sentenced to serve a term of three months to three years in the Philadelphia County Prison. The applicant took no active part in the robbery but permitted two others to use his father's automobile in the commission of the crime. The applicant was never involved in any other trouble and his conduct subsequent to his release has been excellent. The trial judge states: "This young man's (the applicant's) minimum sentence has long since expired, and I presume the only purpose of the application for a pardon is to clear his record. He was quite young when convicted before me and struck me as a weak rather than a bad character. I have no doubt of his guilt, but believe that he was led astray by bad companions. I do not think he had any previous record. In view of these facts, I would personally be in favor of granting the pardon."

The applicant's father is a licensed undertaker in Philadelphia and the applicant wishes to take an examination to become a licensed undertaker in order that he may assist in his father's business. A pardon will enable him to take the examination and will, in part, remove the stigma of the conviction and will be of material assistance to his advancement.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

PHILIP H. DEWEY,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of Floyd Keiper—No. 2201
March Session, 1935.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Floyd Keiper, convicted of breaking and entering and larceny, in the Courts of Oyer and Terminer and Quarter Sessions of Monroe County, on May 11, 1932, be commuted from five years to three years, expiring on May 11, 1935.

Our reasons for making this recommendation are as follows:

The applicant pleaded guilty in 1932 to breaking and entering and larceny. He was sentenced to serve a term of from five to ten years in the Eastern State Penitentiary. He has served approximately three years of his minimum sentence. His conduct and employment records during his incarceration have been excellent. We believe he has been sufficiently punished and are satisfied he is not a habitual criminal. The supervisor of paroles recommends clemency.

The applicant will be on parole until 1942. Our recommendation is continued upon his securing legitimate employment.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

PHILIP H. DEWEY,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of Paul Pinto—No. 2202
March Session, 1935.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Paul Pinto, convicted of assault and robbery, in the Court of Quarter Sessions of Philadelphia County, on January 15, 1929, be commuted from fifteen years to six years, five months, expiring on June 15, 1935.

Our reasons for making this recommendation are as follows:

In 1929, the applicant pleaded guilty to several charges of being armed to rob, one charge of larceny of an automobile and one charge of operating an automobile without the consent of the owner. He was sentenced to serve a term of from fifteen to thirty years in the Eastern State Penitentiary. He was never convicted of any other crime. The director of educational activities of the Eastern State Penitentiary states: "For more than a year Paul (the applicant) was one of the outstanding students in our school, promoting himself to our highest level and studying special subjects outside the regular class work. During the past summer we added Paul to our teaching staff and for the past six months months he has been giving excellent service as one of our regular class teachers. We consider Paul one of our most dependable, conscien-

tious and effective instructors. His attitude is invariably cheerful, quiet and cooperative. He is making a distinctly constructive contribution to the welfare of our institution. We see no reason to doubt the safety or wisdom of affording Paul an opportunity to demonstrate his fitness to resume his place in free society." We do not believe him to be a habitual criminal and feel that he has been sufficiently punished.

The applicant will be on parole until 1959. Employment has been assured.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

PHILIP H. DEWEY,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of Anthony Toto—No. 2205

March Session, 1935.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Anthony Toto, convicted of robbery, in the Court of Quarter Sessions of Philadelphia County, on February 28, 1933, be commuted from three years to two years, four months, expiring on June 28, 1935.

Our reasons for making this recommendation are as follows:

In 1933, the applicant and two others were involved in a robbery. Applicant pleaded guilty to robbery and was sentenced to serve a term of from three to ten years in the Eastern State Penitentiary. He has served over two years of his minimum sentence. His conduct and employment records during his incarceration have been excellent. We believe he has been sufficiently punished. We are satisfied that he is not a habitual criminal.

The applicant will be on parole until 1943. Our recommendation is contingent upon his securing legitimate employment.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

PHILIP H. DEWEY,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of Romeo Toto—No. 2206

March Session, 1935.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Romeo Toto, convicted of robbery, in the Court of Quarter Sessions of Philadelphia County, on February 28, 1933, be commuted from three years to two years, four months, expiring on June 28, 1935.

Our reasons for making this recommendation are as follows:

In 1933, the applicant and two others were involved in a robbery. Applicant pleaded guilty to robbery and was sentenced to serve a term of from three to ten years in the Eastern State Penitentiary. He has served over two years of his minimum sentence. His conduct and employment records during his incarceration have been excellent. We believe he has been sufficiently punished. We are satisfied that he is a habitual criminal.

The applicant will be on parole until 1943. Our recommendation is contingent upon his securing legitimate employment.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

PHILIP H. DEWEY,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of Gerald Murphy—No. 2207

March Session, 1935.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Gerald Murphy, convicted of robbery under aggravating circumstances, in the Courts of Oyer and Terminer and Quarter Sessions of Northumberland County, on March 6, 1933, be commuted from five years to two years, one month, expiring on April 6, 1935.

Our reasons for making this recommendation are as follows:

In 1933, the applicant pleaded guilty to robbery. He was sentenced to serve a term of from five to ten years in the Eastern State Penitentiary. He was never involved in any other trouble. His employment and conduct records during his incarceration have been excellent. We believe he has been sufficiently punished and are satisfied that he is not a habitual criminal.

The applicant will be on parole until 1943. Employment has been assured.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

PHILIP H. DEWEY,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of Michele Malvasia—No. 2211
March Session, 1935.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Michele Malvasia, convicted of robbery, being armed with weapons and striking and ill-using, in the Court of Quarter Sessions of Erie County, on November 9, 1931, be commuted from four years to three years, five months, expiring on April 9, 1935.

Our reasons for making this recommendation are as follows:

The applicant pleaded guilty to robbery in 1931. He was sentenced to serve a term of from four to eight years in the Western State Penitentiary. The Board of Trustees of the Western State Penitentiary states: "If eligible to apply for parole would probably recommend, this being his first conviction for a serious offense, clear institutional record." The applicant has served four-fifths of his minimum sentence. We believe he has been sufficiently punished and are satisfied that he is not a habitual criminal.

The applicant will be on parole until 1939. Employment has been assured in Ohio and our recommendation is contingent upon his removal to that state.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

PHILIP H. DEWEY,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of Eugene Saldutte—No. 2216
March Session, 1935.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Eugene Saldutte, convicted of robbery, in the Court of Oyer and Terminer of Allegheny County, on November 16, 1932, be commuted from five years to two years, five months, expiring on April 16, 1935.

Our reasons for making this recommendation are as follows:

In 1932, the applicant pleaded guilty to robbery. He was sentenced to serve from five to ten years in the Western State Penitentiary. The applicant was never involved in any other trouble. His conduct and employment records during his incarceration have been excellent. By the time the applicant can be released, he will have served one-half of his minimum sentence. We are satisfied that the applicant is not a habitual criminal.

The applicant will be on parole until 1947. Employment has been assured.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

PHILIP H. DEWEY,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of Herman Stein—No. 2217
March Session, 1935.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that Herman Stein, convicted of unlawful assembly, in the Court of Quarter Sessions of Lancaster County, on January 25, 1935, be pardoned.

Our reasons for making this recommendation are as follows:

On January 25, 1935, the applicant was sentenced to serve a term of six months' imprisonment and fined $500., for unlawful assembly. The facts of the case are as follows: In August, 1934, the sheriff of Lancaster County and several deputies went to Columbia, Pa., to assist in the removal of some silk from a mill. The mill was standing idle because of a strike. A crowd had gathered and was interfering with the removal of the silk. A number of stones were thrown by various persons and disparaging remarks were made about the sheriff and his deputies. The crowd had already assembled when the applicant a labor organizer from New York, appeared. At the time of this trouble, the applicant remained in the background and took no active part at all in the disturbance. There was no evidence that he had in any way brought about the unlawful assembly.

Any offense which the applicant may have committed did not rise any higher than that of some two thousand people who had gathered there. Fourteen persons were arrested and charged with riot, inciting to riot and unlawful assembly. The jury returned a verdict of guilty of unlawful assembly against seven of the defendants. Six were fined $25. and costs while the applicant was sentenced to six months' imprisonment and fined $500. The district attorney who represented the Commonwealth appeared before us and stated that there was no greater

evidence against the applicant than against any of the other defendants. After a careful examination of all the facts in the case and questioning the district attorney who prosecuted the case, we are convinced that the applicant did not do any more than anyone else in the crowd and, if anything, was less culpable than any of the other defendants. No reason has been given or assigned for the sentence of six months and $500. fine and we can find none. We believe the sentence was too severe and not at all commensurate with the crime or the treatment of the other defendants and persons assembled.

The applicant has an enviable reputation and was never involved in any other trouble. Dr. Bookstaber, Mr. Harvey O'Connor, and many others appeared in behalf of the applicant for parole. Thousands of people who are interested in civil liberty have written to us and urged us to recommend a pardon.

The applicant will have served, by the time he can be released, about three months of his sentence. We have searched the record and listened carefully to the argument of the District Attorney to ascertain the reason for such uneven justice. We have found none, with the possible exception that applicant is a labor leader. We believe the applicant should be pardoned and so recommend.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

PHILIP H. DEWEY,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of Raymond Carl—No. 2219

March Session, 1935.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Raymond Carl, convicted of breaking and entering, larceny and receiving stolen goods, in the Court of Quarter Sessions of Huntingdon County, on December 5, 1935, be commuted from two years, four months to one year, five months, expiring on May 5, 1935.

Our reasons for making this recommendation are as follows:

The applicant pleaded guilty in 1933 to breaking and entering, larceny and receiving stolen goods. He was sentenced to serve a term of from two years and four months to four years and eight months in the Western State Penitentiary. The applicant was never involved in any other trouble. His conduct and employment records during his incarceration have been excellent. The trial judge states: " * * * permit me to say that after careful consideration, I believe that this man (the applicant) has been sufficiently punished and I would recommend a parole at this time." The applicant has served over one-half of his minimum sentence. We believe he has been sufficiently punished and are satisfied that he is not a habitual criminal.

The applicant will be on parole until 1938. Our recommendation is contingent upon his securing legitimate employment.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

PHILIP H. DEWEY,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of Simon Whaby—No. 2222

March Session, 1935.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Simon Whaby, convicted of receiving stolen goods, in the Court of Quarter Sessions of Allegheny County, on September 28, 1934, be commuted from fourteen months to seven months, expiring on April 28, 1935.

Our reasons for making this recommendation are as follows:

In 1934 the applicant was convicted of receiving stolen goods. He was sentenced to serve from fourteen months to three years in the Western State Penitentiary. By the time he can be released, he will have served over one-half of his minimum sentence. The assistant district attorney who tried the case states that "I am of the opinion that the applicant has been sufficiently punished. A further incarceration will only work an unnecessary hardship upon his wife and five children and continue them on the public relief funds." The supervisor of paroles recommends a commutation of sentence.

Applicant will be on parole until 1937. Our recommendation is contingent upon his securing legitimate employment.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

PHILIP H. DEWEY,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of Charles Peifer—No. 2235
March Session, 1935.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Charles Peifer, convicted of breaking and entering, larceny, in the Court of Quarter Sessions of Columbia County, on October 7, 1932, be commuted from three and one-half years to two years, six months, expiring on April 7, 1935.

Our reasons for making this recommendation are as follows:

The applicant pleaded guilty to breaking and entering and larceny in 1932. He was sentenced to serve a term of from three and one-half to seven years in the Eastern State Penitentiary. He has served over two-thirds of his minimum sentence. He was never involved in any other trouble. The report of the penitentiary states that his institutional, work and conduct records are satisfactory. We are satisfied that he is not a habitual criminal and believe he has been sufficiently punished.

The applicant will be on parole until 1939. Employment has been assured.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

PHILIP H. DEWEY,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Applicantion of Herman R. Wissman—No. 2239
March Session, 1935.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: the above application having been heard upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that Herman R. Wissman, convicted of entering a building, larceny in the Court of Oyer and Terminer of Allegheny County, on June, 26 1915, be pardoned.

Our reasons for making this recommendation are as follows:

In 1915, the applicant, when only fifteen years of age, was sentenced to the Pennsylvania Industrial School at Huntingdon for entering a building and larceny. Shortly after his release from the School, he joined the United States Army and served during the World War and was given an honorable discharge on April 13, 1919. In July of that year, he entered the service in the City of Pittsburgh as a police officer and was employed in such capacity until February 14, 1935. The Director of Public Safety of the City of Pittsburgh states that by reason of the ruling of the Department of Public Safety, he was suspended because of the Act of March 7, 1901, P. L. 20, Article III, Section 1.

After careful consideration and examination of the facts in this case, we believe the applicant is not a habitual criminal. A pardon will enable the applicant to be reinstated and will remove the stigma of the crime from the applicant and his family and will be of material assistance to the applicants advancement.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

PHILIP H. DEWEY,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of Frank J. McNicholas—No. 2245
March Session, 1935.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: the above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommends that Frank J. McNicholas, convicted of involuntary manslaughter in the Court of Oyer and Terminer and G. J. D. of Allegheny County, on February 16, 1920.

Our reasons for making this recommendation are as follows:

In 1915, the applicant, when only sixteen years of age, was accosted by a man who was under the influence of intoxicating liquor. This man, unable to walk, grabbed the applicant in such a manner as to choke him. The applicant was unable to free himself by struggling and he hit the drunken man on the head with his fist, causing him to fall on the cement pavement, fracturing his skull which subsequently resulted in his death. The Coroner's jury found the death to be accidental and exonerated the applicant from all blame. However, the son of the deceased caused the applicant's arrest. He was indicted for involuntary manslaughter and upon the advice of his attorney, he pleaded guilty. He was ordered to pay the costs of prosecution and was placed on probation for a period of two years. In 1925, the applicant was appointed a sub-patrolman in the Bureau of Police in the City of Pittsburgh and continued in said employment until February 14th, when, by reason of the ruling of the Director of Public Safety, he was suspended because of the Act of March 7, 1901, P. L. Article III, Section 1. The applicant, at the time of his dismissal, had attained the rank of lieutenant. Thomas A. Dunn, Director of the Department of Public Safety of Pittsburgh states in a letter to us: "We are submitting for your consideration at your hearing, the Department of Public Safety's recommendation in the case of Lieutenant Frank J. McNicholas and giving you a copy of his record as a police officer. Under the ruling of the City Controller, because of a former conviction of his, his name could not be placed on the payroll, after this information was given to the Director of the Department of Public Safety until he was pardoned. Therefore, on account of his splendid record as an officer in the City of Pittsburgh, I hope that your Honorable Board will give cognizance to this man's plea by granting him a Pardon and the Department will be very much pleased to reinstate him in his former position."

The District Attorney of Allegheny County recommends a pardon. After a careful examination of the facts in the case, we believe the applicant was innocent of the crime to which he pleaded guilty upon advice of counsel.

A pardon will enable the applicant to be reinstated and will remove the stigma of the crime from the applicant

and his family and will be of material assistance to the applicant's advancement.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

PHILIP H. DEWEY,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of William Murdock—No. 2250
March Session, 1935.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: the above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that William Murdock, convicted of breaking and entering, larceny, receiving stolen goods in the Court of Quarter Sessions of Lawrence County, on May 7, 1908, be pardoned.

Our reasons for making this recommendation are as follows:

In 1908, the applicant, when only 17 years of age, pleaded guilty to breaking and entering, larceny and receiving stolen goods. He was sentenced to the Pennsylvania Reform School. He was paroled from that institution in 1910. In 1919, he was employed as a patrolman in the City of Pittsburgh. On February 14, 1935, he was suspended by the Department of Public Safety of that City because of the conviction in 1908. He was never involved in any other trouble and has an excellent work record and enjoys a splendid reputation. The Director of Public Safety states:

"If your Honorable Body will grant him a Pardon I will be very glad to reinstate him as an officer in the Bureau of Police of the City of Pittsburgh.

"This man has served over 15 years and of course in five more years would be entitled to a pension under the rules of the Department and for that particular reason hope you extend him clemency and grant him a pardon."

Pardon would permit the applicant to be reinstated to the police force and would in part remove the stigma of the conviction from the applicant and his family and would be of material assistance to his advancement.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

PHILIP H. DEWEY,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of Ralph Lawrence Dickerson—No. 247
April Session, 1935.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: the above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the sentence of Ralph Lawrence Dickerson, convicted of robbery, in the Court of Quarter Sessions of Philadelphia County, on September 9, 1927, be commuted from forty to eighty years to from 10 to 20 years, expiring on September 9, 1937.

Our reason for making this recommendation are as follows:

In 1927, the applicant and an accomplice entered and robbed an A. & P. Store in Philadelphia. Money was taken from the manager of the store and from one of the customers. In fleeing from the scene of the crime, the applicant threatened his pursuers with a revolver. The applicant and his accomplice did not deny their guilt.

The following sentences were imposed:

(1) 5 to 10 years for conspiring to enter the store to commit a felony; (2) 10 to 20 years for robbery, taking store's money from the manager; (3) 10 to 20 years for robbery, taking manager's own money; (4) 2½ to 5 years for assault and battery with intent to kill, pointing a pistol at a pursuer three blocks from store.

The sentences were made to run consecutively, making a total of from 40 to 80 years.

There is no question that the sentence is not proper. The district attorney states that the maximum penalty should not be more than 12½ to 25 years. The applicant contends that the maximum should not have been more than 10 to 20 years, arguing that only one crime had been committed. We are in accord with the applicant's contention.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

THOMAS A. LOGUE
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of Lee Allen—No. 722
April Session, 1935.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Lee Allen, convicted of voluntary manslaughter, in the Court of Oyer and Terminer of Allegheny County, on December 22, 1930, be commuted from six years to four years, six months, expiring on June 22, 1935.

Our reasons for making this recommendation are as follows:

In 1930, the applicant was convicted of voluntary manslaughter. He was sentenced to serve a term from six to twelve years in the Western State Penitentiary. The trial

district attorney states, "While I beleive the applicant was extremely fortunate in securing a voluntary manslaughter verdict, I have no objection to the granting of his application. Prior to the murder of his son-in-law he had supported his wife and six children, who are now desperately in need of his help. In view of the fact, it is not my desire to work an unnecessary hardship upon his family at a time when the need for his support is the greatest."

Dr. Frank F. Sumney, a member of the House of Representatives, appeared before us and recommended commutation of sentence. The district attorney's representative stated that he had no objection to the granting of clemency. The applicant will have served, by the time he can be released, over four and one-half years of his minimum sentence. We believe he has been sufficiently punished. His conduct and employment records during his incarceration have been excellent.

The applicant will be on parole until 1942. He has a wife and six children who are in urgent need of his support. Employment has been assured.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

THOMAS A. LOGUE
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of Alfred Hoffman—No. 817
April Session, 1935.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that Alfred Hoffmann, convicted of conspiracy in the Court of Quarter Sessions of Monroe County, on July 23, 1931, be pardoned.

Our reasons for making this recommendation are as follows:

In January, 1931, labor troubles arose at Stroudsburg, Pennsylvania, The American Federation of Full Fashioned Hosiery Workers, upon request of the employes, sent the applicant to assist in organization. A strike ensued during the course of which many acts of violence were committed. The applicant was arrested and convicted on three counts of conspiracy. No other persons were ever convicted of any charges, although many residents of Monroe County were identified as having committed overt acts of violence. The applicant was sentenced to serve a term of two years imprisonment in the Monroe County Jail and fined $1525.00 and costs of prosecution. In 1932, Governor Pinchot, on recommendation of the Board of Pardons,commuted the sentence from two years to four months, and reduced the fine to $200.00. The applicant was released on parole and has been living in New York. His conduct has been exemplary. The conviction has made it difficult for the applicant to continue his work as a labor organizer. A pardon will in part remove the stigma of the conviction from the applicant and his family and will be of material assistance to his advancement and work.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

THOMAS A. LOGUE
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of Walter Cooper—No. 1031
April Session, 1935.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that Walter Cooper, convicted of conspiracy and extortion, in the Court of Quarter Sessions of Philadelphia County, on October 14, 1925, be pardoned.

Our reasons for making this recommendation are as follows:

In 1925, the applicant plead not guilty to conspiracy to extort. The jury rendered a verdict of guilty and the court entered an order and adjudged that the applicant should enter his own recognizance in the sum of $1,000. to appear for sentence when required. The applicant was never called for sentence. The charges all arose out of a violation of the liquor laws when the applicant and an accomplice were police officers in the City of Philadelphia. The accomplice was granted a pardon in 1929. Judge Allesandroni, who was the trial district attorney states: "Both Raleigh and Cooper had a fair trial and their guilt established beyond question. After trial Judge Bartlett held the case under advisement a long time and then deferred sentence. Under the presnt state of affairs with one of the defendants already pardoned, I cannot see that justice would be violated in according Cooper the same consideration." The Honorable Alexander C. Green and the Honorable Clinton A. Sowers, who represented applicant, testified as to his good character.

The applicant was never involved in any other trouble and his conduct and employment records have been excellent. We do not believe him to be a habitual criminal. A pardon will, in part, remove the stigma of the conviction from the applicant and his family, and will be of material assistance to the applicant's advancement.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

THOMAS A. LOGUE
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of Samuel Loquasto—No. 1325
April Session, 1935.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Samuel Loquasto, convicted of robbery in the Court of Quarter Sessions of Luzerne County on June 5, 1931, be commuted from five years to four years expiring on June 5, 1935.

Our reasons for making this recommendation are as follows:

The applicant was convicted of robbery in 1931. He was sentenced to serve a term of from five to ten years in the Eastern State Pentitentiary. He was never involved in any other trouble. By the time he can be released, he will have served over four-fifths of his minimum sentence. We believe he has been sufficiently punished and are satisfied he is not a habitual criminal.

The applicant will be on parole until 1941. Employment has been assured.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.
DAVID L. LAWRENCE,
Secretary of the Commonwealth.
CHARLES J. MARGIOTTI,
Attorney General.
THOMAS A. LOGUE,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of Joseph DeSavage—No. 1363
April Session, 1935.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Joseph DeSavage, convicted of robbery in the Court of Oyer and Terminer of Allegheny County on April 16, 1931, be commuted from fifteen years to four years two months expiring on June 16, 1935.

Our reasons for making this recommendation are as follows:

The applicant, when only sixteen years of age, participated in a number of robberies, committed within a period of approximately two months. He plead guilty to several charges of robbery and was sentenced to the Western State Penitentiary for from fifteen to sixty years. An accomplice, alleged to have been the leader of the gang, has been released. We believe the sentence imposed upon the applicant was grossly excessive because of his youth and do not believe the pentientiary a proper place for correction and punishment.

The applicant will be on parole until 1991. Our recommendation is contingent upon his securing legitimate employment.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.
DAVID L. LAWRENCE,
Secretary of the Commonwealth.
CHARLES J. MARGIOTTI,
Attorney General.
THOMAS A. LOGUE,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of Joseph Isaacs—No. 1464
April Session, 1935.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Joseph Isaacs, convicted of robbery in the Court of Quarter Sessions of Luzerne County on January 9, 1931, be commuted from five years to four years, five months, expiring on June 9, 1935.

Our reasons for making this recommendation are as follows:

The applicant, when only nineteen years of age, plead guilty to robbery. He was sentenced to serve a term of from five to ten years in the Eastern State Penitentiary. The Board of Trustees of the Eastern State Penitentiary state, "Recommended for consideration: 1. This recommendation is made in the light of the institutional record while at Graterford and good report from Huntingdon authorities. 2. First arrest and conviction."

Charles F. Johnson, Superintendent of the Industrial School for Boys at Kis-Lyn, recommends a commutation of sentence.

The applicant has served over four years of his minimum sentence. We believe he has been sufficiently punished and are satisfied he is not a habitual criminal.

The applicant will be on parole until 1941. Employment has been assured.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

THOMAS A. LOGUE,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of Hudson Rhoads Hess—No. 1536
April Session, 1935.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Hudson Rhoads Hess, convicted of arson and setting fire to buildings, in the Court of Quarter Sessions of Dauphin County, on March 27, 1931, be commuted from five years to four years, four months, expiring on June 2, 1935.

Our reasons for making this recommendation are as follows:

In 1931, the applicant plead guilty to several charges of arson and setting fire to buildings. He was sentenced to serve a term of from five to ten years in the Eastern

State Penitentiary. He was never convicted of any other crime. His institutional record is excellent.

The trial district attorney states, "Had it not been for him (the applicant), the rest of the participants in the crime would not have been apprehended. In the preparation of the trial of said cases, he was of great assistance to the Commonwealth, a fact which was appreciated by myself as District Attorney. My impression was at the time that his sentence was rather severe because of his previous reputation and because of the assistance he gave the Commonwealth."

His father has been employed by the Pennsylvania Railroad for twenty-seven years, owns his own home and is willing and anxious to care and provide for the applicant.

The applicant has served over four-fifths of his minimum sentence. We believe he has been sufficiently punished and are satisfied he is not a habitual criminal.

The applicant will be on parole until 1941. Employment has been assured.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

THOMAS A. LOGUE,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of Audley M. Stouffer—No. 1570
April Session, 1935.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Audley M. Stouffer, convicted of murder, second degree, in the Court of Oyer and Terminer of Butler County, on December 21, 1929, be commuted from seven years to five years, six months, expiring on June 21, 1935.

Our reasons for making this recommendation are as follows:

The applicant pleaded guilty to murder of the second degree in 1929. He was sentenced to serve a term of from seven to fourteen years in the Western State Penitentiary. The facts of the case are as follows:—The applicant and the victim were engaged in a drunken quarrel. A fight followed, as the result of which the victim was fatally stabbed.

The applicant was never involved in any other trouble. His conduct and his employment records during incarceration have been excellent. We believe he has been sufficiently punished and are satisfied that he is not a habitual criminal. His wife and six children are in urgent need of his support.

The applicant will be on parole until 1943. Employment has been assured.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

THOMAS A. LOGUE,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of John Amoroso—No. 1719
April Session, 1935.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of John Amoroso, convicted of manslaughter, in the Court of Quarter Sessions of Erie County, on December 6, 1932, be commuted from three and one-half years to two years, six months, expiring on June 6, 1935.

Our reasons for making this recommendation are as follows:

The applicant plead guilty to voluntary manslaughter in 1932. He was sentenced to serve a term of from three and one-half to seven years in the Western State Penitentiary. He was never involved in any other trouble. His conduct and employment records during his incarceration have been excellent. By the time he can be released he will have served over two and one-half years of his minimum sentence. We believe he has been sufficiently punished and are satisfied that he is not a habitual criminal.

The applicant will be on parole until 1941. Our recommendation is contingent upon his securing legitimate employment.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

THOMAS A. LOGUE,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of James Garnes—No. 1863
April Session, 1935.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of James Garnes, convicted of robbery, being armed with an offensive weapon, in the courts of Oyer and Terminer and Quarter Sessions of Philadelphia County, on May 7, 1931, be commuted from five years to four years, one month, expiring on June 7, 1935.

Our reasons for making this recommendation are as follows:

In 1931, the applicant was convicted of robbery, being armed with an offensive weapon. He was sentenced to serve a term of from five to ten years in the Eastern State Penitentiary. The applicant was never involved in any other trouble. The Board of Trustees of the Eastern State Penitentiary state, "Good institutional rec-

ord. Recommended for consideration because of exceptional institutional record, and attitude in the institution."

The applicant will have served by the time he can be released, four-fifths of his minimum sentence. We believe that he has been sufficiently punished and are satisfied he is not a habitual criminal.

The applicant will be on parole until 1941. Our recommendation is contingent upon his securing legitimate employment.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

THOMAS A. LOGUE,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Aplication of Lawrence Zaner—No. 1957
April Session, 1935.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Lawrence Zaner, convicted of burglary and larceny, in the Court of Quarter Sessions of Sullivan County, on June 12, 1933, be commuted from five years to two years, expiring on June 12, 1935.

Our reasons for making this recommendation are as follows:

In 1933, the applicant plead guilty to burglary and larceny. He was sentenced to serve a term of from five to ten years in the Eastern State Penitentiary. He was never in any other trouble. The district attorney of Sullivan County states, "I unhesitatingly recommend that he be paroled." The trial judge tells us, "Some good people here think he has been sufficiently punished." The applicant's conduct and employment records during his incarceration have been excellent. His wife and two children are in urgent need of his support.

The applicant will be on parole until 1943. Employment has been assured.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

THOMAS A. LOGUE,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of John Nelson Messersmith—No. 2091
April Session, 1935.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of John Nelson Messersmith, convicted of bank robbey, in the Court of Oyer and Terminer and Quarter Sessions of York County, on January 9, 1930, be commuted from ten years to five years, five months, expiring on June 9, 1935.

Our reasons for making this recommendation are as follows:

The applicant plead guilty, in 1932, to robbery. He was sentenced to serve a term of from ten to twenty years in the Eastern State Penitentiary. The trial judge says, "I feel that he may have been a victim of circumstance at the time of the crime, and it is agreeable to me, and I would so recommend if your Board is agreeable to parole him at this time." The applicant has served over five years of his minimum sentence. We believe he has been sufficiently punished and are satisfied that he is not a habitual criminal.

The applicant will be on parole until 1950. Our recommendation is contingent on his securing legitimate employment.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

THOMAS A. LOGUE,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of William E. Welsh—No. 2186
April Session, 1935.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of William E. Welsh, convicted of assault and battery with intent to kill, in the Court of Oyer and Terminer of Philadelphia County, on August 14, 1933, be commuted from three years, six months to one year, ten months, expiring on June 14, 1935.

Our reasons for making this recommendation are as follows:

In 1933, the applicant plead guilty to assault and battery with intent to kill. He was sentenced to serve a term of from three and one-half years to seven years in the Eastern State Penitentiary. He was never before involved in any other trouble. His conduct and employment records during his incarceration have been excellent. The Board of Trustees of the Eastern State Penitentiary state, "Recommended for commutation because: 1. First arrest and first conviction. 2. He has been steadily employed twenty-seven years. 3. The company he worked for will take him back upon release."

The trial judge states, "I have * * * no objection to

offer to favorable action upon his (the applicant's) application for clemency, which on its face seems meritorious."

We believe the applicant has been sufficiently punished and are satisfied that he is not a habitual criminal.

The applicant will be paroled until 1940. Employment has been assured.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

THOMAS A. LOGUE,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of Joe Guiffrida—No. 2213
April Session, 1935.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Joe Guiffrida, convicted of burning with intent to defraud insurers and arson, in the Court of Quarter Sessions and Oyer and Terminer of Cambria County, on October 7, 1929, be commuted from sixteen years to five years, eight months, expiring on June 7, 1935.

Our reasons for making this recommendation are as follows:

The applicant and an accomplice were convicted of burning with intent to defraud insurers and arson in 1929. Both were sentenced to serve terms of from sixteen to thirty-two years in the Western State Penitenitary. The minimum sentence of the accomplice was commuted to a term of five years and three months, and he was released on parole.

The applicant was never convicted of any other crime. The Board of Trustees of the Western State Penitentiary state, "If eligible to apply for parole would probably recommend; it is felt that he has learned his lesson; it is his first conviction and he has shown an exceptionally cooperative attitude during confinement." The Warden of the Western State Penitentiary states, "He (the applicant) is an experienced barber and if released should be able to earn an honest livelihood." We believe the applicant has been sufficiently punished and are satisfied that he is not a habitual criminal.

The applicant will be on parole until 1961.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

THOMAS A. LOGUE,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of Raymond Hart—No. 2218
April Session, 1935.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Raymond Hart, convicted of felonious entry and robbery, in the Court of Quarter Sessions of Berks County, on May 6, 1932, be commuted from five years to three years, one month, expiring on June 6, 1935.

Our reasons for making this recommendation are as follows:

The applicant plead guilty, in 1932, to robbery. He was sentenced to serve a term of from five to ten years in the Eastern State Penitentiary. He was never involved in any other trouble. He has an excellent institutional record. He has served over three years of his minimum sentence. We believe he has been sufficiently punished, and are satisfied that he is not a habitual criminal.

The applicant will be on parole until 1942. Employment has been assured.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

THOMAS A. LOGUE,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of Donald E. Meek—No. 2229
April Session, 1935.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Donald E. Meek, convicted of assault and battery, escape, in the Court of Quarter Sessions of Fayette and Centre Counties, on June 5, 1933, November 2, 1933, be commuted from three years to one and one-half years, expiring on May 25, 1935, and from one year, eleven months, to one month, expiring on June 26, 1935.

Our reasons for making this recommendation are as follows:

In 1933, the applicant was sentenced to serve a term of one and one-half to three years in the Western State Penitentiary for aggravated assault and battery. He was transferred to the Rockview Farm Prison in 1933, and escaped from that Institution. He surrendered voluntarily. The trial district attorney states, "It is my candid opinion that this boy has served long enough to pay society the debt that he owes them for transgressing the law, and for the welfare of his mother and family, I believe that clemency should be extended to him. I am writing these few lines to you without the solicitation from anyone, because I believe that it is the right thing to do."

The applicant will be on parole until 1939. A parole

investigation disclosed the fact that his wife is seriously ill and is in urgent need of his support.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

THOMAS A. LOGUE,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of Juliano Santore—No. 2240
April Session, 1935.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Juliano Santore, convicted of murder, in the Court of Quarter Sessions of Philadelphia County, on December 3, 1926, be commuted from life imprisonment to eight years, six months, expiring on June 3, 1935, and to be on parole for life.

Our reasons for making this recommendation are as follows:

In 1926, the applicant plead guilty to murder. He was adjudged guilty of murder of the first degree and was sentenced to the Western State Penitentiary for life.

A careful investigation of the case discloses that the applicant was probably guilty only of voluntary manslaughter, and the district attorney's representative appeared before us at the open session and stated that in his opinion the applicant was guilty of voluntary manslaughter. The applicant was never in any other serious trouble. His conduct and employment records during his incarceration have been excellent. He has served approximately eight and one-half years of his sentence. We believe he has been sufficiently punished and are satisfied he is not a habitual criminal.

The applicant will be on parole for life. He has sufficient funds to maintain himself for some time after release.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

THOMAS A. LOGUE,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of Albert F. McCloskey—No. 2244
April Session, 1935.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that Albert F. McCloskey, convicted of larceny, in the Court of Quarter Sessions of Allegheny County, on September 30, 1919, be pardoned.

Our reasons for making this recommendation are as follows:

In 1919, the applicant plead guilty to larceny. He was sentenced to 30 days' imprisonment in the Allegheny County Jail. The District Attorney of the County of Allegheny states:—"The offence for which above applicant was prosecuted was, really, 'Operating a car without the consent of the owner.' The facts are, that applicant rode in a car which had been stolen by another defendant, and that the car was being used for joy-riding purposes.

Since the commission of above mentioned offense, this applicant has not been in court charged with any other crime. From my investigation of the case and the subsequent life of this applicant, I would strongly urge upon your board favorable consideration of his application."

The applicant has been a police officer in the City of Pittsburgh since 1926 but was notified on February 14, 1935, that, because of his record in 1919, it would be necessary for him to secure a pardon if he intended to be retained as a police officer.

The pardon will in part remove the stigma of the crime from the applicant and his family, and will be of material assistance to his advancement and enable him to be reappointed to the police force.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

THOMAS A. LOGUE,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of Lenerte Roberts—No. 2251
April Session, 1935.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that Lenerte Roberts, convicted of embezzlement and fraudulent conversion, in the Court of Quarter Sessions of Philadelphia County, on May 1, 1933, be pardoned.

Our reasons for making this recommendation are as follows:

In 1933, the applicant plead guilty to embezzlement and fraudulent conversion. He was sentenced to serve a term of three years in the Philadelphia County Prison. After serving a little over a year of his sentence, he was paroled by the trial court. The applicant was never convicted of any other crime. At the present time he is gainfully employed and is conducting himself in an exemplary manner. The Honorable Marshall L. Shepard represented the applicant and testified as to his good character.

A pardon will, in, part, remove the stigma of the conviction from the applicant and his family and will be a material assistance to the applicant's advancement.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

THOMAS A. LOGUE,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of Steve Feshenko—No. 2262
April Session, 1935.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Steve Feshenko, convicted of voluntary manslaughter, in the Court of Oyer and Terminer of Washington County, on May 5, 1932, be commuted from five years to three years, one month, expiring on June 5, 1935.

Our reasons for making this recommendation are as follows:

The applicant was convicted of voluntary manslaughter in 1932. He was sentenced to serve a term of from five to ten years in the Western State Penitentiary. The trial District Attorney states, "I believe the defendant has served such a substantial portion of his sentence that, coupled with the jury's recommendation for leniency, and the family conditions, especially since the death of the mother, makes the present application meritorious and I therefore recommend that it be acted upon favorably." An investigator for the Washington County Poor Board states, "For humanity's sake he should be shown the greatest mercy if only for the benefit of his children. They are in a community where if they do not receive some parental care, or are made to realize that someone is interested in their future, they, too, may become a burden to society. Therefore, I hope you will receive this from one who is sincerely engaged in welfare work. I ask you in the name of God and humanity, with all the power your board may be able to invoke, to act favorably in this case."

The applicant was never involved in any other trouble. His conduct and employment records during his incarceration have been excellent. He has served over three years of his minimum sentence. We believe he has been sufficiently punished and are satisfied that he has not been a habitual criminal.

The applicant will be on parole until 1942. Employment has been assured.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

THOMAS A. LOGUE,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of Walter Kaiser—No. 2263
April Session, 1935.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that Walter Kaiser, convicted of larceny and receiving stolen goods, in the Court of Quarter Sessions of Allegheny County, on September 29, 1906, be pardoned.

Our reasons for making this recommendation are as follows:

In 1906, the applicant was convicted of larcency and receiving stolen goods. He was sentenced to the Pennsylvania Industrial School and, after twenty months of confinement was granted a final discharge, after having made an excellent record in the institution.

The applicant was appointed a policeman in the City of Pittsburgh, over twenty years ago. His record with the Police Department was exemplary and after faithful and continued service he attained the position of Inspector of Police. However, as a result of the conviction in 1906, he was suspended from duty. A pardon will enable him to be reinstated.

The trial judge, the Honorable Robert S. Frazer, states: "I am not acquainted with Kaiser, but have made inquiry as to his record, and find that no other charge has ever been made against him, and that he bears a good reputation, and has been an efficient and faithful police officer of this city for a number of years, attaining the position of Inspector of Police. Under the circumstances I see no reason why the petition should not be granted, and join in this application. "Many responsible persons who know the applicant have recommended a pardon."

A pardon will in part remove the stigma of the crime from the applicant and his family and will be of material assistance to his advancement.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

THOMAS A. LOGUE,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of Fred Mentus—No. 2269
April Session, 1935.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that Fred Mentus, convicted of aggravated assault and battery, in the Court of Quarter Sessions of Greene County, on June 11, 1934, be pardoned.

Our reasons for making this recommendation are as follows:

The applicant was convicted of aggravated assault and battery in 1934. The charge arose out of a drunken brawl. He was sentenced to serve a term of from one to two years in the Western State Penitentiary. Eleven (11)

other persons who were charged with assault and battery, the charges all having arisen out of the same offence, were acquitted. The applicant has served over ten months of his minimum sentence. He was never involved in any other trouble. His conduct and employment records during his incarceration have been excellent. He is the sole support of his parents.

We believe the applicant has been sufficiently punished and are satisfied that he is not a habitual criminal. In our opinion, the circumstances surrounding the commission of the crime and the applicant's previous good record, does not warrant the applicant's remaining on parole.

A pardon will in part remove the stigma of the crime and will be of material assistance to the applicant's advancement.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

THOMAS A. LOGUE,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of Stanley Bednas—No. 2270
April Session, 1935.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that Stanley Bednas, convicted of robbery, in the Court of Oyer and Terminer of Lackawanna County, on February 7, 1925, be pardoned.

Our reasons for making this recommendation are as follows:

In 1925, the applicant, when only 17 years of age, was convicted of robbery. He was sentenced to serve a term of from ten to twenty years in the Eastern State Penitentiary. He was released on parole in February of this year. Because of the conviction, he will be deported to Austria unless a pardon is granted. The Board of Trustees of the Eastern State Penitentiary states:—"Recommended for pardon:—(1) Exceptional institutional record. (2) Good promise for readjusment to society."

The applicant has no friends or relatives in his native country. We believe that deportation would be an unnecessarily harsh and cruel punishment.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

THOMAS A. LOGUE,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of Oscar Suggs—No. 2280
April Session, 1935.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Oscar Suggs, convicted of murder, second degree, in the Court of Oyer and Terminer of Chester County, on April 26, 1927, be commuted from ten years to eight years, two months, expiring on June 26, 1935.

Our reasons for making this recommendation are as follows:

The applicant plead guilty to murder of the second degree in 1929. He was sentenced to serve a term of from ten to twenty years in the Eastern State Penitentiary. He was never involved in any other trouble. The Board of Trustees of the Eastern State Penitentiary state, "Recommended for consideration. This recommendation is based upon the institutional record while incarcerated at Graterford and at Rockview. First arrest and conviction." The trial district attorney states, "In view of the length of time that this defendant has already served and his good previous record, I feel that the ends of justice would be met in this case if the Pardon Board would commute this sentence as prayed for."

The applicant has served over four-fifths of his minimum sentence. We believe he has been sufficiently punished and are satisfied he is not a habitual criminal.

The applicant will be on parole until 1947. He has saved over $700.00 since his incarceration and intends to go into business for himself in Virginia.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

THOMAS A. LOGUE,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of Donald Aughinbaugh—No. 2281
April Session, 1935.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Donald Aughinbaugh, convicted of felonious entry and larceny, in the Court of Oyer and Terminer of Franklin County, on January 27, 1931, be commuted from eight years to four years, five months, expiring on June 27, 1935.

Our reasons for making this recommendation are as follows:

The applicant plead guilty to felonious entry and larceny in 1931. He was sentenced to serve a term of from eight to sixteen years in the Eastern State Penitentiary. The Board of Trustees of the Eastern State Penitentiary state, "Recommended for consideration: 1. This man has made an honest attempt to rehabilitate himself while in

the institution. 2. Has a good institutional record and employment record."

The applicant has served over one-half of his minimum sentence. We believe he has been sufficiently punished.

The applicant will be on parole until 1947. Our recommendation is contingent upon his securing legitimate employment.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

THOMAS A. LOGUE,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of Bernard Francis Mount—No. 2282
April Session, 1935.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Bernard Francis Mount, convicted of rape; aggravated assault and battery, in the Court of Oyer and Terminer of Bucks County, on April 12, 1929, be commuted from ten and one-half years to six years, two months, expiring on June 12, 1935.

Our reasons for making this recommendation are as follows:

The applicant was convicted of rape and aggravated assault and battery in 1929. He was sentenced to serve a term of from ten and one-half to fifteen years in the Eastern State Penitentiary. The applicant, by the time he can be released, will have served almost six and one-half years of his minimum sentence. The Board of Trustees of the Eastern State Penitentiary state, " * * * if the sole basis for granting clemency would be the institutional record and employment record while incarcerated this man should be granted consideration. The applicant was never involved in any other trouble. The trial district attorney has no objections to the granting of clemency."

A commutation of sentence was granted to an accomplice who was released on parole in 1934.

The applicant will be on parole until 1944. Employment has been assured.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

THOMAS A. LOGUE,
Secretary of the Commonwealth.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of Bennett LeHodges—No. 2293
April Session, 1935.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the death sentence of Bennett LeHodges, convicted of murder, first degree, in the Court of Oyer and Terminer of Philadelphia County on January 4, 1935, be commuted from death to imprisonment for life.

Our reasons for making this recommendation are as follows:

The applicant plead guilty to murder in December, 1934. Judges Millar, Lewis and McDevitt heard the testimony and found the applicant guilty with penalty of death. Briefly the facts of the case are as follows:

The applicant went to a junk yard unarmed, not expecting to find anyone on guard, to steal some junk. Upon finding the victim, a night watchman, he struck him over the head with a pipe which he found on the premises and bound the watchman hand and foot. The applicant then stole some junk which he sold. The watchman languished for about six weeks in a hospital and died of the injuries.

We are inclined to believe that the applicant did not go to the junk yard with the intention of killing anyone and the fact that he bound the victim after striking him indicates that it was not his intention to kill. The applicant told the truth about the whole affair and cooperated with the police in solving the crime and convicting the persons who received the stolen junk. We believe the interests of justice will be served by a commutation of the death sentence to one of life imprisonment.

Judge Millar in a letter dated April 13, 1935, directed to us, states: "While I think the sentence was proper in the light of the testimony, and we heard all of it after the defendant plead guilty, nevertheless I am sincerely of the opinion that this is a matter which justifies the exercise of clemency. I was firmly convinced that this defendant would not have undertaken to steal the metal had it not been for his previous arrangement with Kamel, the junk dealer, to purchase what was stolen. Kamel was convicted with LeHodges' help and on his testimony. Unfortunately it was only possible to impose a sentence of eighteen months to three years. He, in my judgment, was the real culprit. These unfortunate negroes would not steal if no market were provided for the metal stolen. In view of all the circumstances I sincerely hope you will feel inclined to extend the clemency LeHodges asks for."

We are in accord with Judge Millar's recommendation.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

THOMAS A. LOGUE,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of Gerald Enos—No. 471
May Session, 1935.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members

of the Board of Pardons recommend that the minimum sentence of Gerald Enos, convicted of murder, second degree in the Court of Oyer and Terminer of Fayette County on July 6, 1928, be commuted from eight years to seven years expiring on July 6, 1935.

Our reasons for making this recommendation are as follows:

In 1928, the applicant and some of his friends engaged in a drunken brawl. One of his friends hit him over the head with a bottle and almost bit off his finger. The applicant fired a revolver, which he was carrying and killed his assailant. He was convicted of murder in the second degree, and was sentenced to serve a term of from eight to eighteen years in the Western State Penitentiary.

The applicant has served almost seven years of his minimum sentence. We believe he has been sufficiently punished. Our reasons follow: (1) Applicant was never involved in any other serious trouble. (2) His conduct and employment records during his incarceration have been excellent. (3) He has served approximately seven years of his minimum sentence. (4) We are satisfied he is not a habitual criminal.

The applicant's wife and two children are in urgent need of his support.

The Honorable Samuel A. Weiss recommends clemency.

The applicant will be on parole until 1946.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

THOMAS A. LOGUE,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of Frank Taylor—No. 801
May Session, 1935.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Frank Taylor, convicted of larceny, attempted escape in the Court of Quarter Sessions of Lawrence County on May 14, 1929, be commuted from seven years to five years, ten months, expiring on May 3, 1935 and from four years to one month expiring on June 3, 1935.

Our reasons for making this recommendation are as follows:

In 1929, the applicant plead guilty to the larceny of an automobile. He was sentenced to serve a term of from one and one-half to seven years. He was released on parole on November 4, 1930. One month later he attempted to steal another automobile, and while being held in default of bail attempted to escape prison. For these crimes he was sentenced to serve a term of from four to eight years.

The trial judge states, "I understand this applicant to have served the minimum sentence imposed when he was last before our court. In imposing sentence I think we did not take into consideration the fact that he would have a long time to serve on his previous sentence, from which he had been paroled. I would have no objection to your acting favorably upon this application and granting a rehearing. On re-hearing, if your Honorable Board concludes that his conduct during his imprisonment has been such as to warrant favorable action upon his application for clemency, I would wish to be regarded as favoring such action."

The applicant's conduct and employment records during his incarceration have been excellent. He has served almost six years for the larceny of two automobiles and attempt to break jail.

The applicant will be on parole until 1944. Employment has been assured in West Virginia and our recommendation is contingent upon his removing to, and remaining in, that State.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

THOMAS A. LOGUE,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of Hugh McCafferty—No. 841
May Session, 1935.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Hugh McCafferty, convicted of robbery and being armed with an offensive weapon, in the Court of Quarter Sessions of Philadelphia County on August 9, 1928, be commuted from fifteen years to seven years, expiring on August 9, 1935.

Our reasons for making this recommendation are as follows:

The applicant plead guilty to several charges of robbery, being armed with an offensive weapon, in 1928. He was sentenced to serve a term of from fifteen to thirty years in the Eastern State Penitentiary. We believe he has been sufficiently punished. Our reasons follow: (1) The applicant was never involved in any other trouble. (2) He has an excellent institutional record. (3) He has served approximately seven years of his sentence. (4) We do not believe he is a habitual criminal.

The District Attorney's representative of Philadelphia County stated to us at the open hearing that he was in favor of clemency being extended.

The applicant will be on parole until 1958. Employment has been guaranteed, and a satisfactory home has been provided.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

THOMAS A. LOGUE,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of Joseph P. McDevitt—No. 912

May Session, 1935.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Joseph P. McDevitt, convicted of burglary, conspiracy and entering to steal, in the Court of Oyer and Terminer and Quarter Sessions of Philadelphia County on December 13, 1929, be commuted from ten years to five years, six months expiring on June 13, 1935.

Our reasons for making this recommendation are as follows:

In 1929, the applicant, when only seventeen years of age, was convicted of attempted burglary, conspiracy, and entering to steal. He was sentenced to serve a term of from ten to twenty years in the Eastern State Penitentiary. The applicant has served over five and one-half years of his minimum sentence. We believe he has been sufficiently punished.

The Board of Trustees of the Eastern State Penitentiary states: "This boy was only 17 years of age when he was received in the institution. He has a satisfactory institutional record with the exception of one case of fighting in 1931. If he was being considered for parole he would probably receive favorable recommendation."

The trial judge has no objection to the exercise of clemency.

The applicant will be on parole until 1949. Our recommendation is contingent upon his securing legitimate employment or a satisfactory home.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

THOMAS A. LOGUE,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of Christopher Tomaino—No. 955

May Session, 1935.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Christopher Tomaino, convicted of highway robbery in the Court of Oyer and Terminer of Lackawanna County on December 15, 1930, be commuted from ten years to four years, six months, expiring on June 15, 1935.

Our reasons for making this recommendation are as follows:

The applicant plead guilty to highway robbery in 1930, and was sentenced to serve a term of from ten to twenty years in the Eastern State Penitentiary.

The trial district attorney states, "* * * This was the applicant's first offense and previous to his conviction in this case he bore an excellent reputation in the community. He comes from a very highly respected family in the Borough of Archbald, Lackawanna County.

"I have corresponded with the applicant recently, and his letters would indicate that he is fairly well educated with a keen mind. The victim in the case has consulted me and informs that he feels the boy has been sufficiently punished and that he is desirous of seeing him released, feeling that the boy has learned his lesson and is now willing to become a useful member of society.

"The question to be decided by the Board, in my opinion, is whether or not the applicant has been sufficiently punished for his offense, having served approximately four and one-half years of his sentence. In view of his excellent reputation previous to his conviction, the high regard in which his family is held in the community, and the apparent sincerity with which he disavows any future criminal activity, I would be inclined to give him the requested clemency."

We believe the applicant has been sufficiently punished and are satisfied that he is not a habitual criminal.

The applicant will be on parole until 1950. Employment has been assured.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

THOMAS A. LOGUE,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of Matthew Diana—No. 976

May Session, 1935.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Matthew Diana, convicted of voluntary manslaughter in the Court of Oyer and Terminer of Lancaster County on November 7, 1931, be commuted from five years, eight months, to four years expiring on July 7, 1935.

Our reasons for making this recommendation are as follows:

In 1931, the applicant and his father-in-law became involved in a quarrel. The father-in-law drew a gun and in a struggle for its possession a number of shots were fired, killing the father-in-law. There had been numerous arguments between the applicant and the deceased, and the applicant had on several occasions asked for help from the police. The applicant was convicted of voluntary manslaughter and was sentenced to serve a term of from five years, eight months, to eleven years, four months. We believe he has been sufficiently punished. Our reasons are as follows: (1) The applicant was never involved in any other trouble and enjoyed an excellent reputation in the community in which he resided. (2) His institutional record has been satisfactory. (3) He has served approximately four years of his sentence. (4) We are satisfied he is not a habitual criminal.

The applicant will be on parole until 1942. Employment has been assured.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

THOMAS A. LOGUE,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of George Schellinger—No. 1336
May Session, 1935.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of George Schellinger, convicted of robbery in the Court of Quarter Sessions of Allegheny County on May 29, 1931, be commuted from ten years to four years, one month, expiring on May 29, 1935.

Our reasons for making this recommendation are as follows:

The applicant pleaded guilty to several charges of robbery in 1931. He was sentenced to serve a term of from ten to twenty years in the Western State Penitentiary. He was never involved in any other trouble. His conduct and employment records during his incarceration have been excellent. He has served over four years of his minimum sentence. We believe he has been sufficiently punished and are satisfied he is not a habitual criminal.

The Honorable Anthony Gerard represented the applicant at the open hearing and urged the granting of clemency.

The applicant will be on parole until 1951. He has an excellent home to which he can go and employment has been assured.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

THOMAS A. LOGUE,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of Howard Frank Gross—No. 1411
May Session, 1935.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that Howard Frank Gross, convicted of embracery in the Court of Quarter Sessions of Butler County, on June 25, 1932, be pardoned.

Our reasons for making this recommendation are as follows:

The applicant was convicted of embracery in 1932 and sentenced to serve a term of one year in the Butler County jail. He served approximately nine months of his sentence and was released on parole.

The trial district attorney states, in a letter of April 2nd, "* * * I am aware that Mr. Gross had an excellent record in the Pittsburgh police department for nearly nineteen years before his trouble in Butler County, and of the predicament that conviction places him in with regard to his service record. Also that he was somewhat in the position of taking orders in the matter in which he got in trouble. His sentence was satisfactorily complied with and he has faithfully adhered to his parole, and all conditions imposed. I therefore freely and willingly recommend favorable consideration of his application by your honorable Board."

In a letter of April 30th, he states, "I have read the application of Howard Frank Gross for pardon. His statement of facts is mainly correct. There was sufficient evidence to convict, but I have always felt that Gross was the 'goat,' that others above him pushed him into it. I certainly hope that your Honorable Board will grant him pardon."

The applicant was never involved in any other trouble, and since his relcase from prison he has conducted himself in an exemplary manner. Unless a pardon is granted, he will be discharged from his present position with the City of Pittsburgh.

A pardon will, in part, remove the stigma of the conviction from the applicant and his family and will be of material assistance to his advancement.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

THOMAS A. LOGUE,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of Dominick Truli—No. 1466
May Session, 1935.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Dominick Truli, convicted of murder (second degree) in the Court of Oyer and Terminer of Allegheny County on March 17, 1931, be commuted from six years to four years, three months, expiring on June 17, 1935.

Our reasons for making this recommendation are as follows:

In 1931, the applicant plead guilty generally to murder. He was found guilty of murder in the second degree and was sentenced to serve a term of from six to twelve years in the Western State Penitentiary.

The resident physician of the Rockview Farm Prison states. "This man is 72 years of age, has a marked

arteriosclerosis and chronic myocarditis, with alternation and numerous premature beats. On a number of occasions he has been in the hospital with a marked cardiac asthma."

The Board of Trustees of the Western State Penitentiary states, "Owing to his heart condition, would recommend that he be released at the earliest possible date, in order that he may not die in prison."

The applicant is a native of Italy. Our recommendation is contingent upon his deportation to that country.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

THOMAS A. LOGUE,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of Salvador Maciel—No. 1477

May Session, 1935.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Salvador Maciel, convicted of murder (second degree) in the Court of Oyer and Terminer of Beaver County on October 4, 1928, be commuted from ten years to six years, eight months, expiring on June 4, 1935.

Our reasons for making this recommendation are as follows:

The applicant was convicted of murder of the second degree in 1928. He was sentenced to serve a term of from ten to twenty years in the Western State Penitentiary. He was never involved in any other trouble. His institutional record has been good.

The applicant is a native of Mexico and has agreed to return to his native country. The district attorney has no objections to a commutation providing the applicant returns immediately to Mexico.

Our recommendation is contingent upon his returning to, and remaining in Mexico.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

THOMAS A. LOGUE,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of Arley Luff—No. 1482

May Session, 1935.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Arley Luff, convicted of larceny in the Court of Quarter Sessions of Chester County on January 11, 1932, be commuted from four and one-half years to three years, five months, expiring on June 11, 1935.

Our reasons for making this recommendation are as follows:

The applicant plead guilty in 1932 to larceny. The Board of Trustees of the Eastern State Penitentiary states, "This man has a satisfactory institutional record and at present time is employed in the garage at Graterford. He only has one previous arrest. If he was being considered for parole he would probably receive favorable recommendations." The supervisor of paroles recommends clemency.

We believe that the applicant has been sufficiently punished and are satisfied he is not a habitual criminal.

The applicant will be on parole until 1941. Employment and a satisfactory home have been provided.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

THOMAS A. LOGUE,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of Dave Lewis—No. 1562

May Session, 1935.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Dave Lewis, convicted of robbery in the Court of Oyer and Terminer of Westmoreland County on September 8, 1932, be commuted from five years to two years, nine months, expiring on June 8, 1935.

Our reasons for making this recommendation are as follows:

The applicant plead guilty to robbery in 1932. He was sentenced to serve a term of from five to twenty years in the Western State Penitentiary. He was never involved in any other trouble. The applicant had not been employed for two years prior to the commission of the crime. During the period of unemployment his savings were spent. He gave up a life insurance policy and sold his automobile. The electricity, gas and water were turned off in his home and he finally received notice to vacate his home. He did all he could to secure work but was not successful and resorted to crime as a last resort to supply his wife and child with the necessities of life. We believe the applicant has been sufficiently punished and are satisfied he is not a habitual criminal.

The applicant will be on parole until 1952. Employment and a home have been provided in Kentucky. Our recommendation is contingent upon his returning to and remaining in the State of Kentucky.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

THOMAS A. LOGUE,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of Andrew Anthony Slupee—No. 1664
May Session, 1935.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Andrew Anthony Slupee, convicted of robbery in the Court of Oyer and Terminer of Allegheny County on January 15, 1931, be commuted from twelve years to four years, six months, expiring on July 15, 1935.

Our reasons for making this recommendation are as follows:

The applicant plead guilty to two charges of robbery in 1931. He was sentenced to serve a term of from twelve to twenty-four years in the Western State Penitentiary.

The trial judge states, "* * * if you believe he can and will obtain steady and honest employment it would seem to me his application would be meritorious and he could be safely released under parole."

The Board of Trustees of the Penitentiary states, "Because it is his first offense, because of his good prison record, and because of his age when committed here, would strongly recommend clemency."

The district attorney's representative stated to us at the open hearing that he believed the applicant was a fit subject for parole.

The applicant has served almost four and one-half years of his minimum sentence. We believe he has been sufficiently punished and are satisfied that he is not a habitual criminal. Our recommendation is contingent upon his securing legitimate employment or a satisfactory home. The applicant will be on parole until 1955.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

THOMAS A. LOGUE,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of Harry H. Hoffman—No. 1706
May Session, 1935.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Harry H. Hoffman, convicted of murder (second degree) in the Court of Oyer and Terminer and Quarter Sessions of Luzerne County on November 3, 1925, be commuted from ten years to six years, seven months, expiring on June 3, 1935.

Our reasons for making this recommendation are as follows:

The applicant, a widower and a practicing physician in Ashley, Pennsylvania, married a woman he met through a matrimonial agency in 1926. It appears that his wife was an adventuress and an extortionist, who attempted by the most vicious and despicable means to bring about domestic discord in order that the applicant would do something which would enable her to force him to give her the property which he had accumulated to prevent a scandalous divorce action and effect an amicable separation. The applicant was goaded into such a frenzy that early one morning in 1928, following an all-night tirade, he seized a hammer and struck his wife over the head, the blows proving fatal. He was convicted of murder of the second degree and sentenced to the Eastern Penitentiary for from ten to twenty years.

The applicant was never involved in any other trouble and enjoyed an excellent reputation in the community in which he lived and practiced. Many responsible persons have urged us to recommend clemency.

The Board of Trustees of the Eastern State Penitentiary states, "This man has a very good institutional record. During the construction period at Graterford he performed outstanding work in the medical department. At the present time he is doing an equally efficient job in the mailing department. If he was being considered for parole would be undoubtedly recommended."

The applicant has served over six and one-half years of his minimum sentence. We believe he has been sufficiently punished and are satisfied that he is not a habitual criminal.

The applicant will be on parole until 1948.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

THOMAS A. LOGUE,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of Jerry Stolpi—No. 1892
May Session, 1935.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Jerry Stolpi, convicted of robbery in the Court

of Oyer and Terminer of Luzerne County on October 10, 1932, be commuted from five years to two years, eight months, expiring on June 10, 1935.

Our reasons for making this recommendation are as follows:

The applicant was convicted of robbery in 1932. He was sentenced to the Eastern State Penitentiary for from five to ten years. He was never involved in any other serious trouble. One accomplice was never sentenced to imprisonment, and another accomplice, who was sentenced to serve a ter . of from three to six years in the Luzerne County Jail, was paroled after having served about six months.

Mrs. Fannie Sax Long, Chairman, Division of Correction and Restoration, State Federation of Pennsylvania Women, states, "In as far as I am able I shall try to help his re-establishment in society if you will act favorably in his case. I have known him since he was a school boy and believe that there is promise in him of decent citizenship if given an opportunity to prove it. Therefore I trust that you will give hi ma chance. He has a respectable family full of affection for him, an interested employer, his priest and together we hope to befriend him."

We believe the applicant has been sufficiently punished.

The applicant will be on parole until 1942. Employment has been assured.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

THOMAS A. LOGUE,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of Lerio Viola—No. 1935
May Session, 1935.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Lerio Viola, convicted of robbery in the Court of Oyer and Terminer of Allegheny County on April 15, 1931, be commuted from twelve and one-half to four years, two months, expiring on June 15, 1935.

Our reasons for making this recommendation are as follows:

In 1931, the applicant, when only sixteen years of age, plead guilty to several charges of robbery. He was sentenced to serve a term of from twelve and one-half to sixty years in the Western State Penitentiary. The Board of Trustees of that institution states, "Because of his extreme youth when committed here, because of his good prison record, and because it is his first conviction, would strongly recommend clemency." The supervisor of parolees also recommends clemency.

We believe the applicant has been sufficiently punished and are satisfied he is not a habitual criminal.

The applicant will be on parole until 1991. Employment and a satisfactory home have been provided.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

THOMAS A. LOGUE,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of Fred Hart—No. 1946
May Session, 1935.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Fred Hart, convicted of malicious mischief; felonious assault in the Court of Quarter Sessions of Fayette County on March 23, 1934, be commuted from one and one-half years to one year, three months, expiring on June 23, 1935.

Our reasons for making this recommendation are as follows:

The applicant was convicted of felonious assault and battery in 1934. He was sentenced to serve a term of from one and one-half to three years in the Western State Penitentiary. After a careful examination and investigation of the case there is considerable doubt in our minds as to his guilt.

The applicant has served approximately two-thirds of his minimum sentence. He was never involved in any other trouble. His conduct and employment records during his incarceration have been excellent. His wife and two children are in urgent need of his support.

The trial judge states, "I know of no reason why either one of these applications should not receive favorable consideration at your hands, and I therefore express the belief that they should have a rehearing and be granted clemency. My reasons for making this recommendation are: (a) The length of time already served; (b) The industrial difficulties out of which these occurrences grew have subsided; and (c) I believe now the ends of justice have been met by the punishment already undergone."

The Honorable Anthony Cavalcante recommended clemency.

We believe the applicant has been sufficiently punished and are satisfied he is not a habitual criminal.

The applicant will be on parole until March, 1937. Employment has been assured.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

THOMAS A. LOGUE,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of Tony Deonice—No. 1961
May Session, 1935.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Tony Deonice, convicted of felonious assault and battery, in the Court of Quarter Sessions of Fayette County, on March 23, 1934, be commuted from one and one-half years to one year, three months, expiring on June 23, 1935.

Our reasons for making this recommendation are as follows:

The applicant was convicted of felonious assault and battery in 1934. He was sentenced to serve a term of from one and one-half to three years in the Western State Penitentiary. After a careful examination and investigation of the case, there is considerable doubt in our minds as to his guilt.

The applicant has served approximately two-thirds of his minimum sentence. He was never involved in any other trouble. His conduct and employment records during his incarceration have been excellent.

The trial judge states, "I know of no reason why either one of these applications should not receive favorable consideration at your hands, and I therefore express the belief that they should have a rehearing and be granted clemency. My reasons for making this recommendation are: (a) The length of time already served; (b) The industrial difficulties out of which these occurrences grew have subsided; and (c) I believe now the ends of justice have been met by the punishment already undergone."

The Honorable Anthony Cavalcante recommended clemency.

We believe the applicant has been sufficiently punished and are satisfied that he is not a habitual criminal.

The applicant will be on parole until March, 1937. Employment has been assured.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

THOMAS A. LOGUE,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of Joseph Kokun—No. 2000
May Session, 1935.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Joseph Kokun, convicted of felonious assault, pointing firearms, malicious mischief, in the Court of Quarter Sessions of Fayette County, on March 23, 1934, be commuted from one and one-half years to one year, three months, expiring on June 23, 1935.

Our reasons for making this recommendation are as follows:

The applicant was convicted of felonious assault and battery in 1934. He was sentenced to serve a term of from one and one-half to three years in the Western State Penitentiary. After a careful examination and investigation of the case, there is considerable doubt in our minds as to his guilt.

The applicant has served approximately two-thirds of his minimum sentence. He was never involved in any other trouble. His conduct and employment records during his incarceration have been excellent. The applicant's wife and five children are in urgent need of his support.

The trial judge states, "I know of no reason why either one of these applications should not receive favorable consideration at your hands, and I therefore express the belief that they should have a rehearing and be granted clemency. My reasons for making this recommendation are: (a) The industrial difficulties out of which these occurrences grew have subsided; and (c) I believe now the ends of justice have been met by the punishment already undergone."

The Honorable Anthony Cavalcante recommended clemency.

We believe the applicant has been sufficiently punished and are satisfied he is not a habitual criminal.

The applicant will be on parole until March, 1937. Employment has been assured.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

THOMAS A. LOGUE,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of Phares White—No. 2060
May Session, 1935.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Phares White, convicted of felonious entry, larceny, in the Court of Oyer and Terminer of Lancaster County, on June 6, 1931, be commuted from five years to four years, expiring on June 6, 1935.

Our reasons for making this recommendation are as follows:

The applicant plead guilty to charges of felonious entry and larceny. (The larceny consisted of the theft of a number of chickens.) He was sentenced to serve a term of from five to ten years in the Eastern State Penitentiary.

The trial district attorney states, "The crime in which the above applicant was involved occurred during my administration as District Attorney of Lancaster County. I am definitely of the opinion that the applicant has been sufficiently punished."

We also believe the applicant has been sufficiently punished and are satisfied he is not a habitual criminal. He has served almost four years of his sentence, and was never involved in any other trouble. His institutional record has been excellent.

The applicant will be on parole until 1941. Employment ıs been assured.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

THOMAS A. LOGUE,
Secretary of Internal Affairs.

The above recommendation is approved:
GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of Patsy Ferruccio—No. 2063
May Session, 1935.

ɔ His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due ıblic notice, in open session, the undersigned members the Board of Pardons recommend that the minimum ıntence of Patsy Ferruccio, convicted of robbery, larceny, the Court of Oyer and Terminer of Mercer County, on ınuary 2, 1934, be commuted from five years to one year, ?e months, expiring on June 2, 1935.

Our reasons for making this recommendation are as llows:

The applicant was convicted of robbery and larceny. e was sentenced to serve a term of from five to ten years the Western State Penitentiary.

The Supervisor of Paroles recommends clemency. The ɔard of Trustees of the Western State Penitentiary states, Because of the extreme youth of the applicant, because his good prison record, and because he has no previous ɔiminal history, would strongly recommend clemency."

We believe the applicant has been sufficiently punished ıd are satisfied he is not a habitual criminal.

The applicant will be on parole until 1944. A satisfac- ry home and employment have been provided in Ohio, ıd our recommendation is contingent upon his removing and remaining in that state.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

THOMAS A. LOGUE,
Secretary of Internal Affairs.

The above recommendation is approved:
GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of Salvatore Agnello—No. 2108
May Session, 1935.

ɔ His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due ıblic notice, in open session, the undersigned members the Board of Pardons recommend that the minimum ıntence of Salvatore Agnello, convicted of arson, in the ɔurt of Oyer and Terminer of Erie County, on November 3, 1933, be commuted from two and one-third years to ne year, seven months, expiring on June 20, 1935.

Our reasons for making this recommendation are as follows:

The applicant was convicted of arson in 1933. He was sentenced to serve a term of from two and one-third to four and two-thirds years in the Western State Penitentiary.

The applicant was never convicted of any other crime. He has served approximately two-thirds of his minimum sentence. His conduct and employment records during his incarceration have been excellent. The supervisor of paroles recommends clemency.

We believe that the applicant has been sufficiently punished and that he is not a habitual criminal .

The applicant will be on parole until 1938. Satisfactory home arrangements have been provided, and part-time employment has been assured.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

THOMAS A. LOGUE,
Secretary of Internal Affairs.

The above recommendation is approved:
GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of Stanley Dashuta—No. 2288
May Session, 1935.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Stanley Dashuta, convicted of robbery, in the Court of Oyer and Terminer and general jail delivery of Northampton County, on October 5, 1931, be commuted from seven years to three years, nine months, expiring on June 29, 1935.

Our reasons for making this recommendation are as follows:

In 1931, the applicant, when only seventeen years of age, plead guilty to robbery. He was sentenced to serve a term of from seven to fourteen years in the Eastern State Penitentiary. We believe he has been sufficiently punished. Our reasons follow: (1) The applicant has served over one-half of his minimum sentence. (2) He was never involved in any other trouble. (3) His conduct and employment records during his incarceration have been excellent.

The applicant will be on parole until 1945. He has an excellent home to which he can go and employment has been assured.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

THOMAS A. LOGUE,
Secretary of Internal Affairs.

The above recommendation is approved:
GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of Fenton Fitzpatrick Houlihan—No. 2297
May Session, 1935.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Fenton Fitzpatrick Houlihan, convicted of sodomy, aggravated assault and battery to ravish, rape, in the Court of Quarter Sessions of Philadelphia County, on November 8, 1926, be commuted from fifteen years to eight years, seven months, expiring on June 8, 1935.

Our reasons for making this recommendation are as follows:

The applicant, when only seventeen years of age, was convicted of assault and battery to ravish and rape, sodomy, and taking female child under the age of sixteen for the purpose of sexual intercourse. He was sentenced to serve a term of from fifteen to thirty years in the Eastern State Penitentiary.

Judge McDevitt, who sentenced the applicant, states, "* * * I have no objection to a parole because I think his condition is mental."

The Board of Trustees of the Eastern State Penitentiary states, "* * * This man has a good institutional record. Has improved himself and advanced to shipper in Weave Department. If this man was being considered for parole he would probably be recommended notwithstanding his prior juvenile record of delinquency."

We believe he has been sufficiently punished.

An excellent home has been provided, and employment has been guaranteed. The applicant will be on parole until 1956.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

THOMAS A. LOGUE,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of Dan Delich—No. 2299
May Session, 1935.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Dan Delich, convicted of voluntary manslaughter, in the Court of Oyer and Terminer of Washington County, on August 27, 1934, be commuted from two years to ten months, expiring on June 27, 1935.

Our reasons for making this recommendation are as follows:

The applicant plead guilty to voluntary manslaughter in August of 1934. He was sentenced to serve a term of from two to four years in the Western State Penitentiary. The trial district attorney says, "Defendant's application for pardon correctly sets forth the facts, although not in detail. Deceased had threatened to kill defendant and had thrown the knives at him inside the storeroom, as he outlines in his application. The defendant, undoubtedly had great provocation, and in view of previous threats he might have exceeded the limits of self-defense when the killing was committed.

"In our opinion, the application has merit and should receive the earnest consideration of the Board."

After a careful investigation and consideration of the case, we are convinced the applicant has been sufficiently punished. The applicant has never been involved in any other trouble. His institutional record has been excellent.

The applicant will be on parole until 1938. A home has been provided for him.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

THOMAS A. LOGUE,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of John W. Brooking, Jr.—No. 2302
May Session, 1935.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of John W. Brooking, Jr., convicted of arson, in the Court of Quarter Sessions of Columbia County, on March 29, 1933, be commuted from five years to two years, three months, expiring on June 29, 1935.

Our reasons for making this recommendation are as follows:

The applicant, in 1933, plead guilty to arson. He was sentenced to serve a term of from five to ten years in the Eastern State Penitentiary.

The applicant was a member of a fire company and set fire to vacant buildings for the thrill of seeing and fighting the fire. He was only nineteen years of age at the time of the commission of the crimes. He was never involved in any other trouble. His conduct and employment records during his incarceration have been excellent. On February 6, 1934, he was transferred to the Pennsylvania Industrial School.

We believe the applicant has been sufficiently punished and are satisfied he is not a habitual criminal.

The applicant will be on parole until 1943. He has a satisfactory home to which he can go.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

THOMAS A. LOGUE,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of Thomas Snowden—No. 2305
May Session, 1935.

o His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due blic notice, in open session, the undersigned members he Board of Pardons recommend that the minimum ntence of Thomas Snowden, convicted of statutory rape, the Court of Quarter Sessions of Luzerne County, on ovember 30, 1932, be commuted from three years to two ears, seven months, expiring on June 30, 1932.

Our reasons for making this recommendation are as llows:

The applicant was convicted of statutory rape in 1932. e was sentenced to serve a term of from three to ten ears in the Eastern State Penitentiary. An accomplice, ntenced to serve a term of from four to ten years, was leased on parole about six months ago, after his sen- nce was commuted to a minimum term of two years, ne month.

The trial judge states, "In my judgment the applicant as properly convicted, but in view of the fact that the o-defendant has been released and the condition of the pplicant's family, I think that he might properly be own clemency. I do not recollect whether the other efendant was paroled or pardoned, but I would rec- mmend that this application be disposed of in the same aner as the other was."

Warden Healey of Luzerne County Prison, in which in- itution the applicant has been confined since 1933, states, We have at all times found Snowden willing to carry ut the rules of the institution, and from our observation, e are led to believe that if the Board of Pardons con- ders his application for clemency, allowing him to re- rn to Society, he will endeavor to support his family, ho are in dire need of his help, and prove himself a w-abiding citizen to his community."

We believe the applicant has been sufficiently punished. he applicant will be on parole until 1942. Employment as been assured.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

THOMAS A. LOGUE,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of John Kwashnock—No. 2307
May Session, 1935.

o His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due ublic notice, in open session, the undersigned members the Board of Pardons recommend that the minimum ntence of John Kwashnock, convicted of breaking and ntering, larceny, in the Court of Oyer and Terminer of uzerne County, on May 3, 1933, be commuted from ten rs to two years, one month, expiring on June 3, 1935.

Our reasons for making this recommendation are as ows:

The applicant plead guilty to breaking and entering and ceny in 1933. He was sentenced to serve a term of from to twenty years in the Eastern State Penitentiary.

The Chief Burgess and Chief of Police of West Hazleton ote, "We were present in Court when the defendant, John Kwashnock, was sentenced to twice the period of sentence imposed upon Walter Rymsza and John Bango. We believe that all the boys had been too severely dealt with, especially John Kwashnock because his sentence was twice as long as the other boys' sentences. We believe that the sentence should be cut down; and that the ends of justice will be met by commuting the sentence of John Kwashnock to such term as the discretion of Your Honorable Board may deem best."

The supervisor of paroles recommends clemency.

The applicant's institutional record has been excellent.

We believe he has been sufficiently punished.

The applicant will be on parole until 1953. Employment and a satisfactory home have been provided.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

THOMAS A. LOGUE,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of Michael Aliano (alias DeMarco)—No. 2309
May Session, 1935.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Michael Aliano (alias DeMarco), convicted of robbery, being armed, in the Court of Quarter Sessions of Philadelphia County, on June 27, 1930, be commuted from twenty-five years to five years, expiring on June 27, 1935.

Our reasons for making this recommendation are as follows:

The applicant, when only sixteen years of age, plead guilty to several charges of robbery, being armed with an offensive weapon. He was sentenced in June, 1930, to serve a term of from twenty-five to fifty years in the Eastern State Penitentiary. His associates in crime were older men with criminal records. The applicant had never been in any other serious trouble. His institutional record has been satisfactory. He has served over five years of his minimum sentence. We believe he has been sufficiently punished. The applicant will be on parole until 1980.

A satisfactory home has been provided, and employment has been assured.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

THOMAS A. LOGUE,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of Ralph Everette Wherry—No. 2311
May Session, 1935.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Ralph Everette Wherry, convicted of robbery, receiving stolen goods, in the Court of Oyer and Terminer of Cambria County, on December 28, 1931, be commuted from five years to three years, six months, expiring on June 28, 1935.

Our reasons for making this recommendation are as follows:

The applicant plead guilty to robbery and receiving stolen goods, in 1931, and was sentenced to serve a term of from five to ten years in the Western State Penitentiary.

The trial district attorney states, "* * * I have read the details of the crime, as set forth by the applicant and have gone over the matter with County Detective John M. Gross, who was County Detective under me at the time of the commission of this crime. The applicant has given you the details truthfully, I believe.

It has not been my practice to recommend a pardon against the judgment of the Court imposing sentence. In this case, however, in view of the truthful statement of facts by the applicant, I would not feel justified in opposing this application. I know nothing contrary to what he has said and he is at least to be commended for his truthfulness."

The applicant was never involved in any other trouble and has served over three-fifths of his minimum sentence. His conduct and institutional records during his incarceration have been excellent. We believe he has been sufficiently punished and are satisfied that he is not a habitual criminal.

The applicant will be on parole until 1941.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

THOMAS A. LOGUE,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of Dudley J. Myers—No. 2312
May Session, 1935.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Dudley J. Myers, convicted of robbery with offensive weapon, in the Court of Oyer and Terminer of Washington County, on January 23, 1932, be commuted from five years to three years, five months, expiring on June 23, 1935.

Our reasons for making this recommendation are as follows:

The applicant plead guilty to robbery, being armed with an offensive weapon, in 1932. He was sentenced to serve a term of from five to ten years in the Western State Penitentiary. He was never involved in any other trouble. His institutional record has been excellent. The trial district attorney states, "The above named defendant, on his plea of guilty to robbery armed with a weapon, was sentenced to pay the cost, a fine of $1.00, and to undergo imprisonment in the Western State Penitentiary for a term of not less than five nor more than ten years. A co-defendant, William Kozel, on his plea of guilty, was sentenced to stand committed to Huntingdon, and another co-defendant, William Rock, was given the same sentence as the above named defendant and his application for clemency was granted, and he has been released.

"The application sets forth in brief the facts as presented to the court at the time of sentence. We believe this defendant occupies much the same position as Rock, and that his application is entitled to the earnest consideration of the Board."

We believe the applicant has been sufficiently punished and are satisfied he is not a habitual criminal.

The applicant will be on parole until 1942. His sister will provide a home for him in Ohio. Our recommendation is contingent upon his removing to and remaining in that State.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

THOMAS A. LOGUE,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of Lloyd Lowman—No. 2338
May Session, 1935.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that Lloyd Lowman, convicted of larceny, in the Court of Quarter Sessions of Indiana County, on March 26, 1935, be pardoned.

Our reasons for making this recommendation are as follows:

The applicant was working his way through high school in Indiana, Pennsylvania. He was employed in a service station in Indiana. Sometime in January some older acquaintances of his suggested that he permit them to take tires from the service station for their cars. The applicant's only part in the larceny of the tires was to allow his acquaintances to remove them. This was done on a number of occasions. He readily admitted his guilt, was sentenced to pay one half the costs of prosecution and make restitution of goods taken and was sentenced to the Pennsylvania Training School in Morganza.

The applicant was never involved in any other trouble. Many responsible people of Indiana recommend a pardon. Senators Albert Reed and Edward B. Bennett appeared before us and urged the granting of a pardon. The applicant will graduate on May 28th. Professor J. A. Lubold, Principal of the Indiana High school, states:

"Those of us who have worked with this young man (the applicant) believe that any action taken by the Board which would place him into a position of probation, or which would result in his pardon, would be well founded and justified. We have known this young man

to be of good character. He was a well mannered and well behaved boy about High School. He attended to his work in the class room. He was active in specialized activities such as athletics. His associations about school and within the community have been clean and wholesome. We are anticipating the possibility of having this young man graduate with his class, May 28th. Arrangements have been made with the Academic Department of the Morganza Training School so that he may complete his work for graduation. Any favorable reaction to Lloyd's application will be appreciated by us."

Senator Bennett has arranged for employment for the applicant for the summer months and it is the applicant's intention to go to college in the fall. The District Attorney in telegrams addressed to the Secretary of the Board stated: "Facts set out in Lloyd Lowman application substantially correct. This office not opposing Lloyd Lowman application."

After a careful examination of all the facts in the case we believe the applicant should never have been sentenced to any institution and are confident that he will never engage in any other activities of a criminal nature.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

THOMAS A. LOGUE,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of Gus Nazzaro—No. 256

June Session, 1935.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the maximum sentence of Gus Nazzaro, convicted of robbery, being armed with an offensive weapon, in the Court of Oyer and Terminer of Philadelphia County, on June 2, 1930, be commuted from twenty years to five years, two months, expiring on August 2, 1935.

Our reasons for making this recommendation are as follows:

The applicant was convicted of robbery, being armed with an offensive weapon, in 1930. He was sentenced to serve a term of from five to twenty years in the Eastern State Penitentiary. On July 29, 1932, he was transferred to the Berks County Prison. While working on the outside of the prison he and several others were furnished with liquor and after becoming intoxicated they drove away in a truck they had been using in their work. Upon becoming sober, they returned to the prison in a taxicab. The applicant was sentenced to serve a term of four months for escape, the sentence to run concurrently with the original sentence.

Judge Schaeffer and Judge Shanaman recommend clemency, stating that the jail break should not be a bar to clemency and that this is a proper case for parole. The applicant would already have been released on parole except for the escape. He was never involved in any other trouble.

The applicant has an excellent home to which he can go and reasonable assurance of employment. He will be on parole until 1950.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

THOMAS A. LOGUE,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of John DuBoy—No. 555

June Session, 1935.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of John DuBoy, convicted of entering, receiving stolen goods, assault and battery to rob, in the Court of Oyer and Terminer of Fayette County, on October 14, 1930, be commuted from ten years to four years, ten months, expiring on August 14, 1935.

Our reasons for making this recommendation are as follows:

The applicant plead guilty to several charges of robbery and was sentenced to serve a term of from ten to twenty years in the Western State Penitentiary. The Board of Trustees of that institution state: "If eligible to apply for parole, would probably recommend: first conviction, excellent prison record."

The applicant has served almost one-half of his minimum sentence. We believe he has been sufficiently punished and are satisfied he is not a habitual criminal.

One of the applicant's accomplices was released on parole in 1933, and another accomplice had his sentence commuted and was released on parole.

The applicant will be on parole until 1950.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

THOMAS A. LOGUE,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor

BOARD OF PARDONS

In re Application of Frank Knox Hockman—No. 576
June Session, 1935.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that Frank Knox Hockman, convicted of robbery, in the Court of Oyer and Terminer of Clarion County, on March 7, 1927, be pardoned.

Our reasons for making this recommendation are as follows:

In 1927, the applicant was convicted of robbery. He was sentenced to serve a term of from ten to twenty years in the Western State Penitentiary. In 1931, his sentence was commuted to a minimum term of four years, nine months, and he was released on parole. His conduct since his release has been exemplary.

The district attorney states: "* * * I have had some experience with Mr. Hockman since he was paroled and all our dealings have been satisfactory and to the best of my knowledge his reputation locally has been very good since his parole."

Judge Rimer states: "* * * it seems to me that there is no objection to restoring him to full citizenship by pardon."

At the present time, a number of contracts will be offered to the applicant for short stories if a pardon is granted. He already has earned a considerable amount of money by writing for several magazines.

A pardon will in part remove the stigma of the crime from the applicant and his family and will be of material assistance to his advancement.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

THOMAS A. LOGUE,
Secretary of Internal Affairs.

The above recommendation is approved:
GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of Charles Russogulo—No. 642
June Session, 1935.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that Charles Russogulo, convicted of murder in the first degree, in the Court of Oyer and Terminer of Allegheny County, on April 5, 1918, be pardoned.

Our reasons for making this recommendation are as follows:

In 1917, three other men and the applicant shot and killed a man and wounded another. The applicant alleged that these men were members of a blackmail gang who had threatened their lives if a certain sum of money was not paid. At the time of the trial the applicant was unable to present sufficient evidence to convince the court and jury of these facts, and the conviction followed. However, the office of the district attorney of Allegheny County states that after-discovered evidence tends to verify the allegations of the applicant. There is a reasonable doubt in our minds that the offence which the applicant committed was first degree murder.

In January, 1932, Governor Pinchot, upon the recommendation of the Board of Pardons commuted the applicant's sentence to a minimum of thirteen years, nine months, and the applicant was released on parole. Since then he has conducted himself in an exemplary manner.

Rev. Father O'Connell of Pittsburgh, who is very well acquainted with the applicant recommends a pardon. A pardon will in part remove the stigma of the crime from the applicant and his family and will be of material assistance to his advancement.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

THOMAS A. LOGUE,
Secretary of Internal Affairs.

The above recommendation is approved:
GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of Edwin Joseph Del Marmol—No. 930
June Session, 1935.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Edwin Joseph Del Marmol, convicted of robbery, being armed with an offensive weapon, in the Courts of Oyer and Terminer and general jail delivery of Philadelphia County, on September 26, 1927, be commuted from ten years to eight years, expiring on September 26, 1935.

Our reasons for making this recommendation are as follows:

In 1927, the applicant, when only eighteen years of age, plead guilty to several charges of robbery, being armed with an offensive weapon. He was sentenced to serve a term of from ten to thirty years in the Eastern State Penitentiary, like sentences having been imposed upon two accomplices. The sentence of one accomplice was commuted and release on parole was effected in June, 1934. By the time the applicant can be released he will have served eight years of his minimum sentence.

The Board of Trustees of the Eastern State Penitentiary states, "For the last three years in the institution he has had an exceptional record. Has been employed in the fire department during the day time and in the position of trust as emergency plumber at night. If he was eligible for parole he would probably receive favorable consideration."

We believe the applicant should be given an opportunity at this time rather than to exact the full minimum penalty imposed. An excellent home has been provided. The applicant will be on parole until 1957.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

THOMAS A. LOGUE,
Secretary of Internal Affairs.

The above recommendation is approved:
GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of James Tarsnane—No. 954
June Session, 1935.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of James Tarsnane, convicted of robbery, being armed with an offensive weapon, in the Court of Quarter Sessions of Philadelphia County, on September 26, 1927, be commuted from ten years to eight years, expiring on September 26, 1935.

Our reasons for making this recommendation are as follows:

In 1927, the applicant, when only nineteen years of age, plead guilty to several charges of robbery, being armed with an offensive weapon. He was sentenced to serve a term of from ten to thirty years in the Eastern State Penitentiary, like sentences having been imposed upon two accomplices. The sentence of one accomplice was commuted, release on parole was effected in June, 1934. By the time the applicant can be released he will have served eight years of his minimum sentence.

The Board of Trustees of the Eastern State Penitentiary states, "During the disturbance at Graterford last August he was one of the few men who reported for work on the following day. Because of his excellent institutional record he would probably receive favorable consideration if eligible for parole."

We believe the applicant should be given an opportunity at this time rather than to exact the full minimum penalty imposed. An excellent home has been provided and employment has been assured. The applicant will be on parole until 1957.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

THOMAS A. LOGUE,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of Leon Williams (Odogus)—No. 1033
June Session, 1935.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the maximum sentence of Leon Williams (Odagus), convicted of robbery; being armed with an offensive weapon, in the Court of Quarter Sessions of Berks County, on April 4, 1930, be commuted from ten years to five years, four months, expiring on August 4, 1935.

Our reasons for making this recommendation are as follows:

The applicant was convicted of robbery, being armed with an offensive weapon, in 1930. He was sentenced to serve a term of from five to ten years in the Eastern State Penitentiary. On December 12, 1932, he was transferred to the Berks County Prison. While working on the outside of the prison he and several others were furnished with liquor and after becoming intoxicated they drove away in a truck, which they had been using in their work. Upon becoming sober, they returned to the prison in a taxicab. The applicant was sentenced to serve a term of four months for escape, the sentence to run concurrently with the original sentence.

Judge Schaeffer and Judge Shanaman recommend clemency, stating that the jail break should not be a bar to clemency and that this is a proper case for parole. The applicant would already have been released on parole except for the escape.

The applicant has an excellent home to which he can go and reasonable assurance of employment. He will be on parole until 1940.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

THOMAS A. LOGUE,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of Terry Evans—No. 1148
June Session, 1935.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Terry Evans, convicted of larceny by trick and robbery, in the Court of Quarter Sessions of Allegheny County, on January 25, 1928, be commuted from eleven and one-half years to seven years, seven months, expiring on August 25, 1935.

Our reasons for making this recommendation are as follows:

In 1928 the applicant plead guilty to larceny by trick. He was sentenced to serve a term of from one and one-half to three years in the Western State Penitentiary. He was convicted of robbery, being armed with an offensive weapon on this charge and was sentenced to serve a term of from ten to twenty years in the same institution.

The applicant was never involved in any other serious trouble and his conduct and employment records during his incarceration have been excellent.

A commutation of sentence for deportation was granted on March 15, 1933. However, the applicant was not deportable and he could not be released. He has served over two years additional time. We believe he has been sufficiently punished and are satisfied he is not a habitual criminal.

The applicant will be on parole until 1951. Employment has been assured.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

THOMAS A. LOGUE,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of Pete Belich—No. 1253

June Session, 1935.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Pete Belich, convicted of rape, fornication, in the Court of Oyer and Terminer of Beaver County, on September 29, 1932, be commuted from five years to two years, eleven months, expiring on August 29, 1935.

Our reasons for making this recommendation are as follows:

The applicant was convicted of rape in 1932. He was sentenced to serve a term of from five to fifteen years in the Western State Penitentiary.

Three accomplices were placed on probation and ordered to pay the prosecutrix $1,000.00 jointly. The prosecutrix appeared before us at the hearing and stated that the applicant had not committed rape on her and requested a commutation of his sentence. The parole agent's report indicates that the prosecutrix has a very poor reputation and the head of the hospital where she was taken for treatment said that "she was the toughest girl I ever saw."

The Board of Trustees of the Western State Penitentiary state: "As he has but one previous conviction, and his prison record is good, if eligible for parole, would probably recommend." The previous conviction happened when he was only thirteen years of age.

The applicant will be on parole until 1947.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

THOMAS A. LOGUE,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of Elizabeth Mangol—No. 1270

June Session, 1935.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Elizabeth Mangol, convicted of murder of the second degree, in the Court of Quarter Sessions of Philadelphia County, on June 25, 1931, be commuted from ten years to four years, three months, expiring on August 20, 1935.

Our reasons for making this recommendation are as follows:

On the night of April 27, 1931, the applicant arose from bed and turned on the gas jets in the oven and stove in her kitchen and returned to bed. The next morning, neighbors, upon detecting the fumes, summoned the police and found the applicant, her husband and two daughters unconscious. Her husband died almost immediately, and one daughter, the following day. A plea of guilty was entered, and the applicant was adjudged guilty on both bills of murder of the second degree, and was sentenced to serve a term of from ten to twenty years.

It appears that at the time of the commission of the crime the applicant was being treated for menopause and was described as highly neurotic, having hallucinations, with fear and persecution complexes.

Judge McNeille states: "I had a great deal of sympathy for Mrs. Mangol, but at the time I sentenced her I felt that she would be a menace to her family and to society. Of course, I can only speak as of the time I sentenced her, as I know nothing about her since then. However, I am satisfied with whatever judgment you may have after your hearing and investigation."

From the reports received from Dr. Frederick S. Baldi, the chief physician of the Philadelphia County Prison, it appears the applicant's physical condition at the present time is good.

The applicant has an excellent home to which she can go, and has a sufficient amount of money to maintain herself for some time. The applicant will be on parole until 1951.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

THOMAS A. LOGUE,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of Otto Parsons—No. 1372

June Session, 1935.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Otto Parsons, convicted of voluntary manslaughter, in the Court of Quarter Sessions of Allegheny County, on June 26, 1931, be commuted from six years to four years, two months, expiring on August 26, 1935.

Our reasons for making this recommendation are as follows:

The applicant plead guilty to voluntary manslaughter in 1931. He was sentenced to serve a term of from six to twelve years, in the Western State Penitentiary. The facts in the case are as follows:

The deceased, a police officer, assaulted the applicant without any apparent reason and felled him by striking him over the head with a mace. The deceased fired several shots but each time the applicant knocked the gun down and the bullets went wild. During the struggle for the applicant's gun, the gun was discharged twice, fatally wounding the officer. The first persons to get to the scene of the crime found the applicant lying on the pavement unconscious with the wounded officer lying on the applicant.

The applicant has served over two-thirds of his minimum sentence. His institutional record is excellent. We believe he has been sufficiently punished and are satisfied he is not a habitual criminal.

The applicant will be on parole until 1943.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

THOMAS A. LOGUE,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of Alfred Gibson—No. 1420
June Session, 1935.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Alfred Gibson, convicted of robbery and receiving stolen goods, in the Court of Oyer and Terminer of Allegheny County, on February 15, 1927, be commuted from thirteen years to eight years, six months, expiring on August 15, 1935.

Our reasons for making this recommendation are as follows:

The applicant plead guilty to several charges of robbery and receiving stolen goods and felonious assault and battery, in 1927. He was sentenced to serve a term of from thirteen to twenty-six years in the Western State Penitentiary.

The applicant was never involved in any other serious trouble. He has an excellent institutional record. We are satisfied he is not a habitual criminal and believe he has been sufficiently punished. The Supervisor of Paroles recommends clemency.

The applicant will be on parole until 1953.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

THOMAS A. LOGUE,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of James Osborne—No. 1555
June Session, 1935.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of James Osborne, convicted of robbery, being armed with an offensive weapon, in the Court of Quarter Sessions of Philadelphia County, on December 3, 1932, be commuted from four years to two years, eight months, expiring on August 3, 1935.

Our reasons for making this recommendation are as follows:

The applicant was convicted of robbery, being armed with an offensive weapon, in 1932. He was sentenced to serve a term of from four to eight years, in the Eastern State Penitentiary.

The report from the parole agent who investigated the case states that there is some doubt as to the applicant's guilt. The applicant was never involved in any other trouble. We believe the applicant has been sufficiently punished and are satisfied that he is not a habitual criminal.

The Board of Trustees of the Eastern State Penitentiary states: "This man has a satisfactory institutional record at Graterford and Rockview. If he was eligible for parole would undoubtedly receive favorable consideration on the recommendation of the officials of Rockview Penitentiary."

Employment has been assured and he has an excellent home to which he can go. The applicant will be on parole until 1940.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

THOMAS A. LOGUE,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of Louis De Santis—No. 1561
June Session, 1935.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Louis De Santis, convicted of highway robbery, in the Court of Quarter Sessions of Philadelphia County, on May 19, 1930, be commuted from ten years to five years, three months, expiring on August 19, 1935.

Our reasons for making this recommendation are as follows:

The applicant plead guilty in 1930 to robbery, being armed with an offensive weapon. He was sentenced to serve a term of from ten to sixty years in the Eastern State Penitentiary. While he plead guilty to a number of offences, the offences all took place within a period of two or three months. He had never been involved in any other trouble and has a satisfactory institutional record. He has been incarcerated for over five years. We believe he has been sufficiently punished and are satisfied he is not a habitual criminal.

The applicant has an excellent home to which he can go, and employment has been assured. He will be on parole until 1990.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

THOMAS A. LOGUE,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of Harry Rivel—No. 1740

June Session, 1935.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Harry Rivel, convicted of robbery, being armed with an offensive weapon, in the Court of Oyer and Terminer of Philadelphia County, on February 10, 1932, be commuted from eight years to three years, seven months, expiring on September 10, 1935.

Our reasons for making this recommendation are as follows:

The applicant was convicted of robbery, being armed with an offensive weapon in 1932. He was sentenced to serve a term of from eight to twenty years in the Eastern State Penitentiary.

The person robbed stated that the man who held him up wore a tan overcoat and a brownish purple suit. The applicant, when arrested, about twenty minutes after the commission of the robbery, was dressed very poorly in an old pair of pants and a brown sweater. He was not identified as the person who participated in the robbery.

One admittedly guilty person received a sentence of from one to five years in the Philadelphia County Prison, and another, a sentence of from two to twenty years in the Eastern State Penitentiary. The applicant was convicted on the testimony of one of the admittedly guilty persons, who some time after his arrest and incarceration was adjudged insane and transferred to the State Hospital for Criminal Insane. The applicant was arrested on several occasions but convicted of only one serious charge. The facts in this case lead us to believe that there is grave doubt as to his guilt. In any event, the one admittedly guilty person has been discharged, and the other would have been except for his insanity. We feel that it would be unjust to keep incarcerated one whose guilt is questionable while persons, whose guilt is known, have been released.

Dr. Francis D. Patterson has guaranteed that the applicant will be employed with the Pennsylvania Railroad, and an excellent home has been provided. The applicant will be on parole until 1952.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

THOMAS A. LOGUE,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of Morris Tobin—No. 1764

June Session, 1935.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Morris Tobin, convicted of conspiracy to publish fraudulent railroad tickets, in the Courts of Oyer and Terminer and Quarter Sessions of Philadelphia County, on September 30, 1932, be commuted from ten years to three years, expiring on September 30, 1935.

Our reasons for making this recommendation are as follows:

The applicant plead guilty to fraudulenty publishing railroad tickets. He was sentenced to the Eastern State Penitentiary for from ten to twenty years.

We believe he has been sufficiently punished. Our reasons follow: (1) This was the applicant's first offense. (2) He was not the principal conspirator. (3) Accomplices who were employes of the railroad company were not prosecuted. (4) Conduct and employment records during his incarceration have been excellent. (5) The sentences of three of the accomplices have been commuted upon the recommendation of the Board of Pardons, and they have been released on parole.

The trial judge states: "Viewing all the facts pertaining to the cases of these two brothers, I would recommend to your Board that clemency be granted after they have each served a term of three years, feeling that under all the circumstances the law would be vindicated by this term of imprisonment."

We are in accord with the trial judge's recommendations.

The applicant will be on parole until 1952.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

THOMAS A. LOGUE,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of Thomas Dukes—No. 1810

June Session, 1935.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Thomas Dukes, convicted of murder of the second degree, in the Courts of Oyer and Terminer and Quarter Sessions of Philadelphia County, on September 20, 1928, be commuted from eight years to seven years, expiring on September 20, 1935.

Our reasons for making this recommendation are as follows:

The applicant plead guilty to murder of the second degree in 1928. He was sentenced to serve a term of from eight to sixteen years in the Eastern State Penitentiary.

The Board of Trustees of the Eastern State Penitentiary states: "This man has a satisfactory institutional record at Graterford and Rockview institutions. If he was eligible for parole he would probably receive favorable consideration due to the recommendation of the prison authorities at the Rockview Penitentiary.

He was never involved in any other serious trouble. We believe he has been sufficiently punished and are satisfied he is not a habitual criminal.

He has an excellent home to which he can go and has

a sufficient amount of money to maintain himself. The applicant will be on parole until 1944.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

THOMAS A. LOGUE,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of Patsy Cataldo—No. 1840
June Session, 1935.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Patsy Cataldo, convicted of robbery, in the Court of Oyer and Terminer of Allegheny County, on April 15, 1931, be commuted from twelve and one-half years to four years, four months, expiring on August 15, 1935.

Our reasons for making this recommendation are as follows:

The applicant plead guilty to robbery in 1931. He was sentenced to serve a term of from twelve and one-half to sixty years in the Western State Penitentiary.

The trial judge states: "* * * if your Board is convinced of the applicant's sincerity in his claim of reformation, and you find that he has opportunity for decent employment of likely regular type, I would think his application could be deemed meritorious."

The Board of Trustees of the Western State Penitentiary states: "Because of his youth and good prison record, and because it is his first conviction, would strongly recommend clemency." The Supervisor of Paroles recommends clemency.

The Rev. A. DiStasi has offered and guaranteed to supervise and look after the applicant's conduct.

The applicant will be on parole until 1991.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

THOMAS A. LOGUE,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of William M. Murphy—No. 1902
June Session, 1935.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of William M. Murphy, convicted of robbery, in the Courts of Oyer and Terminer and Quarter Sessions of Westmoreland County, on September 8, 1932, be commuted from five years to three years, expiring on September 8, 1935.

Our reasons for making this recommendation are as follows:

The applicant plead guilty to robbery in 1932. He was sentenced to serve a term of from five to twenty years in the Western State Penitentiary. By the time he can be released he will have served over three years of his minimum sentence. The applicant was never involved in any other trouble and has an excellent institutional record. The sentence of an accomplice, Dave Lewis, was commuted by the Governor in May of this year on our recommendation. We believe the applicant should be accorded like treatment and are satisfied he is not a habitual criminal.

The applicant will be on parole until 1952. A home has been provided for him with his sister in Maryland, and our recommendation is contingent upon his removal to that State.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

THOMAS A. LOGUE,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of Quentin Sterling—No. 1911
June Session, 1935.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Quentin Sterling, convicted of assault, being armed with an offensive weapon to rob, in the Court of Quarter Sessions of Berks County, on March 21, 1931, be commuted from seven and one-half years to four years, five months, expiring on August 21, 1935.

Our reasons for making this recommendation are as follows:

The applicant plead guilty to assault, being armed with an offensive weapon to rob. He was sentenced to serve a term of from seven and one-half to fifteen years in the Eastern State Penitentiary.

The trial judge states: "My information is that Sterling was never in any trouble but for which he was sentenced. Since his sentence was imposed, I have come to the conclusion that the sentence was unduly severe by reason of his prior good record, and I am personally in favor of his parole at an early date."

The applicant was never convicted of any other crime and his institutional record has been very good. He has served almost four and one-half years of his minimum sentence. We believe he has been sufficiently punished and are satisfied that he is not a habitual criminal.

The applicant will be on parole until 1946. Employment has been assured.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE.
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

THOMAS A. LOGUE,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of Gerard C. Richardson—1930

June Session, 1935.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Gerard C. Richardson, convicted of robbery, being armed with an offensive weapon, in the Court of Oyer and Terminer of Luzerne County, on September 8, 1932, be commuted from seven and one-half years to two years, eleven months, expiring on August 8, 1935.

Our reasons for making this recommendation are as follows:

In 1932, the applicant, when only seventeen years of age, plead builty to robbery, being armed with an offensive weapon. He was sentenced to serve a term of from seven and one-half to fifteen years in the Eastern State Penitentiary.

The applicant was never involved in any other trouble and has a satisfactory institutional record. We believe he has been sufficiently punished and are satisfied he is not a habitual criminal.

The trial judge states: "* * * I beg to advise you that since the hearing of the original application in this case, Captain William A. Clark of Troop B, Pennsylvania State Police, at my request, conducted an investigation to the case and has advised me that he is of the opinion that clemency might properly be shown this applicant. I concur in this recommendation and think that under the circumstances, the applicant's request might be granted."

The applicant will be on parole until 1947.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

THOMAS A. LOGUE,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of Samuel Tobin—No. 2013

June Session, 1935.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Samuel Tobin, convicted of conspiracy to publish fraudulent railroad tickets, in the Court of Oyer and Terminer and Quarter Sessions of Philadelphia County on September 30, 1932, be commuted from ten years to three years, expiring on September 30, 1935.

Our reasons for making this recommendation are as follows:

The applicant plead guilty to fradulently publishing railroad tickets. He was sentenced to the Eastern State Penitentiary for from ten to twenty years.

We believe he has been sufficiently punished. Our reasons follow: (1) This was the applicant's first offense. (2) He was not the principal conspirator. (3) Accomplices who were employes of the railroad company were not prosecuted. (4) Conduct and employment records during his incarceration have been excellent. (5.) The sentences of three of the accomplices have been commuted upon the recommendation of the Board of Pardons, and they have been released on parole.

The trial judge states: "Viewing all the facts pertaining to the cases of these two brothers, I would recommend to your Board that clemency be granted after they have each served a term of three years, feeling that under all the circumstances the law would be vindicated by this term of imprisonment."

We are in accord with the trial judge's recommendations.

The applicant will be on parole until 1952.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

THOMAS A. LOGUE,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of Warren J. Hainley—No. 2068

June Session, 1935.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Warren J. Hainley, convicted of felonious entry, larceny, receiving stolen goods, in the Court of Oyer and Terminer and Quarter Sessions of Lebanon County, on January 10, 1931, be commuted from six years, to four years, seven months, expiring on August 19, 1935.

Our reasons for making this recommendation are as follows:

The applicant was convicted of felonious entry and larceny and receiving stolen goods, in 1931. He was sen-

tenced o serve a term of from six to twelve years in the Eastern State Penitentiary.

The present district attorney states that the application appears to have considerable merit. The warden of the Lebanon County Prison, in which institution the applicant has been confined since 1933, states: "Warren J. Hainley has been confined in the Lebanon County Jail for two years. During that entire period he has been a 'trusty'. * * * His conduct has been satisfactory in every detail * * * He has been an ideal prisoner and in my experience with him I would not hesitate to trust him with any job within my power to assign to him * * * Hainley is a young man worthy of serious consideration".

The applicant has served over four and one-half years of his minimum sentence. He has never been involved in any other trouble. We believe he has been sufficiently punished and are satisfied he is not a habitual criminal. Employment has been assured. The applicant will be on parole until 1943.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

THOMAS A. LOGUE,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of John Martin—No. 2082
June Session, 1935.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of John Martin, convicted of burglary, in the Court of Quarter Sessions of Chester County, on May 31, 1932, be commuted from five years, to three years, three months, expiring on August 31, 1935.

Our reasons for making this recommendation are as follows:

The applicant plead guilty to burglary in 1932. He was sentenced to serve from five to ten years in the Eastern State Penitentiary. He has served over three-fifths of his minimum sentence.

With the exception of having been confined in the Pennsylvania Industrial School in 1915, the applicant was never involved in any other trouble. His institutional record has been satisfactory. We believe he has been sufficiently punished and are satisfied he is not a habitual criminal.

The applicant will be on parole until 1942. Employment has been assured.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

THOMAS A. LOGUE,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of Ralph Ziccardi—No. 2110
June Session, 1935.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Ralph Ziccardi, convicted of murder of the second degree; voluntary manslaughter; felonious assault, in the Court of Oyer and Terminer of Venango County, on October 3, 1933, be commuted from six years, to two years, four months, expiring on September 1, 1935.

Our reasons for making this recommendation are as follows:

In 1933, the applicant was convicted of murder of the second degree, voluntary manslaughter, and felonious assault. He was sentenced to serve a term of from six to twelve years in the Western State Penitentiary. After a careful examination of the facts in the case, we are convinced that the applicant was acting in self-defense.

The report of our parole officers states that the persons shot and killed were known as men of bad repute with police records.

The applicant was never involved in any other trouble and enjoyed an excellent reputation. His institutional record has been very good. He has served over two years of his minimum sentence. We believe he has been sufficiently punished and are satisfied that he is not a habitual criminal.

The applicant will be on parole until 1945. He has an excellent home to which he can go and employment has been assured.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

NOT SITTING.
Attorney General.

THOMAS A. LOGUE,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of Lester J. Brachendorf—No. 2132
June Session, 1935.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Lester J. Brachendorf, convicted of statutory rape, assault and battery, in the Court of Oyer and Terminer, Quarter Sessions of Lancaster County, on October 27, 1933, be commuted from two years, to one year, ten months, expiring on August 27, 1935.

Our reasons for making this recommendation are as follows:

The applicant plead guilty to statutory rape in 1933. He was sentenced to serve a term of from two to four years in the Eastern State Penitentiary. He was never involved in any other trouble and his institutional record has been excellent.

Warden Foust of the Lancaster County Prison to which

institution the applicant was transferred in January, 1934, appeared before the Board and recommended and urged the granting of clemency. By the time the applicant can be released he will have served within two months of his minimum sentence. We believe he has been sufficiently punished and are satisfied he is not a habitual criminal.

The applicant has an excellent home to which he can go and a wife and five children who are in urgent need of his support. Employment has been assured.

The applicant will be on parole until 1937.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

THOMAS A. LOGUE,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of Anthony Orlando—No. 2139
June Session, 1935

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the maximum sentence of Anthony Orlando, convicted of robbery, in the Court of Oyer and Terminer of Philadelphia County on March 25, 1926, be commuted from ten years, to six years, expiring on August 17, 1935.

Our reasons for making this recommendation are as follows:

The applicant was convicted of robbery in 1926, and was sentenced to serve a term of from five to ten years in the Eastern State Penitentiary. In December, 1927, he was transferred to the Rockview Farm Prison and was released on parole at the expiration of his minimum sentence in 1931. He was convicted of robbery in 1932, in Newark, N. J., and was sentenced to serve a term of from three to five years in the New Jersey State Prison. Upon his release he was returned to the Western State Penitentiary for his parole violation.

The Assistant District Attorney for the County of Philadelphia states "At the meeting of the Board yesterday, the Attorney General asked me to read over the testimony in the case of State of New Jersey vs. Anthony Orlando, wherein the defendant was charged with robbery.

"In accordance with the request made, I have carefully read all of the testimony in the case referred to, and I do not see how it was possible for the jury to have reached a verdict of guilty in the New Jersey case."

Judge McDevitt, who tried the case against the applicant, states in a letter addressed to the applicant that he cannot recommend to them (the Board of Pardons) what they can do, but if the matter were before him on petition, he would be at a loss to understand how the applicant was convicted on such testimony.

The applicant has served approximately a year for his parole violation. We believe he has been sufficiently punished. The applicant will be on parole until 1939.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

THOMAS A. LOGUE,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of G. E. Jones—No. 2222
June Session, 1935

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of G. E. Jones, convicted of receiving stolen goods, in the Court of Quarter Sessions of Beaver County on March 16, 1935, be commuted from one and one-half years, to five months, expiring on August 16, 1935.

Our reasons for making this recommendation are as follows:

The applicant was convicted of receiving stolen goods on March 18, 1935. He was sentenced to serve a term of from one and one-half to three years in the Western State Penitentiary. The facts of the case are as follows: The applicant and his brother were partners in a garage business, specializing in buying and selling wrecked cars. Around May, 1934, they bought a wrecked car and turned it over to another party to repair. The car returned and the applicant's brother decided to keep the car for his own use and drove it for about nine months. It was then discovered by the police that the body had been changed, as well as the serial and some secret numbers. The serial number on the motor, however, corresponded with the serial number on the title. The evidence upon which the applicant was convicted was very flimsy, and there was scarcely any evidence to connect him with the crime.

The assistant district attorney who tried the case is not opposed to clemency. We believe the applicant has been sufficiently punished. The applicant will be on parole until 1938.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

THOMAS A. LOGUE,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of Charles W. Miasel—No. 2272
June Session, 1935.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Charles W. Maisel, convicted of fraudulently making a written instrument and bringing stolen property into the State, in the Court of Quarter Sessions of Philadelphia County, on June 4, 1934, be commuted from four years, to one year, two months, expiring on August 4, 1935.

Our reasons for making this recommendation are as follows:

The applicant plead guilty to fraudulently making a written instrument and bringing stolen property into the State. On June 4, 1934, he was sentenced to serve a term of from four to thirteen years in the Eastern State Penitentiary.

The applicant has served over one year of his minimum sentence, and has a good institutional and employment record. No one suffered any loss, as he only attempted to sell bonds which had been stolen. Pending his trial, and while he was under bail, he was employed in a fiduciary capacity by the Welfare Department in New York City, handling large sums of money.

The accomplice, who has never been brought to trial, is now in the hands of the Federal authorities in Florida. The applicant has agreed to testify against the accomplice if brought to trial.

While we are satisfied that the applicant knew that he was dealing with stolen property, we are also convinced that he had no connection with the stealing of the property and was being used by other parties. By the time he can be released he will have served over one-fourth of his minimum sentence. We believe he has been sufficiently punished.

Employment has been assured in Illinois. The applicant will be on parole until 1947.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE.
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

THOMAS A. LOGUE,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of Raymond Heimlich—No. 2276
June Session, 1935

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application, having been heard upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that Raymond Heimlich, convicted of taking a female under the age of sixteen years for the purpose of sexual intercourse, in the Court of Quarter Sessions of Philadelphia County, on December 29, 1933 be pardoned.

Our reasons for making this recommendation are as follows:

The applicant plead nolle contendere to charges of taking a female under the age of sixteen years for the purpose of sexual intercourse. He was adjudged guilty and was sentenced to serve a term of from two and one-half to five years in the Eastern State Penitentiary.

Judge McDevitt, the trial judge, states: "If the affidavits accompanying this application and purporting to be made by Wanda Ilando and Margaret Morris are true, the petitioner should be pardoned and they should be arrested for perjury." Later, he stated: "I had the two girls in court yesterday and they told practically the same story that is contained in their affidavits. If they are telling the truth, of course Heimlich should be pardoned."

The district attorney's representative, who appeared before us at the hearing, stated that he is satisfied that the applicant is not guilty.

A report from the parole agent who investigated the case states: "Recital of facts as incorporated in petition are unexaggerated. Petitioner is very obviously an innocent victim of the conduct of evil designing chance acquaintance."

After a careful examination of all the facts and reports in the case, we are satisfied that the applicant was innocent and accordingly we recommend a pardon. Employment has been assured and he has an excellent home to which he can go.

Respectfully submitted,

THOMAS KENNEDY
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth,

CHARLES J. MARGIOTTI,
Attorney General.

THOMAS A. LOGUE,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of Julius Rasmus—No. 2284
June Session, 1935

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application, having been heard upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Julius Rasmus, convicted of robbery, breaking and entering, in the Court of Quarter Sessions of Columbia County, on December 22, 1930, be commuted from ten years, to four years, eight months, expiring on August 22, 1935.

Our reasons for making this recommendation are as follows:

The applicant plead guilty to robbery and breaking and entering and was sentenced to serve a term of from ten to twenty years in the Eastern State Penitentiary. He was only nineteen years of age at the time of the commission of the crime. He never was involved in any other trouble.

The trial judge and the trial district attorney have no objection to the granting of clemency. He has served over four and one-half years of his minimum sentence. We believe he has been sufficiently punished and are satisfied he is not a habitual criminal.

The applicant has an excellent home to which he can go and there is a reasonable probability of his securing employment.

He will be on parole until 1950.

Respectfully submitted,

THOMAS KENNEDY
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth,

CHARLES J. MARGIOTTI,
Attorney General.

THOMAS A. LOGUE,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of W. Nelson Truax—No. 2335
June Session, 1935

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application, having been heard upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that W. Nelson Truax, convicted of false entries by officer of bank, in the Court of Quarter Sessions of Delaware County, on June 23, 1933, be pardoned.

Our reasons for making this recommendation are as follows:

The applicant was convicted of making false entries and material omissions in books of a bank; false pretense; making and exhibiting false entries and papers by bank officers, and fraudulently making, altering and uttering a written instrument with intent to defraud. He was sentenced to serve a term of from two to five years in the Delaware County Jail. He was paroled on September 18, 1933.

The assistant district attorney who tried the case writes, "The Court paroled him after he had served less than three months of his sentence, and the reason they did so was apparent in that they were convinced Mr. Traux had been sufficiently punished by his conviction and short period of incarceration. This office does not have any objection to the granting of a pardon to the defendant in this case and believes that such action on the part of your Honorable Board would serve the ends of Justice entirely."

The applicant was never involved in any other trouble and enjoys an excellent reputation in the community in which he lives. Many prominent persons have written to us and have urged us to recommend clemency.

The pardon will in part remove the stigma of the crime from the applicant and his family and will be of material assistance to his advancement.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

THOMAS A. LOGUE,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE.
Governor

BOARD OF PARDONS

In re Application of William McDonald—No. 2336
June Session, 1935

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above applicant having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of William McDonald, convicted of felonious entry, larceny in the Court of Quarter Sessions of Lancaster County on April 2, 1932, be commuted from four years to three years, four months, expiring on August 2, 1935.

Our reasons for making this recommendation are as follows:

The applicant plead guilty to the larceny of a number of chickens in 1932. He was sentenced to serve a term of from four to eight years in the Eastern State Penitentiary.

The Board of Trustees of the Eastern State Penitentiary states: "This man has a good institutional record at Graterford and Rockview. If he was eligible for parole would undoubtedly receive favorable consideration on the recommendation made by the Rockview Farm officials."

The applicant has served approximately five-sixths of his minimum sentence and we believe he has been sufficiently punished. Employment has been assured.

The applicant will be on parole until 1940.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

THOMAS A. LOGUE,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of Walter Rhoades—No. 2365
June Session, 1935

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Walter Rhoades, convicted of rape, in the Court of Quarter Sessions of Pike County on December 17, 1934, be commuted from two and one-half years to nine months, expiring on September 17, 1935.

Our reasons for making this recommendation are as follows:

The applicant was convicted of rape in 1934. He was sentenced to serve a term of from two and one-half to five years in the Eastern State Penitentiary. After a careful examination of the records in the case there is considerable doubt in our minds as to the applicant's guilt. He was never involved in any other trouble, and his institutional record has been excellent.

Several weeks ago, through an unfortunate accident, the applicant lost an eye. An accomplice, who probably was technically guilty of rape, died a short time ago in the penitentiary.

We are satisfied that the applicant is not a habitual

criminal and will never become involved in any other trouble. He will be on parole until 1939. Employment has been assured.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

THOMAS A. LOGUE,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of Peter Matise—No. 2367
June Session, 1935.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the maximum sentence of Peter Matise, convicted of robbery, being armed with an offensive weapon, in the Court of Oyer and Terminer of Philadelphia County on June 20, 1924, be commuted from five years to three years, five months, expiring on August 12, 1935.

Our reasons for making this recommendation are as follows:

In 1924, the applicant plead guilty to robbery, being armed with an offensive weapon. He was sentenced to serve a term of from two and one-half to five years in the Eastern State Penitentiary. On April 3, 1925, he was transferred to the Western State Penitentiary. He was released on parole on December 20, 1926. On January 14, 1929, he was sentenced to serve a term of ten years in New York State for carrying a pistol. He was paroled from Great Meadow Prison in New York, on September 13, 1934, and was on the same day returned to the Western State Penitentiary to serve the remainder of the unexpired portion of his original sentence.

We believe the applicant has been sufficiently punished for his parole violation.

The applicant has an excellent home to which he can go in New Jersey. Our recommendation is contingent upon his removal to that State. He will be on parole until March, 1937.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

THOMAS A. LOGUE,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of Casmire Zielaskowski—No. 2368
June Session, 1935.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

zSir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the maxmum sentence of Casmire Zielaskowski, convicted of assault and battery with intent to ravish, false impersonation of a police officer, in the Court of Quarter Sessions of Berks County on June 18, 1932, be commuted from five years to three years, two months, expiring on August 18, 1935.

Our reasons for making this recommendation are as follows:

The applicant was convicted of assault with intent to ravish and false impersonation of police officer, in 1932. He was sentenced to serve a term of from two and one-half to five years in the Eastern State Penitentiary. On May 24, 1933, he was transferred to the Berks County Prison. While working on the outside of the prison he and several others were furnished with liquor and after becoming intoxicated they drove away in a truck they had been using in their work. Upon becoming sober, they returned to the prison in a taxicab. The applicant was sentenced to serve a term of four months for escape, the sentence to run concurrently with the original sentence.

Judge Schaeffer and Judge Shanaman recommend clemency, stating that the jail break should not be a bar to clemency and that this is a proper case for parole. The applicant would already have been released on parole except for the escape.

The applicant has an excellent home to which he can go and reasonable assurance of employment. He will be on parole until 1937.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

THOMAS A. LOGUE,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of John Earl Ross—No. 2369
June Session, 1935.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of John Earl Ross, convicted of robbery in the Court of Oyer and Terminer, Quarter Sessions of Carbon County, on September 18, 1931, be commuted from eight years to three years, eleven months, expiring on August 18, 1935.

Our reasons for making this recommendation are as follows:

The applicant plead guilty to robbery in 1931 and was sentenced to serve from eight to sixteen years in the Eastern State Penitentiary.

He has an excellent institutional record and was never

involved in any other trouble. At the time of the commission of the crime he was only eighteen years of age. We believe he has been sufficiently punished and are satisfied he is not a habitual criminal.

The applicant will be on parole until 1947. Employment has been assured.

The trial judge stated to the parole agent who investigated the case that the applicant was not a hard-type character and that he believed he had been taught a lesson and was agreeable to any action the Board desired to take.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

THOMAS A. LOGUE,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of Alexander J. Born—No. 2371
June Session, 1935.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that Alexander J. Born, convicted of larceny in the Court of Quarter Sessions of Allegheny County, on October 6, 1922, be pardoned.

Our reasons for making this recommendation are as follows:

In 1922, the applicant when only seventeen years of age, withheld a sales slip in a cigar store in the amount of $2.50. He was charged with having stolen $17.00 and offered to make restitution. He plead guilty to larceny, was placed on probation for two years, ordered to pay the costs of prosecution and make full restitution. This was done the same day of sentence.

The applicant was never involved in any other trouble and has been conducting himself in a commendable manner. He is employed at the present time in the Department of Public Safety in the City of Pittsburgh, as Assistant Bertillon Operator.

The Honorable Samuel H. Gardner, who was assistant district attorney at the time, the Honorable Ralph Smith, the Honorable Andrew T. Park, District Attorney, and others recommend the granting of a pardon.

A pardon will enable the applicant to retain his position and will remove the stigma of the crime from his family and himself and will be of material assistance to his advancement.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

THOMAS A. LOGUE,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of Charles Fashion—No. 2384
June Session, 1935.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Charles Fashion, convicted of voluntary manslaughter and felonious assault in the Court of Oyer and Terminer of Blair County on March 12, 1932, be commuted from six years to three years, five months, expiring on August 12, 1935.

Our reasons for making this recommendation are as follows:

In 1932 the applicant was convicted of voluntary manslaughter and felonious assault. He was sentenced to serve a term of from six to twelve years in the Western State Penitentiary.

The applicant killed his brother alleging that his wife and his brother had been intimate for some time, the brother living in his home. During a quarrel after the discovery of his wife's and brother's intimacies, his brother hit him and in a daze he shot and killed the brother. No other motive for the killing has been given by the Commonwealth. The applicant has served almost three and one-half years of his minimum sentence. We believe he has been sufficiently punished and are satisfied he is not a habitual criminal.

The applicant will be on parole until 1942. Employment has been assured.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

NOT SITTING,
Attorney General.

THOMAS A. LOGUE,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of Alexander Capiello—No. 2394
June Session, 1935.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Alexander Capiello, convicted of rape and incestuous fornication in the Court of Quarter Sessions of Philadelphia County, on June 6, 1930, be commuted from seven and one-half years to five years, two months, expiring on August 6, 1935.

Our reasons for making this recommendation are as follows:

In 1930 the applicant and his brother plead guilty to rape and incestuous fornication. They were sentenced to serve terms of from seven and one-half to fifteen years in the Eastern State Penitentiary.

The report of the Municipal Court shows that the sister, upon whom the rape was supposed to have been committed, had not been harmed physically, although there is no question but that the applicant and his brother had taken certain liberties with her.

The trial judge states: "* * * I am convinced that there was no doubt of their guilt (the applicant and his brother), but considering their age at the time of their commission of the crime, if the Board sees fit to commute

their sentence, I have no objection to it." The district attorney's representative who appeared before us at the open session, stated that he was not opposed to the granting of clemency.

The Board of Trustees of the Eastern State Penitentiary states: "This man has had a satisfactory institutional record. Was employed as a teacher at Graterford,—present time employed as clerk in Philadelphia institution. If eligible for parole would probably receive favorable consideration."

The applicant was never involved in any other trouble and was only eighteen years of age when sentenced. We believe he has been sufficiently punished. An excellent home and employment has been provided. He will be on parole until 1945.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

THOMAS A. LOGUE,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of Mike Capiello—No. 2395
June Session, 1935.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Mike Capiello, convicted of rape and incestuous fornication in the Court of Quarter Sessions of Philadelphia County on June 6, 1930, be commuted from seven and one-half years to five years, two months, expiring on August 6, 1935.

Our reasons for making this recommendation are as follows:

In 1930 the applicant and his brother plead guilty to rape and incestuous fornication. They were sentenced to serve terms of from seven and one-half to fifteen years in the Eastern State Penitentiary.

The report of the Municipal Court shows that the sister, upon whom the rape was supposed to have been committed, had not been physically harmed, although there is no question but that the applicant and his brother had taken certain liberties with her.

The trial judge states: "* * * I am convinced that there was no doubt of their guilt (the applicant and his brother), but considering their age at the time of their commission of the crime, if the Board sees fit to commute their sentence, I have no objection to it." The district attorney's representative who appeared before us, stated that he was not opposed to the granting of clemency.

The Board of Trustees of the Eastern State Penitentiary states: "This man has had a satisfactory institutional record. Was employed as a teacher at Graterford,—present time employed as clerk in Philadelphia institution. If eligible for parole would probably receive favorable consideration."

The applicant was never involved in any other trouble and was only eighteen years of age when sentenced. We believe he has been sufficiently punished. An excellent home and employment has been provided. He will be on parole until 1945.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

THOMAS A. LOGUE,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of Chester L. Gipe—No. 2400
June Session, 1935.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that Chester L. Gipe, convicted of forgery in the Court of Quarter Sessions of Franklin County, on October 10, 1931, be pardoned.

Our reasons for making this recommendation are as follows:

In 1931 the applicant plead guilty to forgery and was sentenced to serve from two and one-half to five years in the Eastern State Penitentiary. At the expiration of his minimum term he was released on parole. Since, then, he has been gainfully employed and has conducted himself in an exemplary manner.

The trial judge states: "I have a great deal of sympathy for this young man and feel that his fall came through a weakness which was not known when he was placed in a position of trust in the bank and that the temptation proved too great for him through the influence of a stronger mind. He had a most excellent record while in the penitentiary, I am informed, and has been working and doing well since he was paroled from that institution. I feel that the Board could well grant to him the pardon for which he is applying, so that he may go out and make some success in life. He is yet a young man and I believe will succeed if he is given the opportunity. For these reasons I am very willing to recommend to the Board the granting of a full pardon in this case."

The district attorney, in a letter to the applicant states: "I will not make any objections to your application for pardon and I hope you will succeed in getting it; however, it is my policy to make no recommendations in any cases."

The applicant was never involved in any other trouble. On February 16, 1935, he was awarded a prize at the Eastern State Penitentiary for being the most outstanding and promising parolee released from the penitentiary during the year 1934.

A pardon will in part remove the stigma of the crime from the applicant and his family and will be of material assistance to his advancement.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

THOMAS A. LOGUE,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of Joseph Vitaliano—No. 2401

June Session, 1935.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the life sentence of Joseph Vitaliano, convicted of murder, first degree, in the Court of Quarter Sessions of Northampton County on March 25, 1925, be commuted from life imprisonment to ten years, five months, expiring on August 25, 1935.

Our reasons for making this recommendation are as follows:

The applicant was convicted of murder of the first degree in 1925, and was sentenced to death. The death sentence was commuted to life imprisonment. He was never involved in any other trouble.

The applicant is a native of Italy, 72 years of age, and is ready and willing to pay his own transportation to his native country. The district attorney and the Board of Trustees of Eastern State Penitentiary have no objections to commutation of sentence for deportation. Our recommendation is contingent upon his return to and remaining in Italy.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

THOMAS A. LOGUE,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of Howard B. Allen—No. 2411

June Session, 1935.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that Howard B. Allen, convicted of conspiracy to cheat and defraud in the Court of Quarter Sessions of Allegheny County, on March 28, 1933, be pardoned.

Our reasons for making this recommendation are as follows:

The applicant was Superintendent of Motor Vehicles at the Allegheny County Garage. He authorized three county employes to charge gasoline at certain designated stations for their own cars which were being used in work for the county. The applicant made this authorization on the orders of one of the county commissioners. The applicant did not profit by the transaction. A demurrer was entered to the evidence, and the applicant was adjudged guilty of making false entries and conspiracy to cheat and defraud. He was ordered to make restitution to the county in the sum of $550.00 and pay one-half the costs. Two of the three persons who received the gasoline were also adjudged guilty and upon appeal the Superior Court held that there was not a scintilla of evidence that defendants tried to defraud the county, that all the evidence showed that the gas used in the cars was used for county purposes and that the Commonwealth failed to produce any evidence of conspiracy or to show any fraudulent conversion. The trial court was reversed and these two persons were discharged. The facts upon which the applicant was adjudged guilty were the same as those in which the Superior Court passed in the other two cases. We are in accord with the Superior Court.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

THOMAS A. LOGUE,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of Joshua Matthews—No. 2415

June Session, 1935.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Joshua Matthews, convicted of voluntary manslaughter, in the Court of Oyer and Terminer of Philadelphia County on May 19, 1933, be commuted from three years to two years, three months, expiring on August 19, 1935.

Our reasons for making this recommendation are as follows:

The applicant was convicted of voluntary manslaughter in 1933. He was sentenced to serve a term of from three to ten years in the Eastern State Penitentiary.

The District Attorney's representative, who appeared before us at the hearing, stated that the killing occurred in self-defense and recommended favorable consideration. The applicant has served over two-thirds of his minimum sentence. He was never involved in any other trouble and has an excellent institutional record.

We believe he has been sufficiently punished and are satisfied he is not a habitual criminal.

The applicant will be on parole until 1943.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth,

CHARLES J. MARGIOTTI,
Attorney General.

THOMAS A. LOGUE,
Secretary of Internal Affairs,

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of John Pidcock—No. 2416

June Session, 1935.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of John Pidcock, convicted of arson, in the Court of Oyer and Terminer of Bucks County, on September 5, 1933, be commuted from ten years to one year, eleven months, expiring on August 5, 1935.

Our reasons for making this recommendation are as follows:

The applicant when only seventeen years of age, plead guilty to arson. He was sentenced to serve from ten to twenty years in the Eastern State Penitentiary.

The trial District Attorney states: "My feelings about this case was that the boy was properly convicted but I also felt that the Judge was unduly severe in the sentence which he imposed."

The applicant was never involved in any other trouble and has a satisfactory institutional record. We believe he has been sufficiently punished and are satisfied that he is not a habitual criminal. He has an excellent home to which he can go.

The applicant will be on parole until 1953.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth,

CHARLES J. MARGIOTTI,
Attorney General.

THOMAS A. LOGUE,
Secretary of Internal Affairs,

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of Earl Nicholson—No. 2419

June Session, 1935.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Earl Nicholson, convicted of statutory rape, in the Court of Oyer and Terminer of Fayette County, on March 6, 1934, be commuted from three years to one year, five months, expiring on August 6, 1935.

Our reasons for making this recommendation are as follows:

The applicant plead guilty to statutory rape in 1934. He was sentenced to serve a term of from five to six years in the Western State Penitentiary. It appears that the prosecutrix had a very poor reputation as to chastity. We believe that if the information which our parole agent has given us had been presented to the court, he would not have been convicted.

The applicant has served almost one-half of his minimum sentence. He was never involved in any other serious trouble. We believe he has been sufficiently punished and are satisfied he is not a habitual criminal.

He will be on parole until 1940.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth,

CHARLES J. MARGIOTTI,
Attorney General.

THOMAS A. LOGUE,
Secretary of Internal Affairs,

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of Alfonse Pacella—No. 2421

June Session, 1935.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that Alfonse Pacella, convicted of aggravated assault and battery, in the Court of Quarter Sessions of Allegheny County, on November 30, 1931, be pardoned.

Our reasons for making this recommendation are as follows:

The applicant was a patrolman on the police force of the City of Pittsburgh, in 1931. While covering the beat with a fellow policeman, they became involved in a fight and the applicant used his mace rather freely. He was convicted of aggravated assault and battery on November 30, 1931, and was sentenced to serve a term of ninety days in the Allegheny County Workhouse.

Prior to his conviction and subsequent thereto, the applicant was never involved in any trouble.

A pardon will in part remove the stigma of the conviction from the applicant and his family and will be of material assistance to his advancement.

The District Attorney's representative who appeared before us at our open session was not opposed to the granting of clemency.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth,

CHARLES J. MARGIOTTI,
Attorney General.

THOMAS A. LOGUE,
Secretary of Internal Affairs,

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of Daniel F. Mulligan—No. 2429

June Session, 1935.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that Daniel F. Mulligan, convicted of receiving stolen goods, in the Court of Quarter Sessions of Luzerne County, on December 5, 1927, be pardoned.

Our reasons for making this recommendation are as follows:

The applicant was convicted of receiving stolen goods. He was sentenced to serve a term of one and one-half years in the Luzerne County Prison. The applicant must receive only fifteen hours more credits before being awarded an A. B. Degree at Pennsylvania State College.

The trial District Attorney states: "The facts related by the applicant with reference to his profession, his family relations and responsibilities are correct, and his efforts to rehabilitate himself and better equip himself in his profession are commendable. In view of the fact that the applicant served a term in the Luzerne County Prison and is at liberty at the present time, and especially in view of the fact that he has made a serious effort to re-establish himself in the community, I do not know of any reason why the petitioner should not receive favorable consideration."

The Supervisor of Paroles recommends a pardon.

A pardon will in part remove the stigma of the crime from the applicant and his family and will be of material assistance to his advancement.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth,

CHARLES J. MARGIOTTI,
Attorney General.

THOMAS A. LOGUE,
Secretary of Internal Affairs,

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of Leo F. Moersbacher—No. 2440

June Session, 1935.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that Leo F. Moersbacher, convicted of illegal transportation of intoxicating liquors, in the Court of Quarter Sessions of Montgomery County, on November 21, 1923, be pardoned.

Our reasons for making this recommendation are as follows:

In 1923, the applicant was convicted of illegal transportation of intoxicating liquors. He was sentenced to serve a term of four months' imprisonment in the Montgomery County Prison. He was never convicted of any other crime.

The trial judge states: "* * * In my opinion the application is most meritorious."

The applicant is established in business and enjoys an excellent reputation. A pardon will in part remove the stigma of the crime from the applicant and his family and will be of material assistance to his advancement.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth,

CHARLES J. MARGIOTTI,
Attorney General.

THOMAS A. LOGUE,
Secretary of Internal Affairs,

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of Paul Della Pelle—No. 1727

July Session, 1935.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that Paul Della Pelle, convicted of arson, in the Court of Quarter Sessions of Chester County, on March 13, 1933, be pardoned.

Our reasons for making this recommendation are as follows:

In 1933, the applicant was part owner of a mushroom establishment at Kennett Square, Pennsylvania. He was in straightened financial circumstances and to get some money he set fire to the building for the purpose of getting the insurance. No lives were endangered. He plead guilty to arson and was sentenced to serve a term of from three to six years in the Eastern State Penitentiary. He has served almost two and one-half years of his minimum sentence. He was never involved in any other trouble, and his conduct and employment records during his incarceration have been excellent.

The applicant has a wife and three children who are in urgent need of his support. Employment has been assured by a mushroom concern, and the employment being seasonal his early release must be effected to enable him to take advantage of the employment offer. Accordingly, we recommend a pardon rather than a commutation of sentence.

We do not believe the applicant to be a habitual criminal and there are reasonable grounds to believe that he will never become involved in any other crime.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

THOMAS A. LOGUE,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of David Disque—No. 843
September Session, 1935.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the life sentence of David Disque, convicted of murder, in the Court of Oyer and Terminer of Philadelphia County, on June 5, 1922, be commuted from life imprisonment to minimum of twelve years, six months, expiring on October 25, 1935.

Our reasons for making this recommendation are as follows:

The applicant and three others in July of 1921 broke into the home of one, Sarah Parr, the grandmother of one of the group. No weapons were taken to the scene of the crime, but a rubber hose was picked up in the yard, and after binding Mrs. Parr, she was struck with the rubber hose in order to make her tell where money was hidden. Mrs. Parr was eighty-four years of age and died the same day as the result of bodily injuries inflicted and shock.

The applicant and one of the accomplices, Henry Reinschreiber, were found guilty of murder of the first degree and were sentenced to be electrocuted. These sentences were subsequently commuted to life imprisonment. The two other accomplices plead guilty to murder of the second degree and were sentenced to serve terms of from ten to twenty years. One of these accomplices died in prison and the other was released on parole on September 29, 1931. Reinschreiber's sentence was commuted in May of 1933, and he was released on parole. Of the four accomplices the applicant is the only one still confined.

The Board of Trustees of the Eastern State Penitentiary states: "If this man was eligible for parole he would probably receive favorable consideration because of excellent institutional record and attitude, as well as the fact that all other participants in the crime have been released."

The Supervisor of Paroles recommends the application.

We believe the applicant has been sufficiently punished and are satisfied that he is not a habitual criminal.

The applicant will be on parole the remainder of his life. Employment has been assured.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

THOMAS A. LOGUE,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of John Shaffer—No. 1012
September Session, 1935.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of John Shaffer, convicted of robbery, larceny, in the Court of Oyer and Terminer and Quarter Sessions of Allegheny County, on April 3, 1930, be commuted from ten years to five years, eight months, expiring on December 8, 1935.

Our reasons for making this recommendation are as follows:

In 1930 the applicant and two accomplices plead guilty to several charges of robbery and larceny. All were sentenced to serve terms of from ten to twenty years in the Western State Penitentiary. The one accomplice died in February, 1924, and the other's sentence was commuted and he was released on parole in June of this year. The District Attorney's representative who appeared before us at the open hearing recommended a commutation of sentence. The Supervisor of Paroles recommends clemency. The Board of Trustees of the Western State Penitentiary states: "If this inmate were eligible for parole, we probably would recommend him for parole because his present sentence constitutes his first conviction and he has an excellent prison record."

The trial judge made no objections to the granting of clemency.

The applicant has served over five and one-half years of his minimum sentence. He was never involved in any other trouble and his institutional record is excellent. Accordingly, we believe that he has been sufficiently punished and are satisfied he is not a habitual criminal.

The applicant will be on parole until 1950. Employment has been assured.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

THOMAS A. LOGUE,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor

BOARD OF PARDONS

In re Application of Patrick Valenti—No. 1233
September Session, 1935.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Patrick Valenti, convicted of rape, in the Court of Oyer and Terminer of Luzerne County, on April 11, 1931, be commuted from five years to four years, seven months, expiring on November 11, 1935.

Our reasons for making this recommendation are as follows:

In 1931, the applicant plead guilty to rape. He was sentenced to serve a term of from five to ten years in the Eastern State Penitentiary. The trial judge states: "I sentenced these defendants. They have about eight months to finish their terms. During their confinement, Valenti lost his father, Howell's parents, mother and father, are in ill health and Burgio's mother is quite ill.

"I am told that these young men have behaved themselves during their imprisonment. I have received communications on various occasions from them and have no objection to favorable action upon their petition and would be pleased if these young men were paroled. I understand that employment is waiting for all of them."

The District Attorney has no objection to the granting of clemency.

Warden Healey, of the Luzerne County Prison, to which institution the applicant was transferred, states: "I personally believe, that if the Board can see fit to consider this deserving case, these young men will enter society again, and remain law abiding citizens for the balance of their lives. We are convinced from our observation, that these young men have been taught a very expensive lesson."

The applicant will be on parole until 1941. Employment has been assured.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

THOMAS A. LOGUE,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of William Franklin Howell—No. 1251
September Session, 1935.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of William Franklin Howell, convicted of rape, in the Court of Oyer and Terminer of Luzerne County on April 11, 1931, be commuted from five years to four years, seven months, expiring on November 11, 1935.

Our reasons for making this recommendation are as follows:

In 1931, the applicant plead guilty to rape. He was sentenced to serve a term of from five to ten years in the Eastern State Penitentiary. The trial judge states: "I sentenced these defendants. They have about eight months to finish their terms. During their confinement, Valenti lost his father, Howell's parents, mother and father, are in ill health and Burgio's mother is quite ill. I am told that these young men have behaved themselves during their imprisonment. I have received communications on various occasions from them and have no objection to favorable action upon their petitions and would be pleased if these young men were paroled. I understand that employment is waiting for all of them."

The District Attorney has no objection to the granting of clemency.

Warden Healey, of the Luzerne County Prison, to which institution the applicant was transferred, states: "I personally believe, that if the Board can see fit to consider this deserving case, these young men will enter society again, and remain law abiding citizens for the balance of their lives. We are convinced from our observation, that these young men have been taught a very expensive lesson."

The Board of Trustees of the Eastern State Penitentiary says: "This man has a satisfactory institutional record at Philadelphia and Luzerne County Prison. If eligible for parole would undoubtedly receive favorable consideration because this is his first arrest and conviction."

The applicant will be on parole until 1941. Employment has been assured.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

THOMAS A. LOGUE,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of Michael Burgio—No. 1278
September Session, 1935.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Michael Burgio, convicted of rape, in the Court of Quarter Sessions of Luzerne County on April 11, 1931, be commuted from five years to four years, seven months, expiring on November 11, 1935.

Our reasons for making this recommendation are as follows:

In 1931, the applicant plead guilty to rape. He was sentenced to serve a term of from five to ten years in the Eastern State Penitentiary. The trial judge states: "I sentenced these defendants. They have about eight months to finish their terms. During their confinement, Valenti lost his father, Howell's parents, mother and father, are in ill health and Burgio's mother is quite ill. I am told that these young men have behaved themselves during their imprisonment. I have received communications on various occasions from them and have no objection to favorable action upon their petitions and would be pleased if these young men were paroled. I understand that employment is waiting for all of them."

The District Attorney has no objection to the granting of clemency.

Warden Healey, of the Luzerne County Prison, to which institution the applicant was transferred, states: "I personally believe, that if the Board can see fit to consider this deserving case, these young men will enter society again, and remain law abiding citizens for the balance of their lives. We are convinced from our observation, that these young men have been taught a very expensive lesson."

The Board of Trustees of the Eastern State Penitentiary says: "This man has a satisfactory institutional record at Graterford and at Luzerne County Prison. If eligible for parole would probably receive favorable consideration because he has no previous criminal record. * * *"

The applicant will be on parole until 1941. Employment has been assured.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

THOMAS A. LOGUE,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of John Leo Keenan—No. 1446
September Session, 1935.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of John Leo Keenan, convicted of murder in the second degree, in the Court of Oyer and Terminer of Allegheny County on January 26, 1932, be commuted from seven years to three years, ten months, expiring on November 26, 1935.

Our reasons for making this recommendation are as follows:

The applicant and an accomplice in 1932 attempted to rob a store. The applicant was carrying a revolver and in the excitement of the hold-up, when the clerk in the store resisted, the gun was fired killing the applicant's accomplice. The applicant plead guilty to murder in the second degree and was sentenced to serve a term of from seven to twenty years in the Western State Penitentiary.

The Board of Trustees of the Western State Penitentiary states: "If this inmate were eligible for parole, we probably would recommend him for parole because his present sentence constitutes his first conviction and he has a good prison record, September 6, 1935."

The trial judge says: "This is an extraordinary case. I remember this young man distinctly and am of the opinion that his case may be a proper one for clemency. * * * I should think he would be safe to be allowed at liberty under parole."

The District Attorney's representative appearing before us at open hearing, stated that he was in favor of granting clemency.

The defendant has served almost four years of his minimum sentence. We believe that he has been sufficiently punished and are satisfied that he is not a habitual criminal.

The applicant will be on parole until 1952. Employment has been assured in Ohio and our recommendation is contingent upon his removal to that State.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

THOMAS A. LOGUE,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of Ralph Orzechowski—No. 1483
September Session, 1935.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Ralph Orzechowski, convicted of breaking and entering, robbery, in the Court of Oyer and Terminer of Columbia County on December 22, 1930, be commuted from ten years to five years, expiring on December 22, 1935.

Our reasons for making this recommendation are as follows:

The applicant and several others plead guilty to several charges of robbery and breaking and entering. The applicant was sentenced to serve a term of from ten to twenty-years in the Eastern State Penitentiary. The trial district attorney and the trial judge have no objections to the granting of clemency. The Board of Trustees of the Eastern State Penitentiary states: "This man has a satisfactory institutional record at Philadelphia and in the Luzerne County Prison. If this man was eligible for parole he would probably receive favorable consideration because he has no previous criminal record."

We believe the applicant will have been sufficiently punished if he serves five years of his minimum sentence and we recommend that the minimum sentence be commuted to five years.

The sentence of Julius Rasmus, an accomplice, was commuted this year, and we are recommending a commutation of sentence for two others accomplices, William Joseph Tunilla and Joseph Bubrowswi, this month.

We are satisfied that the applicant is not an habitual criminal. He will be on parole until 1950.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

THOMAS A. LOGUE,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of Andrew J. Ignasiak—No. 1852
September Session, 1935.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Andrew J. Ignasiak, convicted of forgery, in the Court of Oyer and Terminer of Erie County on April 24, 1933, be commuted from four years to two years, six months, expiring on October 24, 1935.

Our reasons for making this recommendation are as follows:

The applicant plead guilty to forgery in 1933. He was sentenced to serve a sentence of from four to eight years in the Western State Penitentiary. He has served approximately two and one-half years of his minimum sentence. He was never involved in any other trouble and his conduct and employment records during his incarceration have been excellent.

Honorable James P. Rossiter, Honorable Norbert J. Fitzgerald, Honorable Thomas W. Barber and other reputable citizens have recommended a commutation of sentence.

We believe the applicant has been sufficiently punished and are satisfied he is not a habitual criminal.

The applicant will be on parole until 1941.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

THOMAS A. LOGUE,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of Edward G. Strickler—No. 1879
September Session, 1935.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that Edward G. Strickler, convicted of embezzlement, in the Court of Oyer and Terminer and Quarter Sessions of Franklin County, on June 6, 1931, be pardoned.

Our reasons for making this recommendation are as follows.

The applicant plead guilty to embezzlement in 1931. He was sentenced to serve a term of from five to ten years in the Eastern State Penitentiary. The sentence was commuted in September of 1934 and the applicant was released on parole on October 27th of that year. The applicant was never involved in any other trouble. His conduct and employment records during his incarceration were excellent. Since his release he has conducted himself in an exemplary manner.

The trial District Attorney states: "Since Mr. Strickler was paroled, I have seen him frequently, observed his habits and conduct and I am satisfied there can be no complaint in that respect."

The trial judge states: "* * * I feel now as I felt at the time that the petition was presented by this man in reference to his parole, that he has paid the full penalty for anything which occurred in his lifetime and that there was no reason that I could see then why a parole should not be granted to him; nor can I see any reason why a full pardon should not be granted to him. Since his return home on parole he has conducted himself as a good citizen, has been working wherever it was possible to obtain employment and I believe that he is now entitled to a full and complete pardon from your Board. * * *"

A pardon in part will remove the stigma of the crime from the applicant and his family and will be of material assistance to his advancement.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

THOMAS A. LOGUE,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of Louis Finger—No. 1888
September Session, 1935.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Louis Finger, convicted of larceny of automobile, conspiracy, assault with intent to rob, in the Court of Quarter Sessions of Philadelphia County on July 21, 1933, be commuted from three years to two years, three months, expiring on October 21, 1935.

Our reasons for making this recommendation are as follows:

The applicant plead guilty in 1933, to larceny of an automobile and conspiracy to assault with intent to rob. He was sentenced to serve a term of from three to ten years in the Eastern State Penitentiary. Two accomplices received lighter sentences and both have been released for some time.

The Supervisor of Paroles recommends clemency and the Board of Trustees of the Eastern State Penitentiary states: "This man has a satisfactory institutional record. If eligible for parole would probably receive favorable consideration."

The applicant has served practically three-fourths of his minimum sentence. We believe he has been sufficiently punished and are satisfied that he is not a habitual criminal.

The applicant will be on parole until 1943. Suitable employment has been assured.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

THOMAS A. LOGUE,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of Jack Williamson—No. 1930
September Session, 1935.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Jack Williamson, convicted of robbery in the Court of Quarter Sessions of Westmoreland County, on September 8, 1932, be commuted from five years to three years, three months, expiring on December 8, 1935.

Our reasons for making this recommendation are as follows:

In 1932, the applicant plead guilty to robbery, and was sentenced to from five to twenty years in the Western State Penitentiary.

The District Attorney states: "Since at the last Session of your Honorable Board, David Lewis, the ring leader of this group, was paroled there is no advantage in our opposing the applications of these two men who were mere accomplices. Any action your Honorable Board desires to take in this matter will be satisfactory to this office."

The Supervisor of Paroles recommends clemency. The Board of Trustees of the Western State Penitentiary states: "If this inmate were eligible for parole, we probably would recommend him for parole because this is his first imprisonment and because of his good prison record * * *."

We believe the applicant has been sufficiently punished and are satisfied he is not a habitual criminal.

The applicant will be on parole until 1952. Employment has been assured him.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

THOMAS A. LOGUE,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of Harry R. Cook—No. 2103
September Session, 1935.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Harry R. Cook, convicted of assault and battery to rob, assault with intent to murder, conspiracy, in the Court of Quarter Sessions of Jefferson County, on December 20, 1930, be commuted from twenty-three and one-half years to five years, expiring on December 20, 1935.

Our reasons for making this recommendation are as follows:

The applicant plead guilty to aggravated assault and battery with intent to rob, assault with intent to murder and conspiracy, all arising out of the assault of one man wih the intention and accomplishment of obtaining money.

The trial judge states: "* * * Our citizens want him [the applicant] pardoned. The facts set forth in his application are correct, and under all the circumstances I am sure the ends of justice have been met and I strongly urge and recommend that Harry R. Cook be pardoned."

The Board of Trustees of the Eastern State Penitentiary states: "If this inmate were eligible for parole, we probably would recommend him for parole because his present sentence constitutes his first conviction and he has an excellent prison record (the sentence of his accomplice J. L. Lindermuth, B-2385, was commuted, and he was released on parole on August 7, 1934)."

The applicant has never been involved in any other trouble and we believe he will have been sufficiently punished if he serves five years of his minimum sentence.

The applicant enjoyed an excellent reputation prior to the commission of the crime. We are satisfied he is not a habitual criminal.

The applicant will be on parole until 1977. Employment has been assured and arrangement have been made for a satisfactory home.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

THOMAS A. LOGUE,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of Howard J. Cornish—No. 2397
September Session, 1935.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Howard J. Cornish, convicted of robbery, in the Court of Oyer and Terminer and Quarter Sessions of Philadelphia County on June 25, 1928, be commuted from ten years to seven years, four months, expiring on October 25, 1935.

Our reasons for making this recommendation are as follows:

In 1928, the applicant, when only eighteen years of age, plead guilty to robbery. He was sentenced to serve a term of from ten to twenty years in the Eastern State Penitentiary. He was never involved in any other trouble.

The Board of Trustees of the Eastern State Penitentiary states: "It is fully realized that this man had a number of misconducts prior to 1933. Since that time he has had a satisfactory readjustment and made a constructive contribution to himself and to the institution. The father of this boy is a very high type man and if the boy is released he will act as his sponsor and employer. If eligible for parole would probably receive favorable consideration because of the above facts and because it is his first arrest and conviction."

The Supervisor of Paroles believes the applicant has been sufficiently punished. We agree and do not believe the applicant to be a habitual criminal.

The applicant will be on parole until 1948. Employment has been assured.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

THOMAS A. LOGUE,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of Stewart S. Stirk—No. 2430
September Session, 1935.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Stewart S. Stirk, convicted of attempt to commit rape, in the Court of Oyer and Terminer of Chester County on September 18, 1934, be commuted from two years to one year, five months, expiring on October 26, 1935.

Our reasons for making this recommendation are as follows:

The applicant was convicted of attempt to commit rape in 1934. He was sentenced to serve a term of from two to four years in the Eastern State Penitentiary.

After a careful examination of the records there is considerable doubt in our minds as to the applicant's guilt. No assault was committed and it appears that the applicant merely solicited the prosecutrix. The trial District Attorney and trial judge have no objections to the exercise of clemency.

The Board of Trustees of the Eastern State Penitentiary states: "Since this man has a satisfactory institutional record and no previous criminal record he would undoubtedly receive favorable consideration if eligible for parole."

The applicant has no criminal record, although he was arrested on several occasions for fighting. The applicant will have served by the time he can be released approxi-

mately three-quarters of his minimum sentence. He will be on parole until 1938.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

THOMAS A. LOGUE,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of John Linn—No. 2446
September Session, 1935.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of John Linn, convicted of arson, in the Court of Quarter Sessions of Columbia County, on March 29, 1933, be commuted from five years to two years, seven months, expiring on October 29, 1935.

Our reasons for making this recommendation are as follows:

The applicant when only nineteen years of age plead guilty to arson. He was sentenced to serve a term of from five to ten years in the Eastern State Penitentiary. The trial District Attorney states: "In reply to your letter of July 24, 1935, please be advised that I have consulted with his Honor, Judge Charles C. Evans, President Judge of our Courts, and neither the Court nor myself have any objection to the application being granted. Another young man, Brooking, who was with this young man at the time of the crime, has been paroled and I believe that like treatment should be given to Linn, viz., that he should be paroled at the present time."

The Supervisor of Paroles recommends clemency.

The applicant has served over two and one-half years of his minimum sentence. We believe he has been sufficiently punished and we are satisfied he is not a habitual criminal.

The applicant will be on parole until 1943.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

THOMAS A. LOGUE,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of William John Ritter—No. 2455
September Session, 1935.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of William John Ritter, convicted of involuntary manslaughter, in the Court of Quarter Sessions of York County on July 30, 1934, be commuted from two years to one year, three months, expiring on October 30, 1935.

Our reasons for making this recommendation are as follows:

In 1934, the applicant was convicted of involuntary manslaughter. He was sentenced to serve a term of from two to four years in the Eastern State Penitentiary.

The trial District Attorney states: "I believe that the overt act on the part of the applicant which caused his subsequent conviction and imprisonment was due purely to overzealousness on his part in carrying out the duties assigned him, and that the death of the deceased was in no way malicious or negligent, but was accidental. Mr. Ritter is a victim of circumstances not wholly of his own creation. In view, therefore, of his present record, the circumstances of this case and his already protracted punishment, I wish to again urge favorable consideration of this application."

The trial judge tells us that he believes it would be well to grant clemency in this case. The Warden of the York County Prison, to which the applicant has been transferred, approves the granting of clemency. The present District Attorney of the county is not opposed to the granting of clemency. The Board of Trustees of the Eastern State Penitentiary says that he would undoubtedly receive favorable consideration.

The applicant was never involved in any other trouble and enjoyed an excellent reputation.

Many responsible citizens of the community in which the applicant resided urge the granting of clemency.

The applicant will be on parole until 1938. Employment has been assured and arrangements have been made for a satisfactory home.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

THOMAS A. LOGUE,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of William Shaffer—No. 2458
September Session, 1935.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of William Shaffer, convicted of robbery in the Court of Oyer and Terminer of Westmoreland County on September 8, 1932, be commuted from five years to three years, three months, expiring on December 8, 1935.

Our reasons for making this recommendation are as follows:

In 1932, the applicant plead guilty to robbery. He was sentenced to from five to twenty years in the Western State Penitentiary.

The trial judge states: "So far as I am able to remember, since this case was heard before me, I believe they are correct. I have been advised that Dave Lewis, the ringleader in the hold-up, for which they were sentenced, has had his sentence reduced by the Governor and has been pardoned. If that is correct, then I do not see any reason why William Shaffer should not be accorded the same treatment."

The District Attorney is not opposed to clemency.

The applicant was never involved in any other serious trouble.

The sentence of one accomplice was commuted this year. A like recommendation is being made for the other accomplice.

The Board of Trustees of the Western State Penitentiary states: "If this inmate were eligible for parole, we probably would recommend him for parole because of his good prison record and the fact that it is his first imprisonment for a serious offense * * *."

We recommend a commutation of sentence, effective December 8th, contingent upon the applicant's removal to and remaining in Ohio. We believe by that time the applicant will have been sufficiently punished. We are satisfied that he is not a habitual criminal.

The applicant will be on parole until 1952.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

THOMAS A. LOGUE,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of William Joseph Tunilla—No. 2462

September Session, 1935.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of William Joseph Tunilla, convicted of breaking and entering, robbery in the Court of Oyer and Terminer and Quarter Sessions of Columbia County on December 22, 1930, be commuted from ten years to five years, expiring on December 22, 1935.

Our reasons for making this recommendation are as follows:

The applicant and several others plead guilty to several charges of robbery and breaking and entering. The applicant was sentenced to serve a term of from ten to twenty years in the Eastern State Penitentiary. The trial District Attorney and the trial judges have no objections to the granting of clemency. The Board of Trustees of the Eastern State Penitentiary states: "This man has a satisfactory institutional and employment record. If he was being considered for parole, would undoubtedly receive favorable consideration because he has no previous criminal record."

We believe the applicant will have been sufficiently punished if he serves five years of his minimum sentence and we recommend that the minimum sentence be commuted to five years. We are satisfied that he is not a habitual criminal. The sentence of Julius Rasmus, an accomplice, was commuted this year and we are recommending a commutation of sentence for two other accomplices, Ralph Orzechowski, Joseph Bubrowski, this month.

The applicant will be on parole until 1950.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

THOMAS A. LOGUE,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of Tony Corsi—No. 2471

September Session, 1935.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Tony Corsi, convicted of breaking and entering, larceny in the Court of Quarter Sessions of Erie County on September 24, 1934, be commuted from two and one-half years to one year, one month, expiring on October 24, 1935.

Our reasons for making this recommendation are as follows:

The applicant was convicted of several counts of breaking and entering and larceny. He was sentenced to serve a term of from two and one-half to five years in the Western State Penitentiary. The trial judge states: "I recommend a commutation of sentence but only to release this man to immigration authorities for deportation. If he is not to be deported he should serve his sentence."

The Board of Trustees of the Western State Penitentiary states: "If this inmate were eligible for parole, we probably would only recommend him for parole for deportation, this because of his criminal record."

A detainer has been filed at the Western State Penitentiary for the deportation of the applicant immediately upon his release and our recommendation is subject to and contingent upon his removal to and remaining in his native country, Italy.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

THOMAS A. LOGUE,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of Lucien Clement—No. 2480
September Session, 1935.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Lucien Clement, convicted of arson, conspiracy, to commit arson, burning chattels with intent to defraud insurers, in the Court of Oyer and Terminer and Quarter Sessions of Washington County, on August 17, 1932, be commuted from four years to three years, three months, expiring on November 17, 1935.

Our reasons for making this recommendation are as follows:

In 1932, the applicant plead guilty to arson, conspiracy to commit arson, and burning chattels with intent to defraud insurers. He was sentenced to serve a term of from four to eight years in the Western State Penitentiary.

We believe he has been sufficiently punished. Our reasons are as follows: (1) The applicant was never involved in any other crime. (2) His conduct and employment records during his incarceration have been excellent. (3) By the time he can be released he will have served almost four-fifths of his minimum sentence. Judge Rhoads stated that the applicant should not be punished more severely than the persons who hired the incendiaries. The District Attorney is not opposed to clemency. The Board of Trustees of the Western State Penitentiary states that it would recommend the applicant for parole. The Supervisor of paroles also recommends clemency.

The applicant will be on parole until 1940. Employment has been assured and arrangements have been made for a satisfactory home.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

THOMAS A. LOGUE,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of Benjamin Badorf—No. 2486
September Session, 1935.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Benjamin Badorf, convicted of felonious entry, larceny in the Court of Quarter Sessions of Lancaster County on February 13, 1932, be commuted from seven and one-half years to three years, nine months, expiring on November 13, 1935.

Our reasons for making this recommendation are as follows:

In 1932, the applicant plead guilty to several charges of felonious entry and larceny. He was sentenced to serve a term of from seven and one-half to fifteen years in the Eastern State Penitentiary, and ordered to pay a fine of $500.00.

The District Attorney appeared before us at the Octobe session of the Board and recommended a commutatio of sentence. The trial judge is not opposed to clemency The Board of Trustees of the Eastern State Penitentia states: "This man has a satisfactory institutional reco at Graterford. If eligible for parole would probably re ceive favorable consideration * * *."

The applicant was never convicted of any other crim We believe he has been sufficiently punished, and a satisfied that he is not a habitual criminal.

The applicant will be on parole until 1947. Arrange ments have been made for a satisfactory home.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealt

CHARLES J. MARGIOTTI,
Attorney General.

THOMAS A. LOGUE,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of Peter H. Markmann, Jr.—No. 2491
September Session, 1935.

To His Excellency, the Governor of the Commonweal of Pennsylvania:

Sir: The above application having been heard, upon du public notice, in open session, the undersigned membe of the Board of Pardons recommend that Peter H. Mar mann, Jr., convicted of practicing and operating as undertaker without a license in the Court of Quart Sessions of Philadelphia County, on October 26, 1933, pardoned.

Our reasons for making this recommendation are follows:

The applicant was convicted of practicing as an unde taker without a license and operating as an undertak without a license. He was sentenced to pay a fine two hundred and fifty dollars and to undergo imprisonment in the Philadelphia County Prison for two yea He was released on parole after having served a litt over three months of his sentence.

We believe that the applicant was only technical guilty of the crime. He was never involved in any oth trouble. His conduct while confined was excellent a he enjoyed an excellent reputation.

A pardon will, in part, remove the stigma of the crim from the applicant and his family, and will be of mater assistance to his advancement.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealt

CHARLES J. MARGIOTTI,
Attorney General.

THOMAS A. LOGUE,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of Foster J. Harris—No. 2498
September Session, 1935.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Foster J. Harris, convicted of arson, breaking and entering, in the Court of Oyer and Terminer and Quarter Sessions of Columbia County, on May 28, 1931, be commuted from seven and one-half years to four years, five months, expiring on October 28, 1935.

Our reasons for making this recommendation are as follows:

The applicant plead guilty to arson and breaking and entering in 1931. He was sentenced to serve a term of from seven and one-half years to fifteen years in the Eastern State Penitentiary. The trial judge and the trial District Attorney have no objections to the granting of clemency. The Board of Trustees of the Eastern State Penitentiary states: "This man has a satisfactory institutional record; employed in the paint shop at the Philadelphia institution and if eligible for parole would undoubtedly receive favorable consideration because this is his first arrest and conviction."

We believe the applicant has been sufficiently punished and are satisfied he is not a habitual criminal.

The applicant will be on parole until 1946. Arrangements have been made for a satisfactory home.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

THOMAS A. LOGUE,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of Homer M. Sanders—No. 2500
September Session, 1935.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Homer M. Sanders, convicted of involuntary manslaughter, unlawful disposal of a corpse, in the Court of Oyer and Terminer of Mercer County, on August 31, 1934, be commuted from two years to one year, three months, expiring on November 30, 1935.

Our reasons for making this recommendation are as follows:

The applicant plead guilty to involuntary manslaughter and the unlawful disposal of a corpse. He was sentenced to serve a term of from two to four years in the Western State Penitentiary.

The trial judge states: "Mr. Sanders bore a splendid reputation. A graduate of Bucknell College, he had previously taught in a high school and was always interested in things which were good. I felt at the time he was sentenced that there was no intent on his part to commit crime and he was being punished at the time to a greater extent than any imprisonment which I could give him. However, for the best interests of society I felt I should do that which was done. At this time I would not only be agreeable to his pardon, if your board should see fit to pardon him, but I would recommend that it be done."

The trial District Attorney has no objection to the granting of clemency.

The Board of Trustees of the Western State Penitentiary states: "If this inmate were eligible for parole, we probably would recommend him for parole as his sentence constitutes his first conviction and he has an excellent prison record. * * *"

We believe the prisoner has been sufficiently punished and are satisfied he is not a habitual criminal.

The applicant will be on parole until 1938. Arrangements have been made for a satisfactory home.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

THOMAS A. LOGUE,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of Albert Rymsza—No. 2501
September Session, 1935.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Albert Rymsza, convicted of breaking and entering, larceny, in the Court of Oyer and Terminer of Luzerne County, on May 3, 1933, be commuted from five years to two years, six months, expiring on November 3, 1935.

Our reasons for making this recommendation are as follows:

In 1933, when only eighteen years of age, the applicant plead guilty to breaking and entering and larceny. He was sentenced to serve a term of from five to ten years in the Eastern State Penitentiary. By the time he can be released, he will have served over one-half of his minimum sentence. We believe he has been sufficiently punished, and are satisfied that he is not a habitual criminal.

The District Attorney has no objection to the granting of clemency.

The Board of Trustees of the Eastern State Penitentiary states: "This man has a satisfactory institutional record at Graterford. If eligible for parole would probably receive favorable consideration. He has only one previous arrest of a minor nature for truancy."

The applicant will be on parole until 1943. A satisfactory home and employment have been assured.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

THOMAS A. LOGUE,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor

BOARD OF PARDONS

In re Application of Joel McGaughey—No. 2504

September Session, 1935.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Joel McGaughey, convicted of robbery, in the Court of Oyer and Terminer of Washington County, on November 13, 1934, be commuted from three years to one year, expiring on November 13, 1935.

Our reasons for making this recommendation are as follows:

In 1934, the applicant plead guilty to robbery. He was sentenced to serve a term of from five to ten years in the Western State Penitentiary, but this sentence was subsequently modified to a term of from three to six years.

The Board of Trustees of the Western State Penitentiary states: "Would recommend clemency as soon as possible in order to get him admitted to Veteran's Hospital. He is losing his eyesight * * *."

The Supervisor of Paroles recommends clemency for the same reason.

The prisoner was never involved in any other serious trouble. His conduct and employment records during his incarceration have been excellent. We believe he has been sufficiently punished and are satisfied he is not a habitual criminal.

The applicant will be on parole until 1940.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE.
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

THOMAS A. LOGUE,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of Joseph Regan—No. 2508

September Session, 1935.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Joseph Regan, convicted of sodomy, assault and battery with intent to ravish, in the Court of Quarter Sessions of Philadelphia County, on November 30, 1934, be commuted from three years to eleven months, expiring on October 30, 1935.

Our reasons for making this recommendation are as follows:

The applicant, when only seventeen years of age, was convicted of sodomy and assault and battery with intent to ravish. He was sentenced to serve a term of from three to six years in the Eastern State Penitentiary.

Briefly the facts of the case are as follows:

The prosecutrix, a mentally defective girl, stated that she met three men in Hunting Park, Philadelphia, around 7:30 or 8:00 o'clock in the evening of July 2, 1934. She stated that she was taken to a bench in the park and raped by the accomplice and his two companions. She further testified that after the rape had been commit she went to a taproom with these men where they dr beer. Later they returned to the park where she raped again and the crime of sodomy was committe

A report from the Neuro-Psychiatric Division, Cou of Philadelphia, stated that the girl said that on the ni of the alleged crime that five men had intercourse w her that evening, but on the following day she de this story.

The prosecutrix is, at the present time, awaiting mission to a State Institution for feeble-minded.

There is some doubt in our minds about the applica guilt. He had never been involved in any other trou and enjoyed an excellent reputation.

We recommend a commutation of sentence because the applicant's youth, his prior good record and his cellent institutional record.

The applicant will be on parole until 1940. He has excellent home to which he can go and employment been assured.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonweal

CHARLES J. MARGIOTTI,
Attorney General.

THOMAS A. LOGUE,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of Joseph Bubrowski—No. 2510

September Session, 1935

To His Excellency, the Governor of the Commonwealth Pennsylvania:

Sir: The above application having been heard, up due public notice, in open session, the undersigned me bers of the Board of Pardons recommend that the mi mum sentence of Joseph Bubrowski, convicted of bre ing and entering, robbery, in the Court of Oyer and Ter iner and Quarter Session of Columbia County on Dece ber 22, 1930 be commuted from ten years to five yea expiring on December 22, 1935.

Our reasons for making this recommendation are follows:

The applicant and several others plead guilty to se eral charges of robbery and breaking and entering. T applicant was sentenced to serve a term of from ten twenty years in the Eastern State Penitentiary. The tr District Attorney and the trial judge have no objections the granting of clemency. The Board of Trustees of t Eastern State Penitentiary states: "This man has a sati factory institutional record at Philadelphia and in t Luzerne County Prison. If eligible for parole would u doubtedly receive favorable consideration because he h no previous criminal record."

We believe the applicant will have been sufficient punished if he serves five years of his minimum senten and we recommend that the maximum sentence be co muted to five years.

The sentence of Julius Rasmus was commuted this ye and we are recommending a commutation of sentence f two other accomplices, Ralph Orzechowski and Willia Joseph Tunilla, this month.

We are satisfied that the applicant is not a habitual minal. He will be on parole until 1950.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

THOMAS A. LOGUE,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of Anthony Santarsiero—No. 2512
September Session, 1935.

His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon public notice, in open session, the undersigned mem- of the Board of Pardons recommend that the mini- n sentence of Anthony Santarsiero, convicted of abus- a woman child, in the Court of Oyer and Terminer of kawanna County on October 3, 1934, be commuted n three years to one year, one month, expiring on No- ber 3, 1935.

ur reasons for making this recommendation are as ows:

1934, the applicant was convicted of abusing a woman d. He was sentenced to serve a term of from three ix years in the Eastern State Penitentiary.

fter a careful investigation of the case, we are con- ed that the prosecutrix was and is a girl of ill repute. August of this year she was committed to the House he Good Shepherd, because of her bad reputation and e conduct. If the information which we have before t this time had been presented to the trial court, the icant could not have been properly convicted.

he applicant was never convicted of any other crime. has a satisfactory institutional record. We believe he been sufficiently punished, and are satisfied that he ot a habitual criminal.

he applicant will be on parole until 1940. Employ- ts have been made for a satisfactory home.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

THOMAS A. LOGUE,
Secretary of Internal Affairs.

e above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of Robert Russell—No. 2513
September Session, 1935.

His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Robert Russell, convicted of voluntary manslaughter in the Court of Oyer and Terminer of Allegheny County on May 1, 1934, be commuted from three years to one year, six months, expiring on November 1, 1935.

Our reasons for making this recommendation are as follows:

The applicant was convicted of voluntary manslaughter in 1934. He was sentenced to serve a term of from three to six years in the Western State Penitentiary. One of the arresting officers told the parole agent who investigated the case that the crime was an accident which was the result of a drunken brawl, and that he considered the applicant the victim of circumstances and should never have been convicted. It appears that the person killed was a bully, and when the applicant sought to protect himself, he hit the victim with his fist, causing the victim to fall against the curb and which fall resulted in his death.

The District Attorney's representative appeared before us in open hearing and recommended a commutation of sentence.

The applicant was never convicted of any other crime and enjoys a good reputation. We believe that he has been sufficiently punished and are satisfied he is not a habitual criminal.

The applicant will be on parole until 1940. A home and employment have been provided for him upon his release.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

THOMAS A. LOGUE,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of Patsy Fierra—No. 2525
September Session, 1935.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommended that the minimum sentence of Patsy Fierra, convicted of murder, second degree in the Court of Quarter Sessions of Luzerne County on September 18, 1928, be commuted from ten years to seven years, two months, expiring on November 18, 1935.

Our reasons for making this recommendation are as follows:

The applicant was convicted of murder of the second degree in 1928. He was sentenced to serve a term of from ten to twenty years in the Eastern State Penitentiary. The applicant was never involved in any other trouble. His conduct and employment records during his incarceration have been excellent. He has served over six years of his minimum sentence. We believe he has been sufficiently punished and are satisfied he is not a habitual criminal.

The applicant will be on parole until 1948. Employment

has been assured and satisfactory arrangements have been made for a home.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

THOMAS A. LOGUE,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of James Priest—No. 35
September Session, 1935.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that James Priest, convicted of murder in the Court of Quarter Sessions of Philadelphia County, on April 28, 1921, be pardoned.

Our reasons for making this recommendation are as follows:

The applicant was convicted of murder in the first degree in 1921 and was sentenced to death. The sentence was commuted to life imprisonment in 1922. In 1932, the Governor, upon recommendation of the Board of Pardons, commuted the life sentence to a minimum term of eleven years. The Board of Pardons at that time stated that the recommendation for commutation was made with leave to apply for a pardon in two years. The Board also expressed the opinion that there was considerable doubt that the crime of which the applicant was convicted was murder of the first degree. After a careful examination of the records we are in accord with the former Board's opinion.

The applicant has been on parole for over three years. He has conducted himself in an exemplary manner. He was never involved in any other trouble and his record during his incarceration was excellent.

The family of the woman for whose death the applicant was convicted of murder of the first degree employed counsel to obtain a commutation of the sentence for the applicant and also to present an application for pardon.

A pardon will, in part, remove the stigma of the crime from the applicant and will be of assistance to his advancement.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

THOMAS A. LOGUE,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of Charles Decker—No. 929
September Session, 1935.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Charles Decker, convicted of breaking and entering, larceny, receiving stolen goods, in the Court of Oyer and Terminer and Quarter Sessions, Philadelphia County on July 20, 1928, be commuted from fifteen years to seven years, four months, expiring on November 20, 1935.

Our reasons for making this recommendation are as follows:

The applicant was convicted of breaking and entering, larceny and receiving stolen goods. He was sentenced to serve a term of from fifteen to thirty years in the Eastern State Penitentiary.

The applicant was never involved in any other trouble. His institutional record has been satisfactory. He has served over seven years of his minimum sentence. We believe he has been sufficiently punished and are satisfied he is not a habitual criminal.

The applicant will be on parole until 1958. Employment has been assured and satisfactory arrangements have been made for a home.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

THOMAS A. LOGUE,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of Howard Elk—No. 1115
October Session, 1935.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Howard Elk, convicted of assault with intent to rob, in the Court of Oyer and Terminer of Blair County on January 13, 1930, be commuted from seven years to five years, ten months, expiring on November 13, 1935.

Our reasons for making this recommendation are as follows:

The applicant plead guilty to assault with intent to rob in 1930. He was sentenced to serve a term of from seven to fourteen years. The sentence of an accomplice, John Curran, was commuted in December of 1934.

The Board of Pardons, in recommending the commutation for Curran, stated: "(1) The applicant was never involved in any other trouble. (2) His conduct and employment records during his incarceration have been excellent. (3) He will have served over five years of his sentence before he can be released."

The trial District Attorney appeared before us at the open session and recommended a commutation of sentence. "The applicant will be on parole until 1944. Employment has been assured."

The applicant has served almost one year more than he accomplice. He was never involved in any other rouble and his conduct and employment records during is incarceration were excellent.

The Board of Trustees of the Western State Penitentiary states: "If this inmate were eligible for parole, we probably would recommend him for parole because (1) o previous record; (2) excellent institutional record; 3) job; (4) $500 cash."

We believe the applicant has been sufficiently punished nd are satisfied he is not a habitual criminal.

The applicant will be on parole until 1944. Employment nd a satisfactory home have been assured.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

THOMAS A. LOGUE,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of John Lagonegro—No. 2193
October Session, 1935.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of John Lagonegro, convicted of robbery, in the Court of Oyer and Terminer and Quarter Sessions, of Luzerne County, on October 10, 1932, be commuted from five years to three years, one month, expiring on November 10, 1935.

Our reasons for making this recommendation are as follows:

The applicant was convicted of robbery in 1932. One accomplice was never sentenced to a term of imprisonment, a second accomplice received approximately six months in the county jail and a third accomplice received the same sentence as the applicant, i. e., five to ten years, but was released on parole after a commutation of sentence this year. The applicant has served over three of the five-year minimum sentence.

The District Attorney has no objections to the granting of clemency. The Supervisor of Paroles feels that the applicant is worthy of commutation of sentence as does the Board of Trustees of the Eastern State Penitentiary.

We believe the application has been sufficiently punished and are satisfied he is not a habitual criminal. He was never involved in any other trouble.

The applicant will be on parole until 1942. An excellent home and employment will be given the applicant upon his release.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

THOMAS A. LOGUE,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of Ralph Zolfo—No. 2232
October Session, 1935.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Ralph Zolfo, convicted of burglary, in the Court of Oyer and Terminer and Quarter Sessions, Lackawanna County on October 15, 1932, be commuted from four years to three years, one month, expiring on November 15, 1935.

Our reasons for making this recommendation are as follows:

In 1932 the applicant, when only eighteen years of age, participated in the burglarizing of several American and Pacific Stores in Scranton. He plead guilty and was sentenced to serve a term of from four to eight years in the Eastern State Penitentiary.

The trial District Attorney, Honorable John J. Owens, recommends clemency and the present district attorney is accord with this recommendation. The Supervisor of Paroles also recommends clemency.

The Board of Trustees of the Eastern State Penitentiary states: "This man has a satisfactory record at Graterford and Rockview. If eligible for parole would probably be given favorable consideration."

We believe the applicant has been sufficiently punished and are satisfied he is not a habitual criminal. He has served over three-fourths of his minimum sentence. His conduct and employment records during his incarceration have been excellent.

The applicant will be on parole until 1940. Employment has been assured.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

THOMAS A. LOGUE,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of Carl Edward Rabenstein—No. 2522
October Session, 1935.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Carl Edward Rabenstein, convicted of statutory rape, in the Court of Oyer and Terminer of Huntingdon County on April 11, 1931, be commuted from seven years to four years, seven months, expiring on November 11, 1935.

Our reasons for making this recommendation are as follows:

The applicant plead guilty to statutory rape in 1931. He was sentenced to serve from seven to fourteen years in the Western State Penitentiary. The report of the Board of Trustees of that institution states: "* * * It is generally conceded also that the girl has a bad reputation

and accommodated all comers. The arrest of the three boys was due to an unexpected turn of events rather than to any outrage perpetrated upon the girl. If this inmate were eligible for parole, we probably would recommend him for parole because of good previous record and because of his excellent work and conduct record in prison."

The trial judge states: "After thorough consideration of this case I am satisfied that this young man has been sufficiently punished, and that executive clemency should be extended to him."

The trial District Attorney states: "* * * we believe the youth of the applicant should plead for favorable consideration from your Board, so that he might have another chance in life. * * *"

The Supervisor of Paroles states that he believes that the applicant has been sufficiently punished.

We believe the applicant has been sufficiently punished and are satisfied he is not a habitual criminal.

The sentence of an accomplice was commuted approximately a year ago and since his release on parole he has conducted himself in an exemplary manner. Another accomplice was sentenced to the Pennsylvania Industrial School and was released on parole after serving approximately thirteen months.

The applicant will be on parole until 1945.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

THOMAS A. LOGUE,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of George Tome—No. 2534

October Session, 1935.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of George Tome, convicted of receiving stolen goods, in the Court of Oyer and Terminer of Philadelphia County, on September 27, 1933, be commuted from ten years to two years, two months, expiring on November 27, 1935.

Our reasons for making this recommendation are as follows:

The applicant plead guilty to receiving stolen goods in 1933. He was sentenced to serve a term of from ten to twenty years in the Eastern State Penitentiary. He has been imprisoned for over two years. He is over seventy-one years of age.

The trial judge states: "In view of this man's age, and the fact that he had no previous record, I have no objection to a pardon if the Board sees fit to grant one. He was running a school for thieves by advancing money to a lot of young boys in advance of their thefts, but I think he is living in the shadow of his life with little time remaining."

The Board of Trustees of the Eastern State Penitentiary states: "Ths man has a satisfactory institutional and employment record. If eligible for parole would probably receive favorable consideration. This is his first arrest and conviction."

We believe the applicant has been sufficiently punished and are satisfied that he is not a habitual criminal.

The applicant will be on parole until 1953. Arrangements have been made for a satisfactory home.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

THOMAS A. LOGUE,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of Leroy Stumpf—No. 2539

October Session, 1935.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Leroy Stumpf, convicted of breaking and entering, larceny, receiving stolen goods, in the Court of Quarter Sessions of Bucks County, on January 26, 1932, be commuted from five years to three years, ten months, expiring on November 26, 1935.

Our reasons for making this recommendation are as follows:

In 1932 the applicant plead guilty to breaking and entering, larceny and receiving stolen goods. He was sentenced to serve a term of from five to ten years in the Eastern State Penitentiary.

We believe the applicant has been sufficiently punished and are satisfied he is not a habitual criminal. He was never involved in any other trouble. His conduct during his incarceration was excellent. He has served almost four-fifths of his minimum sentence.

The District Attorney has no objection to the granting of clemency. The Supervisor of Paroles and the Board of Trustees of the Eastern State Penitentiary recommend favorable consideration. Three of the accomplices were never confined and one accomplice received a sentence of from three to six years and has been released on parole.

The applicant will be on parole until 1942.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

THOMAS A. LOGUE,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of Charles Beers—No. 2548
October Session, 1935.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Charles Beers, convicted of arson in the Court of Quarter Sessions of Columbia County, on March 29, 1933, be commuted from five years to two years, eight months, expiring on November 29, 1935.

Our reasons for making this recommendation are as follows:

The applicant plead guilty to arson in 1933 and was sentenced to serve a term of from five to ten years in the Eastern State Penitentiary. Two accomplices received like sentences. The sentence of the accomplices have been commuted.

The trial district attorney states that he recommends clemency and that the trial judge has no objecion to the granting of clemency. The Board of Trustees of the Eastern State Penitentiary states, "This man has a satisfactory institutional and employment record. If eligible for parole would probably receive favorable consideration. First arrest and conviction."

The applicant was never involved in any other trouble. We believe he has been sufficiently punished and are satisfied he is not a habitual criminal.

The applicant will be on parole until 1943. Employment has been assured.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

THOMAS A. LOGUE,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of Devon Davis—No. 2550
October Session, 1935.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Devon Davis, convicted of robbery, in the Court of Oyer and Terminer of Northumberland County on March 6, 1933, be commuted from five years to two years, eight months, expiring on November 6, 1935.

Our reasons for making this recommendation are as follows:

The applicant plead guilty to robbery in 1933. He was sentenced to serve a term of from five to ten years in the Eastern State Penitentiary.

An accomplice who received the same sentence received a commutation of sentence this year and was released on parole. We believe the applicant is entitled to the same consideration as he was never convicted of any other crime.

The Board of Trustees of the Eastern State Penitentiary states: "This man has a satisfactory institutional record at Graterford and if eligible for parole would probably receive favorable consideration."

The applicant will be on parole until 1943. Employment and a satisfactory home have been assured.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

THOMAS A. LOGUE,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of Carl Zukowski—No. 2558
October Session, 1935.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Carl Zukowski, convicted of robbery, in the Court of Oyer and Terminer of Northampton County on October 5, 1931, to begin September 29, 1931, be commuted from seven years to four years, two months, expiring on November 29, 1935.

Our reasons for making this recommendation are as follows:

The applicant plead guilty to robbery in 1931. He was only nineteen years of age. He was sentenced to serve a term of from seven to fourteen years in the Eastern State Penitentiary.

An accomplice was released on parole after a commutation of sentence in June of this year.

The applicant was never involved in any other trouble. He has served over four years of his minimum sentence. We believe he has been sufficiently punished and are satisfied he is not a habitual criminal.

The Board of Trustees of the Eastern State Penitentiary states: "This man has a satisfactory institutional record at Graterford and if eligible for parole would probably receive favorable consideration. First arrest and conviction."

The trial judge is not opposed to the granting of clemency. The applicant will be on parole until 1945.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

THOMAS A. LOGUE,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of Walter Joyce—No. 2574
October Session, 1935.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Walter Joyce, convicted of rape and larceny, in the Court of Oyer and Terminer and Quarter Sessions of Lackawanna County, on October 15, 1932, be commuted from nine years to three years, one month, expiring on November 15, 1935.

Our reasons for making this recommendation are as follows:

The applicant was convicted of rape and larceny in 1932. He was sentenced to serve a term of from nine to eighteen years in the Eastern State Penitentiary.

The Honorable John J. Owens, trial District Attorney, stated in a letter of October 16, 1935, "* * * I without any hesitancy declare that this is a case worthy of your consideration for commutation." An assistant District Attorney who tried the case agrees with Mr. Owens. The present District Attorney states, "After our investigation I sincerely tell the Board that there is a real doubt in my mind as of the guilt of the defendant, and I sincerely request the Board to give his application serious consideration."

After a careful investigation of this case, there is considerable doubt in our minds as to the applicant's guilt, and, under these circumstances, we believe he has been sufficiently punished. We are satisfied that he is not a habitual criminal.

The applicant will be on parole until 1950. Employment has been assured.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

THOMAS A. LOGUE,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of Lewis Phipps—No. 2583
October Session, 1935.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Lewis Phipps, convicted of robbery, larceny of automobile, violation firearms act, in the Court of Oyer and Terminer of Delaware County on March 21, 1933, be commuted from eight years to two years, eight months, expiring on November 21, 1935.

Our reasons for making this recommendation are as follows:

The applicant, when barely sixteen years of age, plead non vol contendere to robbery, larceny of an automobile and carrying concealed deadly weapons. He was sentenced to serve a term of from eight to twenty years in the Eastern State Penitentiary.

The District Attorney stated in a letter to us: "* * * it is my opinion that the applicant is meritorious * * *," and his representative appeared before us at an open session and stated that because of the applicant's youth and his excellent record, a commutation was recommended.

The applicant was never involved in any other serious trouble. We believe the applicant has been sufficiently punished and are satisfied he is not a habitual criminal.

The applicant will be on parole until 1953. Employment and an excellent home have been assured.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

THOMAS A. LOGUE,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of Curtis S. Thomas—No. 2648
October Session, 1935.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that Curtis S. Thomas, convicted of felonious entry in the Court of Oyer and Terminer and Quarter Sessions of Dauphin County, on September 20, 1934, be pardoned.

Our reasons for making this recommendation are as follows:

The applicant was adjudged guilty of felonious entry in 1934. He was sentenced to serve a term of from one and one-half to three years in the Eastern State Penitentiary.

The report of the physicians of the penitentiary shows that the applicant is seriously ill with tuberculosis and that he is losing ground rapidly.

We recommend a pardon because he has only a short time to live and to permit him to die at home.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

THOMAS A. LOGUE,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of Charles Fallon—No. 289

November Session, 1935.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the maximum sentence of Charles Fallon, convicted of receiving stolen goods; entering a building, larceny, in the court of Quarter Sessions of Allegheny County on September 15, 1926; February 13, 1930, be commuted from fifteen years to eight years, ten months, expiring on December 13, 1935, and a maximum of fifteen years.

Our reasons for making this recommendation are as follows:

On January 15, 1926, the applicant was sentenced to serve from three to fifteen years in the Western State Penitentiary. He was released on parole January 15, 1929.

On February 13, 1930, he was sentenced to serve a term of from two to four years in the Western State Penitentiary for receiving stolen goods. This sentence was to run concurrently with the unexpired portion of the original sentence. The maximum sentence expires February 13, 1942.

The Board of Trustees of the Western State Penitentiary state: "If this inmate were eligible for parole, we probably would recommend him for parole, because he has been imprisoned for nine years, he is an excellent workman, has had no reprimand for four years, and has a job to go to in the event of his release."

The Supervisor of Paroles states that applicant has been sufficiently punished and the trial judge states, "If his (the applicant's) record is good I should think it would be proper enough to release him. * * *"

We believe the applicant has been sufficiently punished. He will be on parole until 1942.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

THOMAS A. LOGUE,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of William F. Miller—No. 347

November Session, 1935.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the sentence of William F. Miller, convicted of sodomy and buggery in the Court of Oyer and Terminer of Erie County, on May 15, 1915, be commuted from thirty-nine years, to thirty years, eleven months, four days, expiring on December 15, 1935.

Our reasons for making this recommendation are as follows:

In September, 1903, the applicant was sentenced to serve a term of twenty years in the Western State Penitentiary for statutory rape and assault and battery with intent to commit rape. In February, 1914, he was released on parole. In May, 1915, he was sentenced to serve a term of from fifteen to twenty years in the Western State Penitentiary for sodomy and buggery. This sentence, however, was reduced by the Superior Court in 1934 to a term of from seven and one-half to ten years. His sentence expires on January 11, 1944. He has been confined over thirty-one years. His institutional record has been excellent.

The Parole Board of the Board of Trustees of the Western State Penitentiary feels because this man must ultimately be released that it might be well to release him at this time because the social adjustments would be harder for him to make because of increased age and longer imprisonment if he served the entire sentence.

Because of the long term of imprisonment served by the applicant, we are in accord with the view of the penitentiary officials. The applicant will be on parole until 1944.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

THOMAS A. LOGUE,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of Peter Karpoff—No. 399

November Session, 1935.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Peter Karpoff, convicted of burglary, aggravated assault and battery, breaking and entering, larceny, receiving stolen goods, malicious mischief, in the Court of Quarter Sessions of Northumberland and Allegheny Counties, on August 30, 1920 and April 14, 1930, be commuted from twenty-eight years, to twelve years, eight months, expiring on December 14, 1935, and maximum of twenty-eight years, expiring on April 14, 1951.

Our reasons for making this recommendation are as follows:

In 1920, the applicant was sentenced to the Eastern State Penitentiary for from seven to twenty-eight years for aggravated assault and battery and attempt to kill, burglary, breaking and entering, and larceny. At the expiration of the minimum sentence he was released on parole.

In 1929, he was sentenced to from one to two years in the Allegheny County Workhouse for malicious mischief. After the completion of the minimum term of this sentence he was returned to the penitentiary for the parole violation. He has now served approximately six years for that violation.

We believe he has been sufficiently punished. He has an excellent institutional record. The Supervisor of Paroles recommends clemency, as does the Board of Trustees of the Western State Penitentiary.

The applicant will be on parole until 1951.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

THOMAS A. LOGUE,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of Alfred L. Chenoweth—No. 512
November Session, 1935.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Alfred L. Chenoweth, convicted of murder, second degree, in the Court of Quarter Sessions of Allegheny County, on September 28, 1927, be commuted from ten years to eight years, two months, expiring on November 28, 1935.

Our reasons for making this recommendation are as follows:

The applicant was convicted of murder of the second degree in 1927. He was sentenced to serve a term of ten to twenty years in the Western State Penitentiary. We believe he has been sufficiently punished. Our reasons are as follows: (1) The applicant was never involved in any other trouble. (2) He has served over eight years of his minimum sentence. (3) His conduct and employment record during his incarceration have been excellent. (4) We are satisfied he is not a habitual criminal.

The Board of Trustees of the Western State Penitentiary states: "If this inmate were eligible for parole, we probably would recommend him for parole because he has been in prison for eight years, he has no previous conviction, he has been cooperaitve and he has an excellent work and conduct record."

The applicant will be on parole until 1947. He intends trying to get into one of the United States Veteran's Hospitals in order that some plastic surgery may be done on his face and to correct a defective lower jaw bone.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

THOMAS A. LOGUE,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of Leo John Fee—No. 781
November Session, 1935.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that Leo John Fee, convicted of robbery, in the Court of Oyer and Terminer and general jail delivery of Philadelphia County, on January 16, 1924, be pardoned.

Our reasons for making this recommendation are as follows:

On January 16, 1924 the applicant was sentenced to serve a term of ten years to twenty years in the Eastern State Penitentiary. On April 20, 1932, his minimum sentence was commuted to eight years three months, expiring on April 16, 1932. He was paroled on April 23, 1932.

Since that time, the applicant has conducted himself in an exemplary manner and the firm in whose employ the applicant has been since March, 1934 states that, "We have always found him courteous, industrious and devoted to our interests. We pray that you grant him the pardon he seeks which we feel he surely deserves."

We believe the applicant has fully demonstrated during the past three and one-half years that he will be a peaceful and law-abiding citizen. On December 27th of this year he will be thirty-two years of age. He intends to be married and desires to have a pardon in order that all rights of citizenship may be restored to him and to take away the stigma of the crime. The applicant presented his own application and we were impressed by his clean-cut, neat and manly appearance.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

THOMAS A. LOGUE,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of John Picolo—No 1300
November Session, 1935.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of John Picolo, convicted of breaking and entering, larceny, receiving stolen goods, in the Court of Quarter Sessions and Oyer and Terminer of Cambria County on December 16, 1920, be commuted from eight years to six years, expiring on December 16, 1935.

Our reasons for making this recommendation are as follows:

The applicant was convicted of robbery and receiving stolen goods in 1929. He was sentenced to serve a term from eight to eighteen years in the Western State Penintentiary.

The Trial Judge states: "Investigation and information received since the trial has convinced me that young

Picolo was not a leader in crime; but rather that he was led into it. I believe that he has suffered enough. He is yet a young man, and I think he should be given a chance to redeem himself while there is yet time. I understand that arrangements have been made to place him in favorable surroundings if you let him out."

The applicant's prison record is good. He has served about six years of his minimum sentence. We believe he has been sufficiently punished.

The applicant will be on parole until 1945.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

THOMAS A. LOGUE,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of Michael Webb—No. 1341
November Session, 1935.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Michael Webb, convicted of entering with intent to steal, larceny, in the Court of Quarter Sessions of Philadelphia County, on July 20, 1928, be commuted from fifteen years to seven years, five months, expiring on December 20, 1935.

Our reasons for making this recommendation are as follows:

The applicant was convicted of several charges of entering with intent to steal and larceny, in 1928. He was sentenced to serve a term of from fifteen to thirty years in the Eastern State Penitentiary. He was never convicted of any other crime. The sentence of an accomplice, Charles Decker, was commuted on November 20th, of this year.

Judge McDevitt writes in a letter dated December 2nd, "* * * I don't think he (the applicant) deserves any longer sentence than Decker served."

The applicant was only sixteen years of age at the time of his conviction. He has served almost seven and one-half years of his minimum sentence. We believe he has been sufficiently punished.

The applicant will be on parole until 1958. He has sufficient funds to maintain himself for some time and he intends to return to the home of his parents in Detroit, Michigan. Our recommendation is contingent upon his removal to and remaining in Michigan.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

THOMAS A. LOGUE,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of Leslie Snyder—No. 1348
November Session, 1935.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Leslie Snyder, convicted of robbery, being armed with an offensive weapon, in the Court of Quarter Sessions of Philadelphia County on January 14, 1930, be commuted from ten years to five years, eleven months, expiring on December 14, 1935.

Our reasons for making this recommendation are as follows:

The applicant plead guilty to robbery in 1930. He was sentenced to serve from ten to twenty years in the Eastern State Penitentiary.

The crime was committed on December 24, and applicant alleges that his wife was in the hospital, that he was out of employment, his two children without support, food, or clothing, and that his mother was destitute.

This was the applicant's first sentence for a crime of violence. He has served almost six years of his minimum sentence. For five years previous to his arrest for his present sentence he had not been involved in any trouble. We believe he has been sufficiently punished.

The applicant will be on parole until 1950. An excellent home has been provided and employment assured.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

THOMAS A. LOGUE,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of Julius Howanski—No. 1408
November Session, 1935.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Julius Howanski, convicted of robbery, breaking and entering, attempt to break and escape penitentiary, in the Court of Oyer and Terminer of Washington County, and the Court of Quarter Sessions of Centre County on August 16, 1920. and December 14, 1926, be commuted from twenty-five and one-half to fifteen years, four months, expiring on December 16, 1935, and a maximum of thirty-one years, expiring on August 16, 1951.

Our reasons for making this recommendation are as follows:

In 1920, the applicant was sentenced to serve a term of from ten to twenty years for robbery and breaking and entering.

In 1926 he received an additional sentence of from five and one-half to eleven years for attempt to break and escape prison and for carrying concealed deadly weapons.

He has served over fifteen years in the penitentiary.

With the exception of the attempt to escape, his institutional record has been excellent. Judge Fleming recommends clemency. The Supervisor of Paroles feels that the applicant has been sufficiently punished.

The applicant was never involved in any other trouble. We believe he has been sufficiently punished and are satisfied he is not a habitual criminal.

The applicant will be on parole until 1951.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

THOMAS A. LOGUE,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of Robert L. Henderson—No. 1608
November Session, 1935.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Robert L. Henderson, convicted of arson, burning chattels to defraud insurance company, in the Court of Quarter Sessions of Dauphin County on January 22, 1932, be commuted from five years to three years, eleven months, expiring on December 22, 1935.

Our reasons for making this recommendation are as follows:

The applicant was convicted of arson and burning chattels to defraud insurance company in 1932. He was sentenced to serve a term of from five to ten years in the Eastern State Penitentiary. The assistant trial District Attorney states that he knows of no reason why clemency should not be granted.

The applicant has served almost four-fifths of his minimum sentence. The Board of Trustees of the Eastern State Penitentiary states: "This man has a satisfactory institutional record at Graterford and Rockview. If eligible for parole would undoubtedly receive favorable consideration because of no previous criminal record."

We believe the applicant has been sufficiently punished and are satisfied he is not a habitual criminal.

The applicant will be on parole until 1942. Employment has been assured.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

THOMAS A. LOGUE,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of Albert Taldo—No. 1611
November Session, 1935.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Albert Taldo, convicted of highway robbery, in the Court of Oyer and Terminer of Lackawanna County, on December 15, 1930, be commuted from ten years to five years, expiring on December 15, 1935.

Our reasons for making this recommendation are as follows:

The applicant when only twenty years of age, plead guilty to robbery. He was sentenced to serve a term of from ten to twenty years in the Eastern State Penitentiary. He has served five years of his minimum sentence. The sentences of two accomplices have been commuted on our recommendation within the past few months.

The applicant was never convicted of any other crime and has a satisfactory institutional record. We believe he has been sufficiently punished, and are satisfied that he is not a habitual criminal.

Applicant will be on parole until 1950. Employment has been assured, and arrangements have been made for a satisfactory home.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE.
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

THOMAS A. LOGUE.
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of Anthony Randazzo—No. 1725
November Session, 1935.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Anthony Randazzo, convicted of rape, in the Court of Quarter Sessions of Philadelphia County, on December 21, 1931, to begin December 12, 1935, be commuted from six to four years, expiring on December 12, 1935.

Our reasons for making this recommendation are as follows:

In 1931 the applicant plead guilty to rape. He was sentenced to serve a term of from six to fifteen years in the Eastern State Penitentiary. We believe he has been sufficiently punished. Our reasons are as follows: 1. The applicant was never involved in any other trouble and we are satisfied he is not a habitual criminal. 2. His conduct and employment records during incarceration have been excellent. 3. By the time he can be released he will have served two-thirds of his minimum sentence.

The District Attorney's representative stated to us at the open hearing that he was not opposed to the granting of clemency.

The applicant will be on parole until 1946. Employ-

ment has been assured in New York and our recommendation is contingent upon his removal to that State.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

THOMAS A. LOGUE,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of Victor Marsillo—No. 1812
November Session, 1935.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Victor Marsillo, convicted of robbery, being armed with an offensive weapon, in the Court of Oyer and Terminer and Quarter Sessions, of Philadelphia County on April 4, 1928, be commuted from twelve years to seven years, eight months, expiring on December 4, 1935.

Our reasons for making this recommendation are as follows:

The applicant when only nineteen years of age pleaded guilty to several charges of robbery. He was sentenced to serve from twelve to twenty-four years in the Eastern State Penitentiary. He has served over seven and one-half years of his sentence. He was never involved in any other serious trouble. His institutional record is excellent. We believe he has been sufficiently punished and are satisfied that he is not a habitual criminal.

The applicant will be on parole until 1952. Employment has been assured in New Jersey and our recommendation is contingent upon applicant's removal to, and remaining in that State.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

THOMAS A. LOGUE,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of Samuel Frenchmore—No. 1839
November Session, 1935.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Samuel Frenchmore, convicted of robbery, being armed, in the Court of Oyer and Terminer, of Erie County on September 24, 1928, be commuted from ten years to seven years, three months, expiring on December 24, 1935.

Our reasons for making this recommendation are as follows:

The applicant was convicted of robbery in 1928. He was sentenced to serve a term of from ten to twenty years in the Western State Penitentiary. An accomplice equally guilty received a sentence from seven to fifteen years.

The trial District Attorney appeared before us at the open session and said that he had no objections to the granting of clemency. The Board of Trustees of the Western State Penitentiary states: "If this inmate were eligible for parole, we would probably recommend him for parole because (a) no previous record, (b) fair institutional record—not serious enough to hold, (c) has assurance of employment."

The applicant was never convicted of any other crime. We believe he has been sufficiently punished, and are satisfied he is not a habitual criminal. He has served over seven years of his minimum sentence.

Applicant will be on parole until 1948. Employment has been assured in the State of New York, and our recommendation is contingent upon his removal to and remaining in that state.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

THOMAS A. LOGUE,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of Liberetto Rulli—No. 2037
November Session, 1935.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Liberetto Rulli, convicted of murder, second degree, in the Court of Oyer and Terminer of Westmoreland County on March 25, 1931, be commuted from seven years to four years, eight months expiring on November 25, 1935.

Our reasons for making this recommendation are as follows:

The applicant was convicted of murder in the second degree in 1931. He was sentenced to serve a term of from seven to fourteen years in the Western State Penitentiary.

The assistant trial District Attorney states: "After very serious consideration, I have decided to urge the Board of Pardons to grant this applicant a rehearing and to extend clemency to him. I feel that he has been sufficiently punished for the crime which he committed. This is the only case prosecuted by me during my four years in the District Attorney's office in which I have made a recommendation either for or against the extension of clemency. And I am particularly anxious for the Board of Pardons to understand that no one on behalf of the applicant has

solicited me to do so. As indicated above, I make this recommendation because I feel that the applicant has been sufficiently punished. My reasons for urging clemency are as follows: 1. The applicant has a large number of dependents. 2. The applicant bore an especially good reputation in the community in which he lived. 3. The crime was committed in a heat of passion without any previous thought. The applicant had a deadly weapon in his possession because he was starting out on a hunting trip. 4. The wounds inflicted on the victim are not always fatal wounds and I believe the victim would have survived had he not suffered gas gangrene poison. 5. The applicant had a very good defense. He was convicted because of two factors, both of which were very damaging to him. In the first place, he fled immediately after the shooting and was not apprehended for two or three weeks. In fact, he was not apprehended at all but surrendered himself to the officers of the law after hiding out for that period of time. The other circumstance which hurt the applicant's defense at the hands of the jury was his contention that he shot his victim in the arm to prevent the victim shooting him. This contention weakened his defense for the reason that there was no proof that the victim had a gun in his possession nor was any gun found at the scene of the crime. Eliminating these two flaws in the applicant's defense, I am of the opinion that the jury might have reached a verdict of 'not guilty.' "

The trial judge states, "This defendant probably has been sufficiently punished and it is not at all likely that he will get in any more trouble. It is true he has a very large family and that they are in dire distress and need his support."

The applicant has been imprisoned four and one-half years. He was never before involved in any crime. He has an excellent institutional record.

The Board of Trustees of the Western State Penitentiary states that it would recommend the applicant for parole.

We believe the applicant has been sufficiently punished and we are satisfied that he is not a habitual criminal. He will be on parole until 1945.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

THOMAS A. LOGUE,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of Peter Mott—No. 2046

November Session, 1935.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Peter Mott, convicted of breaking and entering, robbery, in the Court of Oyer and Terminer of Beaver County on February 24, 1934, be commuted from five years to one year, nine months, expiring on November 24, 1935.

Our reasons for making this recommendation are as follows:

The applicant plead guilty to breaking and entering, and robbery in 1934. He was sentenced to serve a term of from five years to ten years in the Western State Penitentiary.

The trial District Attorney states: "* * * The other men involved in this attempted robbery have been released * * * will leave the matter entirely to the wisdom of your Honorable Board."

The trial judge states: "We think if anything is done in his behalf it should be in the nature of the granting of a parole so that he would still be under the supervision of the authorities. We have no objection to such action being taken." The Board of Trustees of the Western State Penitentiary states: "If this inmate were eligible for parole, we probably would recommend him for parole because (1) first conviction, (2) excellent institutional record."

The applicant was never convicted of any other crime and we are satisfied that he is not a habitual criminal.

The applicant will be on parole until 1944. Employment has been assured.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

THOMAS A. LOGUE,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of Cyril A. Quinn—No. 2130

November Session, 1935.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Cyril A. Quinn, convicted of rape, in the Court of Quarter Sessions of Luzerne County on June 10, 1933, be commuted from five years to two years, six months, expiring on December 10, 1935.

Our reasons for making this recommendation are as follows:

The applicant was convicted of rape in 1933. He was sentenced to serve a term of from five to ten years in the Eastern State Penitentiary. The sentences of three accomplices were commuted on our recommendation this year.

He has a satisfactory institutional record and he is now confined in the Luzerne County Prison. His health, according to the report of our parole officer, is not very good and he has been losing weight for the past three months. There is a history of tuberculosis in the applicant's family. We believe because of his physical condition and because he has served about two and one-half years of his minimum sentence, he has been sufficiently punished.

He was never involved in any other trouble and we are satisfied that he is not a habitual criminal.

The applicant will be on parole until 1945. Excellent provisions have been made for a home and employment has been assured.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

THOMAS A. LOGUE,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of Daniel Sparano—No. 2577
November Session, 1935.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Daniel Sparano, convicted of statutory rape, in the Court of Oyer and Terminer of Allegheny County on May 25, 1934, be commuted from five years to one year, six months, expiring on November 25, 1935.

Our reasons for making this recommendation are as follows:

The applicant was convicted of statutory rape in 1934. He was sentenced to serve a term of five to ten years in the Western State Penitentiary. The prosecutrix contended that she had been attacked in December of 1933 by the applicant and as a result of the alleged attack contracted a venereal disease. The applicant was arrested in February and placed in the Allegheny County Jail. According to the authorities of the jail, the applicant was placed in the bake shop. Dr. Ellis, jail physician, states, "All prisoners in the Allegheny County Prison who become food handlers (workers in the jail kitchen or the jail bakery) are examined as to venereal disease. Negative findings are, of course, required before they begin work." Dr. Ellis, in a letter of November 18th, addressed to the applicant's representative, stated, "If Daniel Sparano had no evidences of gonorrhoea during February, 1934, it is reasonable he had no gonorrhoeal infection five weeks previously." Dr. Priestes, resident physician of the Western State Penitentiary stated that upon the applicant's admission to the penitentiary he was found to be free from any disease, and that it is reasonable to infer that the applicant should have had some evidence of infection at the time of his admission to the County Jail if he were responsible for the prosecutrix's having the disease.

The penitentiary reports indicate that the prosecutrix was sexually promiscuous. After careful consideration of all the facts in the case there is considerable doubt in our minds as to the applicant's guilt. The applicant was never convicted of any other crime, and we are satisfied that he is not a habitual criminal.

The applicant will be on parole until 1944. Employment has been assured.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

THOMAS A. LOGUE,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of Daniel Williams—No. 2591
November Session, 1935.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Daniel Williams, convicted of murder, second degree, in the Court of Quarter Sessions of Philadelphia County, on June 27, 1930, be commuted from ten years to five years, five months, expiring on November 27, 1935.

Our reasons for making this recommendation are as follows:

The applicant was convicted of murder in the second degree in 1930. He was sentenced to serve from ten to twenty years in the Eastern State Penitentiary.

The District Attorney's representative stated to us at the open hearing that the applicant should not have been convicted. The trial judge in a telegram dated November 19th, stated, "Have authorized District Attorney to say I have no objection in Daniel Williams matter."

After a careful consideration of all the facts of the case, we believe the applicant should not have been convicted. The applicant has a satisfactory institutional record.

The applicant will be on parole until 1950. Employment has been assured.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

THOMAS A. LOGUE,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of Sam De Luca—No. 2596
November Session, 1935.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon

due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Sam De Luca, convicted of robbery, in the Court of Oyer and Terminer of Allegheny County on April 15, 1931, be commuted from twelve and one-half years to four years, eight months expiring on December 15, 1935.

Our reasons for making this recommendation are as follows:

The applicant plead guilty to two charges of robbery in 1931. He was sentenced to serve a term of from twelve and one-half to sixty years in the Western State Penitentiary. He has served over four and one-half years of his minimum sentence. He was never involved in any other serious trouble. His conduct and employment records during his incarceration were excellent. We believe he has been sufficiently punished.

The applicant will be on parole until 1991.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth

CHARLES J. MARGIOTTI,
Attorney General.

THOMAS A. LOGUE,
Secretary of Internal Affairs

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of Joseph Rogers—No. 2598
November Session, 1935.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that Joseph Rogers, convicted of (1) breaking and entering; larceny; (2) larceny of automobile; (3) breaking and entering railroad cars, of Wayne, Philadelphia, Lackawanna Counties, on July 11, 1927, June 28, 1928, Sept. 26, 1930, be pardoned.

Our reasons for making this recommendation are as follows:

In 1927, the applicant was convicted of breaking and entering and larceny. He was sentenced to serve a term of one and one-half to three years in the Eastern State Penitentiary. He served seventy days of this sentence and the Superior Court reversed the judgment and granted a new trial. He entered a plea of guilty and was sentenced to pay the costs of prosecution and make a restitution of fourteen hundred and fifty dollars ($1450), and to pay a fine of $100.

In June of 1928, he received a sentence of one year in the Philadelphia County Prison for the larceny of an automobile. He served ten months of this sentence.

On September 26, 1930, he was sentenced to the Eastern State Penitentiary for a term of from two to four years for breaking and entering railroad cars. He was released on parole in 1932.

The applicant is a native of Syria, and because of the convictions will be deported unless a pardon is granted.

The applicant has no relatives in his native country. His mother and wife, who is an expectant mother, and two children live in this State.

We believe deportation would be a cruel and unnecessarily hard punishment. The District Attorney of Wayne County states that the applicant is worthy. The Supervisor of Paroles also recommends a pardon.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE.
Secretary of the Commonwealth

CHARLES J. MARGIOTTI,
Attorney General.

THOMAS A. LOGUE.
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of Charles Williams—No. 2604
November Session, 1935

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Charles Williams, convicted of robbery in the Court of Oyer and Terminer and Quarter Sessions of Northumberland County, on June 20, 1927, be commuted from ten years to eight years, six months, expiring on December 20, 1935.

Our reasons for making this recommendation are as follows:

The applicant plead guilty to robbery in 1927. He was sentenced to serve a term of from ten to twenty years in the Eastern State Penitentiary. He was never involved in any other serious trouble and served about eight and one-half years of his minimum sentence. His institutional record has been excellent. We believe he has been sufficiently punished.

The applicant will be on parole until 1947, and employment has been assured. He has a wife who is suffering from cancer, and is in a critical condition, and needs support and care.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE.
Secretary of the Commonwealth

CHARLES J. MARGIOTTI,
Attorney General.

THOMAS A. LOGUE,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of James Grace—No. 2614
November Session, 1935

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned me

bers of the Board of Pardons recommend that the minimum sentence of James Grace, convicted of breaking and entering, robbery, in the Court of Oyer and Terminer of Beaver County on February 24, 1934, be commuted from three years to one year, nine months, expiring on November 24, 1935.

Our reasons for making this recommendation are as follows:

The applicant, an accomplice of Peter Mott, whom we have recommended for clemency, was sentenced to serve a term of from three to ten years on February 24, 1934, for breaking and entering and robbery.

He was never involved in any other trouble. His institutional record is excellent. The Board of Trustees of the Western State Penitentiary states: "If this inmate were eligible for parole, we probably would recommend him for parole because of his excellent work and conduct record—he has a job and a sponsor in the event of his release."

The applicant will be on parole until 1944.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

THOMAS A. LOGUE,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of Christian C. Krauss—No. 2622
November Session, 1935.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that Christian C. Krauss, convicted of involuntary manslaughter, failure to render assistance, in the Court of Quarter Sessions of Philadelphia County, on Feb. 31, 1931, be pardoned.

Our reasons for making this recommendation are as follows:

In 1930, the applicant, a police officer in Philadelphia, was charged with having caused the death of one Bernard Matz by hitting him with a bandit car which he was driving, and with failure to render assistance to an injured person. He pleaded guilty to both charges and was sentenced to pay the costs of prosecution and placed on probation for two years. As a result he was discharged from the police force in 1931.

The applicant served in the U. S. Navy from 1907 to 1911. He joined the police force in Philadelphia in July, 1912. As a member of the Naval Reserve he was called for active service April 12, 1917 and remained in the service until December, 1918, when he returned to active duty in the police department.

He reenlisted in the Naval Reserve in 1920 and remained in that service continuously from that time until November 18, 1932, when he was refused permission to reenlist because of the criminal record from which he now seeks a pardon.

He was cited for bravery in the performance of his duties as police officer in 1913, in 1922 and 1923, and on October 19, 1923, he received a certificate for meritorious service.

The applicant has filed an affidavit with the Board in which he promises to pay the sum of $20.00 per month until the sum of $500, is paid, to the parents of the person killed, if he is reinstated to the Philadelphia Police Force. The applicant cannot apply for reinstatement to the police force unless a pardon is granted.

The applicant has conducted himself in an exemplary manner. We do not believe him to be a habitual criminal. A pardon will in part remove the stigma of the crime from the applicant and his family, will permit him to apply for reinstatement to the police force, and will be of material assistance to his advancement.

Many letters are on file certifying to the applicant's good reputation.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

THOMAS A. LOGUE,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of Earl Plummer—No. 2634
November Session, 1935.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Earl Plummer, convicted of robbery, receiving stolen goods, in the Court of Oyer and Terminer of Cambria County, on December 28, 1931, be commuted from five years to three years, eleven months, expiring on November 28, 1935.

Our reasons for making this recommendation are as follows:

The applicant plead guilty to robbery and receiving stolen goods in 1931. He was sentenced to serve a term of from five to ten years in the Western State Penitentiary.

The sentence of an accomplice was commuted on our recommendation in June of this year.

The applicant was never involved in any other trouble. His conduct and employment records during his incarceration have been excellent. He has served almost four years of his minimum sentence. We believe he has been sufficiently punished and are satisfied he is not a habitual criminal.

The applicant will be on parole until 1941.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth

CHARLES J. MARGIOTTI,
Attorney General.

THOMAS A. LOGUE,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of Malcolm H. Shields—No. 2645
November Session, 1935.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Malcolm H. Shields, convicted of burglary, in the Court of Oyer and Terminer and Quarter Sessions of Philadelphia County, on December 1, 1932, be commuted from five years to three years, expiring on December 1, 1935.

Our reasons for making this recommendation are as follows:

The applicant plead guilty to several charges of burglary in 1932. He was sentenced to serve a term of from five to ten years in the Eastern State Penitentiary.

We believe he has been sufficiently punished. Our reasons are as follows: 1. The applicant was never convicted of any other crime. 2. By the time he can be released he will have served over three-fifths of his minimum sentence. 3. He has a satisfactory institutional record.

Applicant will be on parole until 1942. Employment has been assured. He has a wife and two children who need his support.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

THOMAS A. LOGUE,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of Joseph Durkay—No. 2655
November Session, 1935.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Joseph Durkay, convicted of breaking and entering, robbery, in the Court of Oyer and Terminer and Quarter Sessions of Columbia County, on December 22, 1930, be commuted from ten years to five years, expiring on December 22, 1935.

Our reasons for making this recommendation are as follows:

The applicant plead guilty to breaking and entering and robbery in 1930. He was sentenced to serve a term of from ten to twenty years in the Eastern State Penitentiary. The sentence of three accomplices were commuted this year on our recommendation.

The trial District Attorney and the trial judge have no objections to the granting of clemency.

We believe the applicant has been sufficiently punished and are satisfied he is not a habitual criminal. He has an excellent institutional record.

The applicant will be on parole until 1950.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonw

CHARLES J. MARGIOTTI,
Attorney General.

THOMAS A. LOGUE,
Secretary of Internal Affair

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of George Wilcox—No. 2658
November Session, 1

To His Excellency, the Governor of the Commonwea
Pennsylvania:

Sir: The above application having been heard, upo
public notice, in open session, the undersigned me
of the Board of Pardons recommend that the min
sentence of George Wilcox, convicted of embezzleme
officer of corporation, in the Court of Oyer and Ter
and Quarter Sessions of Delaware County, on Febru
1933, be commuted from three years to one year,
months, expiring on November 27, 1935.

Our reasons for making this recommendation a
follows:

The applicant was convicted of embezzlement by
porate officer in 1933. He was sentenced to serve a
of from three to six years in the Eastern State Pe
tiary, fined $1,000, and ordered to make restitution
amount of $12,000, and pay the costs of prosecution
others implicated in the embezzlement received s
sentences and have been released.

The assistant District Attorney, who tried the
states: "It is the opinion of myself and also Mr. Mac
(the District Attorney) that the application of th
fendant for clemency should be favorably consider
your Board as the defendant will have served ap
mately one-half of his minimum sentence and we
reason why further confinement in prison should
tinue."

The Board of Trustees of the Eastern State Penite
states: "This man has an exceptional institutional r
Employed in a position of trust in the Parole Office
he performs his duties in a very efficient manner.
candidate for parole at expiration of the minimum
would probably receive favorable consideration. T
his first arrest and first conviction."

Many responsible persons have written to us urgi
granting of clemency. We believe the applicant ha
sufficiently punished and are satisfied that he is
habitual criminal.

The applicant will be on parole until 1940. An ex
home has been provided for him and employme
been assured.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonw

CHARLES J. MARGIOTTI,
Attorney General.

THOMAS A. LOGUE,
Secretary of Internal Affai

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

n re Application of Walter Middleton—No. 2673
November Session, 1935.

s Excellency, the Governor of the Commonwealth of ennsylvania:

The above application having been heard, upon due notice, in open session, the undersigned members Board of Pardons recommend that the minimum ce of Walter Middleton, convicted of felonious as- in the Court of Quarter Sessions of Allegheny y, on November 16, 1934, be commuted from one one month, expiring on December 16, 1935.

reasons for making this recommendation are as s:

ter Middleton, the applicant, as a result of a drunken in 1934, was convicted of felonious assault and y, and was sentenced to serve a term of from one ne-half to three years in the Western State Penitentiary. The victim recommends clemency. We believe the ant has been sufficiently punished. He has been erated over two-thirds of the minimum sentence. is an excellent conduct and work record.

applicant will be on parole until 1937. Employment en assured.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

THOMAS A. LOGUE,
Secretary of Internal Affairs.

above recommendation is approved:

EORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of John Udovich—No. 1171
December Session, 1935.

s Excellency, the Governor of the Commonwealth of ennsylvania:

The above application having been heard, upon due notice, in open session, the undersigned members Board of Pardons recommend that the minimum ce of John Udovich, convicted of entering a build- the Court of Quarter Sessions of Allegheny County, ne 16, 1930, be commuted from ten years to five six months, expiring on December 16, 1935.

reasons for making this recommendation are as s:

930 the applicant plead guilty to several charges of ng a building. He was sentenced to serve a term n ten to twenty years in the Western State Peni- y.

her the trial District Attorney nor the trial judge is d to the granting of clemency.

applicant has never been involved in any other e. He has an excellent institutional record. We e he has been sufficiently punished and are satisfied ot a habitual criminal.

Board of Trustees of the Western State Penitentiary states: "If this inmate were eligible for parole, we ly would recommend him for parole (1) first con- ; (2) excellent institutional record; (3) has served six years."

The applicant will be on parole until 1950.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

THOMAS A. LOGUE,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of Ralph Marrati—No. 1854
December Session, 1935.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Ralph Marrati, convicted of felonious assault, pointing firearms, robbery, receiving stolen goods, carrying concealed deadly weapons, breaking and entering, larceny, in the Court of Quarter Sessions of Allegheny and Westmoreland Counties, on October 25, 1929, and May 15, 1930, be commuted from thirteen and one-half years to six years, one month, expiring on November 25, 1935.

Our reasons for making this recommendation are as follows:

In 1929, the applicant, who was barely eighteen years of age, was sentenced to the Western State Penitentiary for from thirteen and one-half to twenty-seven years for robbery, receiving stolen goods, and carrying concealed deadly weapons.

We believe the applicant has been sufficiently punished. Our reasons are as follows: 1. The applicant was never involved in any other serious trouble. 2. He has an excellent institutional record. 3. He has served over six years of his minimum sentence. 4. The Parole Director of the Western State Penitentiary states that the applicant has entirely rehabilitated himself. 5. We are satisfied that the applicant is not a habitual criminal.

The applicant will be on parole until 1956. Employment has been assured.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

THOMAS A. LOGUE,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of William Ertman—No. 1881
December Session, 1935.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of William Ertman, convicted of robbery, receiving stolen goods, in the Court of Oyer and Terminer of Allegheny County, on September 6, 1932, be commuted from five years to three years, three months, expiring on December 6, 1935.

Our reasons for making this recommendation are as follows:

The applicant plead guilty to robbery, and receiving stolen goods, in 1932. He was sentenced to serve a term of from five to ten years in the Western State Penitentiary. The assistant trial District Attorney states: "I therefore respectfully submit to this Honorable Board my approval of such commuation * * *."

The District Attorney's representative who appeared before us at the open session stated that he is not opposed to the granting of clemency.

The Board of Trustees of the Western State Penitentiary states "If this inmate were eligible for parole, we probably would recommend him for parole (1) has but one previous conviction (2) excellent institutional record (3) has served three years of his minimum sentence." We believe he has been sufficiently punished and are satisfied he is not a habitual criminal.

The Honorable Joseph Baine knows the applicant and his family and urges the granting of clemency.

Applicant will be on parole until 1942.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

THOMAS A. LOGUE,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of Ray Rich—No. 1941
December Session, 1935.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Ray Rich, convicted of arson, in the Court of Oyer and Terminer of Indiana County, on March 19, 1934, be commuted from two years to one year, nine months, expiring on December 19, 1935.

Our reasons for making this recommendation are as follows:

The applicant was convicted of arson in 1934. He was sentenced to serve a term from two to ten years in the Western State Penitentiary. The trial judge states: "* * * as I have already stated I am of the opinion that his service of the large portion of his minimum sentence will be as effective for his reformation as any further confinement, and furthermore I am convinced that his family needs his assistance."

The applicant has served five-sixths of his minimum sentence and his institutional record has been excellent. We believe he has been sufficiently punished.

Applicant will be on parole until 1944. Employment has been assured and a satisfactory home will be provided. He has a wife and two children who are in urgent need of his support.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

THOMAS A. LOGUE,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of Fred Campbell—No. 2049
December Session, 1935.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Fred Campbell, convicted of robbery, in the Court of Oyer and Terminer of Dauphin County, on September 30, 1929, be commuted from nine years to six years, five months, expiring on December 10, 1935.

Our reasons for making this recommendation are as follows:

The applicant plead guilty to robbery in 1929. He was sentenced to serve a term of from nine to eighteen years in the Eastern State Penitentiary. He had never been involved in any other trouble and probably would not have been in this trouble if he had not become associated with the two accomplices who had criminal records.

Prior to the commission of the crime, the applicant was an honest and hard-working boy.

The sentence of an accomplice, who had a criminal record, was commuted approximately two and one-half years ago. The ring leader is still confined. The applicant has an excellent institutional record and we believe he has been sufficiently punished. We are satisfied that he is not a habitual criminal.

Applicant will be on parole until 1947. Employment has been assured.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

THOMAS A. LOGUE,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of Jesse C. Stevens—No. 2001
December Session, 1935.

His Excellency, the Governor of the Commonwealth of Pennsylvania:

r: The above application having been heard, upon due lic notice, in open session, the undersigned members he Board of Pardons recommend that the minimum ence of Jesse C. Stevens, convicted of murder, second ree, in the Court of Quarter Sessions of Philadelphia nty, on November 12, 1930, be commuted from ten s to five years, one month, expiring on December 12, .

ur reasons for making this recommendation are as ows:

he applicant plead guilty to murder of the second ree in 1930.

e was sentenced to serve a term of from ten to twenty rs in the Western State Penitentiary.

M. Hackney, Chief Probation Officer, states: "The rd indicates that the defendant first appeared in these rts charged with murder on March 25, 1925, and on ember 20, 1926, as a result of a recommendation of a mission appointed to inquire into the mentality of defendant, the court committed him to the State Hos- l for Criminal Insane at Farview where he remained l March 25, 1930, at which time he was returned to adelphia and these courts for trial. In view of the that the defendant was confined in the Farview Hos- l for a period of four years; that he suffered perma- t injuries of mind and body while in action during the ld War; and in view of the many mitigating circum- ces in connection with the offense with which he was rged, I am directed by Judge Neiligman (the trial ge) to advise you that the court considers this appli- on for clemency entirely meritorious, and favorable sideration of such application by your honorable board ccordingly recommended."

he applicant was never involved in any other trouble. has a satisfactory institutional record. We believe he been sufficiently punished and are satisfied that he is a habitual criminal.

he applicant will be on parole until 1950. He intends ng to South America. He will not be a public charge he is receiving a check each month because of dis- ities incurred during the World War.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

THOMAS A. LOGUE,
Secretary of Internal Affairs.

he above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of Henry Wolferd—No. 2115
December Session, 1935.

His Excellency, the Governor of the Commonwealth of Pennsylvania:

ir: The above application having been heard, upon due lic notice, in open session, the undersigned members the Board of Pardons recommend that the minimum sentence of Henry Wolferd, convicted of robbery, receiving stolen goods, in the Court of Oyer and Terminer of Allegheny County, on September 6, 1932, be commuted from five years to three years, three months, expiring on December 6, 1935.

Our reasons for making this recommendation are as follows:

The applicant and an accomplice, William Ertman, for whom we have recommended clemency at this session of the board, received a sentence of from five to ten years in the Western State Penitentiary, for robbery, and receiving stolen goods. He was never involved in any other trouble. His institutional record has been excellent. He has served over three years of his minimum sentence and we believe he has been sufficiently punished. We are satisfied he is not a habitual criminal.

Neither the trial judge nor District Attorney is opposed to the granting of clemency.

The applicant will be on parole until 1942. Employment has been assured and arrangements have been made for a satisfactory home.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

THOMAS A. LOGUE,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of William T. Ramsey—No. 2141
December Session, 1935.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of William T. Ramsey, convicted of fraud, malfeasance, in the Court of Oyer and Terminer of Delaware County, on September 30, 1932, be commuted from five years to three years, two months, expiring on November 30, 1935.

Our reasons for making this recommendation are as follows:

The applicant plead guilty to embezzlement in 1932 and was sentenced to serve a term of from five to ten years in the Eastern State Penitentiary.

He was the Tax Collector for the City of Chester and the moneys embezzled were taken over a period of approximately eight years. The bonding companies made restitution.

A cancer has developed on his forehead and Dr. J. Gershon-Cohen, possibly the most eminent cancer specialist in the City of Philadelphia, states: "This is to certify that Mr. William T. Ramsey has an advanced epidermoid carcinoma involving the scalp tissues over the right forehead in the neighborhood of the hairline. The cancerous growth is quite extensive and extends laterally more or less circularly with a diameter of about three cm. and extends deep and involves the superficial bony layers of the skull. This lesson has been extensively treated by electrothermic coagulation and radium application but the treatment has been incomplete so that the present lesion has been regarded as a recurrence. The patient was removed to the Skin and Cancer Hospital

about six weeks ago where I did a very wide and deep resection of the growth, using the electrical radio knife and this has been followed up by superficial X-ray treatment, the only kind of treatment available at the institution where the patient is confined. The ideal and really proper treatment for this cancerous growth would be a thorough application of radium which, of course, is not available to us at this time. Needless to say, the process is serious and resolves itself into a matter of life and death for this patient at this particular time."

Bishop Francis M. Taitt, Rabbi Herman E. Eisenberg, and other prominent citizens have recommended clemency.

The trial District Attorney states: "* * * it is my opinion that the facts as set forth in the application are correct and such application of the defendant has merit."

An assistant of the District Attorney's Office appeared before us at our open session and stated that the District Attorney's Office was entirely favorable to the granting of clemency.

In view of Dr. J. Gershon-Cohen's letter that this case resolves itself into a matter of life and death, clemency should be granted to this applicant at this time.

The applicant was never involved in any other trouble and we are satisfied that he is not a habitual criminal. He is sixty-three years old.

The applicant will be on parole until 1942.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

THOMAS A. LOGUE,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of Vincent Zegle—No. 2146
December Session, 1935.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Vincent Zeogle, convicted of robbery, in the Court of Quarter Sessions of Philadelphia County, on February 16, 1928, be commuted from twenty years to seven years, ten months, expiring on December 16, 1935.

Our reasons for making this recommendation are as follows:

In 1928, the applicant was convicted of two charges of robbery. He was sentenced to serve a term of from twenty to forty years in the Eastern State Penitentiary. He has served almost eight years of his minimum sentence.

The trial judge states: "If Zeole's record has been good in the penitentiary to such an extent as to indicate that he has lost his anti-social attitude, I think the severity of the sentence might be modified."

The applicant's institutional record has been very good.

The trial District Attorney's representative, who appeared before us in open session, stated he agreed with the trial judge that the sentence was excessive. We also feel that the sentence imposed was too severe and that the applicant has been sufficiently punished.

The applicant will be on parole until 1968. Employment has been assured and arrangements have been made for a satisfactory home.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

THOMAS A. LOGUE,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of Arthur J. Wheaton—No. 2169
November Session, 1935.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Arthur J. Wheaton, convicted of forgery, in the Court of Quarter Sessions of Susquehanna County, on October 30, 1933, be commuted from fifteen years to two years, one month, expiring on November 30, 1935.

Our reasons for making this recommendation are as follows:

The applicant was Secretary of the School Board in Montrose, Pennsylvania, and over a period of years he embezzled, by forging orders, approximately $19,000.00. The money was used for the education of his children and for the support and care of his family. He plead guilty to a number of charges of forgery and was sentenced to serve a term of from fifteen to thirty years in the Western State Penitentiary. He surrendered his life insurance policies and he and his wife turned over ther home and other property in an effort to make restitution.

We have on file a certificate from the President of the Montrose Borough School District, attested to by the Secretary, stating that the school district has received from the applicant $6,243.84, the amount of the surcharge in the auditor's report for the school year 1932-1933, and also the sum of $1,338.77, the amount of surcharge in the auditor's report for the school year 1933-1934.

The applicant was never involved in any other trouble. His institutional record has been satisfactory.

Neither the trial District Attorney nor trial judge opposed the granting of clemency. We believe he has been sufficiently punished and are satisfied he is not a habitual criminal. He will be on parole until 1963.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

THOMAS A. LOGUE,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of Andrew Stecco—No. 2277

November Session, 1935.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Andrew Stecco, convicted of abusing a woman child, in the Court of Oyer and Terminer of Lackawanna County, on October 3, 1934, be commuted from three years to one year, two months, expiring on December 3, 1935.

Our reasons for making this recommendation are as follows:

The applicant was convicted of abusing a woman child in 1934. He was sentenced to serve a term of from three to six years in the Eastern State Penitentiary.

The sentence of his accomplice was commuted on our recommendation a few months ago. Our recommendation at that time was based on information received since the conviction of the applicant and his accomplice.

It appears that the prosecutrix was a woman of bad repute, of unchaste character and low morals. The trial District Attorney states, "* * * The subsequent events would indicate to my mind that the contention of the defense at the trial that the girl was so bad morally that the defendants were guilty of nothing but simple fornication was correct, and I am inclined to suggest to the Honorable Board of Pardons that the application in this case be given serious consideration." The trial judge states that the statements made by the applicant are correct.

Many prominent citizens of the community in which the applicant has resided have recommended clemency.

We believe that the applicant and his accomplice should never have been convicted. The applicant was never arrested for any other crime, his institutional record has been good, and we are satisfied that he is not a habitual criminal.

The applicant will be on parole until 1940. Employment has been assured.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

THOMAS A. LOGUE,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of Louis Iovino—No. 2351

November Session, 1935.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Louis Iovino, convicted of burglary, in the Court of Oyer and Terminer of Allegheny County, on March 23, 1933, be commuted from five years to two years, nine months, expiring on December 23, 1935.

Our reasons for making this recommendation are as follows:

The applicant plead guilty to burglary in 1933. He was sentenced to serve a term of from five to ten years in the Western State Penitentiary.

The Board of Trustees of Western State Penitentiary states: "If this inmate were eligible for parole, we probably would recommend him for parole—one previous conviction. If clemency is to be shown we feel this should be the time—has developed into an excellent stenographer—excellent work and conduct record. * * *"

Applicant has served over two and one-half years of his minimum sentence. We believe he has been sufficiently punished.

The applicant will be on parole until 1943.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

THOMAS A. LOGUE,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of Philip Finkelstein—No. 2355

November Session, 1935.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Philip Finkelstein, convicted of robbery, in the Court of Oyer and Terminer of Allegheny County, on May 29, 1931, be commuted from ten years to four years, six months, expiring on November 29, 1935.

Our reasons for making this recommendation are as follows:

The applicant was convicted of robbery in 1931. He was sentenced to serve a term of from ten to twenty years in the Western State Penitentiary. We believe the applicant has been sufficiently punished. Our reasons are as follows: 1. The applicant was never convicted of any other crime. 2. He has an excellent institutional record. 3. He has served over four and one-half years of his minimum sentence and we are satisfied he is not a habitual criminal.

The Board of Trustees of the Western State Penitentiary states, "If this inmate were eligible for parole, we probably would recommend him for parole: (1) first conviction; (2) excellent institutional record."

The District Attorney's representative who appeared before us at the open session stated he was not opposed to the granting of clemency.

The applicant will be on parole until 1951.

An excellent home has been provided.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

THOMAS A. LOGUE,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of Harry James Logan No. 2388
December Session, 1935.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Harry James Logan, convicted of robbery, in the Court of Oyer and Terminer of Allegheny County, on April 30, 1930, be commuted from fourteen years to five years, seven months, expiring on November 30, 1935.

Our reasons for making this recommendation are as follows:

The applicant, when only nineteen years of age, plead guilty to a number of charges of robbery. He was sentenced to serve a term of from fourteen to thirty-four years in the Western State Penitentiary.

The District Attorney's representative, who appeared before us at the open session, said that he had no objection to the granting of clemency.

The applicant was never involved in any other trouble and has an excellent institutional record. We believe he has been sufficiently punished and are satisfied that he is not a habitual criminal.

He has served over five and one-half years of his minimum sentence.

The applicant will be on parole until 1964. Employment has been assured.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

THOMAS A. LOGUE,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of Thomas Hall—No. 2468
December Session, 1935.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Thomas Hall, convicted of larceny, in the Court of Oyer and Terminer of Blair County, on March 30, 1931, be commuted from seven years to four years, eight months, expiring on November 30, 1935.

Our reasons for making this recommendation are as follows:

The applicant plead guilty to seven charges of larceny in 1931. He was only eighteen years of age, and had never been involved in any serious trouble. He was sentenced to serve a term of from seven to fourteen years in the Western State Penitentiary.

The Board of Trustees of the Western State Penitentiary states: "We would recommend him (the applicant) for parole because of his youth, his excellent prison record, the fact that he has a job and a sponsor and because he has served four and one-half years of his minimum sentence."

We believe the applicant has been sufficiently punished, and are satisfied that he is not a habitual criminal. The applicant will be on parole until 1945. Employment has been assured and arrangements have been made for a satisfactory home.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

THOMAS A. LOGUE,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of Joshua Smedley—No. 2509
December Session, 1935.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that Joshua Smedley, convicted of election fraud, in the Court of Quarter Sessions of Philadelphia County, on March 16, 1934, be pardoned.

Our reasons for making this recommendation are as follows:

The applicant plead nolo contendere to unlawfully receiving votes at an election. He was adjudged guilty and on March 16, 193[illegible], a fine of $100 and costs was imposed.

The facts of the case are as follows: The applicant was serving as Judge of Elections in the 17th Division of the 23rd Ward in Philadelphia. A number of persons presented themselves and demanded to vote. Their vote was challenged, but the applicant permitted them to vote. The challenge was based on the fact that the persons desiring to vote had moved from their respective districts but had not removed all their property. The persons desiring to vote did not attempt to vote in any other district. In our opinion, violations of the election laws of this type are common. We do not believe that the applicant attempted or believed that he was doing anything unlawful. He was never involved in any other trouble, and enjoys an excellent reputation in the community in which he resides.

By reason of the conviction the applicant has been disfranchised. He also cannot secure work in governmental service. A pardon will remove the stigma of the conviction from the applicant and his family, will permit him to vote, and will be of material assistance to his securing employment.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

THOMAS A. LOGUE,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of Frederick Steiner—No. 2545
December Session, 1935.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that Frederick Steiner, convicted of receiving stolen goods, in the Court of Quarter Sessions of Philadelphia County, on September 30, 1929, be pardoned.

Our reasons for making this recommendation are as follows:

The applicant plead guilty to receiving stolen goods in 1929. He was sentenced to serve a term of one year in the Philadelphia County Prison. Because of the conviction and sentence, the applicant will be deported unless a pardon is granted.

The applicant's wife and son are citizens of the United States. The applicant has no friends nor relatives in his native country. We believe that deportation would be a cruel and unnecessarily harsh punishment.

The applicant was never convicted of any other crime, and we do not believe him to be of the habitual criminal class.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

THOMAS A. LOGUE,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of Luigi Quaranta—No. 2593
December Session, 1935.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the life sentence of Luigi Quaranta, convicted of murder, in the Court of Oyer and Terminer of Philadelphia County, on July 11, 1928, be commuted from life imprisonment to seven years, five months and a maximum of twenty years, expiring on December 11, 1935.

Our reasons for making this recommendation are as follows:

The applicant was convicted of murder of the first degree in 1927. A new trial was granted, but he was again convicted of first degree murder and punishment was fixed at life imprisonment.

Charles F. Kelley, District Attorney of the County of Philadelphia, who prosecuted the case, stated that he feels the quality of the testimony given at the time of the trial was of such a character as to leave him in a very uncertain frame of mind with respect to the propriety of the conviction and recommended the granting of clemency.

William Deni, convicted of murder of the first degree and sentenced to death this year, was interviewed at the Philadelphia County Prison by the Honorable Charles J. Margiotti, Attorney General, and during the course of the interview Deni stated that the applicant "was doing a bum rap," and that he was absolutely not guilty of the killing for which he was convicted.

After carefully considering all the facts in the case, there is considerable doubt in our minds of the applicant's guilt. He has served approximately seven years and five months in the penitentiary.

We recommend that a commutation of sentence be granted from life imprisonment to a minimum term of seven years and five months and a maximum term of twenty years, so that the applicant will be on parole for a period of approximately twelve years and seven months.

Employment has been assured and satisfactory arrangements have been made for a home.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

THOMAS A. LOGUE,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of Walter Thomas—No. 2683
December Session, 1935.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Walter Thomas, convicted of robbery, receiving stolen goods, larceny, in the Court of Oyer and Terminer of Allegheny County, on April 13, 1928, be commuted from ten years to seven years, eight months, expiring on December 13, 1935.

Our reasons for making the recommendation are as follows:

The applicant was convicted of robbery, receiving stolen goods, and larceny. In 1928 he was sentenced to serve a term of from ten to twenty years in the Western State Penitentiary. We believe he has been sufficiently punished. Our reasons are as follows: 1. The applicant was never involved in any other crime. 2. He has an excellent institutional record. 3. He has served over seven and one-half years of his minimum sentence. 4. We are satisfied that he is not a habitual criminal.

The applicant will be on parole until 1948.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

THOMAS A. LOGUE,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of Fred Parsons—No. 2704
December Session, 1935.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Fred Parsons, convicted of burglary, entering, larceny, in the Court of Oyer and Terminer of Philadelphia County, on December 6, 1933, be commuted from three years to two years, expiring on December 6, 1935.

Our reasons for making this recommendation are as follows:

The applicant pleaded nolo contendere to burglary and entering with intent to steal in 1933. He was sentenced to serve a term of from three to nine years in the Eastern State Penitentiary.

The trial District Attorney's representative, who appeared before us at the open session, stated that he was entirely willing to leave the matter of clemency in the hands of the Board.

The applicant's wife appeared before us and stated that she and her three-year-old daughter were in urgent need of her husband's support.

Employment has been assured. The applicant will be on parole until 1942.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

THOMAS A. LOGUE,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of Andrew H. Longbine—No. 2708
December Session, 1935.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Andrew H. Longbine, convicted of rape, statutory rape, in the Court of Oyer and Terminer of Union County, on May 15, 1935, be commuted from six years to two years, seven months, expiring on December 15, 1935.

Our reasons for making this recommendation are as follows:

The applicant plead guilty to rape and statutory rape in 1933. He was sentenced to serve a term of from six to twelve years in the Eastern State Penitentiary.

The trial attorney states: "* * * I believe and am of the opinion that a commutation of sentence should be granted in the application of the above applicant."

The trial judge states: "* * * I am inclined to feel that Mr. Longbine should not be required to serve the entire term imposed * * *."

The applicant was never involved in any other trouble. His institutional record has been excellent.

Judge D. H. Fursley, of Laurelton, appeared before us and recommended clemency and stated that he would not only employ the applicant but would supervise his conduct.

We believe the applicant has been sufficiently punished and are satisfied he is not a habitual criminal.

The applicant will be on parole until 1945.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

THOMAS A. LOGUE.
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of Leo Litfin—No. 2710
December Session, 1935.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Leo Litfin, convicted of robbery, in the Court of Quarter Sessions of Allegheny County, on February 16, 1933, be commuted from five years to two years, ten months, expiring on December 14, 1935.

Our reasons for making this recommendation are as follows:

The applicant was convicted of robbery in 1933. He was sentenced to serve a term of from five to ten years in the Western State Penitentiary. He has never been convicted of any other crime, his conduct and employment record during his incarceration have been satisfactory.

The Jewish Big Brotherhood is interested in the applicant and the Board of Trustees of the Western State Penitentiary states: "If this inmate were eligible for parole we would probably conditionally recommend parole under supervision of Jewish Big Brotherhood * * *."

We are in accord with the recommendation of the Board of Trustees. The applicant will be on parole until 1943.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

THOMAS A. LOGUE,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of Wm. Nash Davis—No. 2712
December Session, 1935.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Wm. Nash Davis, convicted of voluntary

manslaughter, in the Court of Oyer and Terminer of Allegheny County, on December 8, 1931, be commuted from five years to four years, expiring on December 8, 1935.

Our reasons for making this recommendation are as follows:

The applicant plead guilty to voluntary manslaughter in 1931. He was sentenced to serve a term of five to ten years in the Western State Penitentiary. He has served four-fifths of his minimum sentence. He has an excellent institutional record. He has never been involved in any other serious trouble. We believe he has been sufficiently punished and are satisfied he is not a habitual criminal.

The trial District Attorney's representative who appeared before us at the open session stated he had no objections to the granting of clemency.

Applicant will be on parole until 1941. Employment has been assured.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

THOMAS A. LOGUE,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of John Joseph Salvo—No. 2723
December Session, 1935.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of John Joseph Salvo, convicted of arson, in the Court of Oyer and Terminer and Quarter Sessions of Luzerne County, on February 23, 1935, be commuted from three years to ten months, expiring on December 23, 1935.

Our reasons for making this recommendation are as follows:

The applicant was tried on three separate occasions for arson. On the first two trials the jury could not agree and on the third trial the jury stayed out fifty-four hours before finding him guilty and then recommended mercy. He was sentenced to serve a term of from three to seven years in the Eastern State Penitentiary. He was never involved in any other serious trouble.

After careful consideration of all the facts there is serious doubt in our minds as to the applicant's guilt. He has a satisfactory institutional record.

The applicant will be on parole until 1942 and employment has been assured. He has a wife and three children who are in urgent need of his support.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

THOMAS A. LOGUE,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of Stanley Patrick—No. 2725
December Session, 1935.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Stanley Patrick, convicted of highway robbery, burglary, larceny and receiving an auto, in the Courts of Oyer and Terminer and Quarter Sessions of Lehigh County, on November 13, 1928, be commuted from nine and one-half years, to seven years, one month, expiring on December 13, 1935.

Our reasons for making this recommendation are as follows:

The applicant was convicted of highway robbery, burglary, and larceny in 1928. He was sentenced to serve a term of from nine and one-half to nineteen years in the Eastern State Penitentiary. He has served over seven years of his minimum sentence. We believe he has been sufficiently punished.

Reverend Vladimir Uanytsky represented the applicant and stated that he would act as his sponsor while he was on parole.

The applicant will be on parole until 1947.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

THOMAS A. LOGUE,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of Charles C. Lawrence—No. 2730
December Session, 1935.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Charles C. Lawrence, convicted of murder, second degree, in the Courts of Oyer and Terminer and Quarter Sessions of Adams County, on April 28, 1928, be commuted form ten years to seven years, seven months, expiring on November 28, 1935.

Our reasons for making this recommendation are as follows:

The applicant was convicted of murder in the second degree in 1928. He was sentenced to serve a term of from ten to twenty years in the Eastern State Penitentiary. The killing occurred during a drunken brawl.

The trial District Attorney states: "From my knowledge of the circumstances surrounding the happening of this homicide, I would recommend clemency to the applicant at this time for I have always felt that if he had been convicted of voluntary manslaughter, it would probably have been a more proper verdict than murder in the second degree".

The applicant is sixty-three years of age. He has never been involved in any other trouble. He has been incarcerated for over seven and one-half years of his minimum sentence.

The Board of Trustees of the Eastern State Penitentiary states: "This man has an exceptional institution and em-

ployment record. At the present time he is employed in a position of trust at the store house * * *."

We believe the applicant has been sufficiently punished and are satisfied he is not a habitual criminal.

The applicant will be on parole until 1948.

Our recommendation is contigent upon the applicant being paroled into the custody of Mr. James Barnitz, of New Oxford, Pennsylvania. The trial District Attorney states that Mr. Barnitz is an entirely capable, sober and honest individual.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

THOMAS A. LOGUE,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of James Halpin—No. 2741
December Session, 1935.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that James Halpin, convicted of operating automobile while intoxicated in the Court of Quarter Sessions of Philadelphia County, on March 11, 1932, be pardoned.

Our reasons for making this recommendation are as follows:

The applicant, in 1932, plead nolo contendere to operating an automobile while under the influence of intoxicating liquor. He was adjudged guilty. Sentence was suspended and he was placed on probation for one year and ordered to pay the costs of prosecution.

The applicant was never involved in any other trouble. He enjoys an excellent reputation in the community where he resides.

The trial judge states: "I would concur in favorable action by your Board." The trial District Attorney's representative, who appeared before us in open session, stated that the District Attorney was not opposed to the granting of a pardon.

At the present time the applicant is unemployed and desires to take a civil service examination. Unless a pardon is granted he cannot take the examination. A pardon would in part remove the stigma of the crime from the applicant and his family and will be of material assistance to the obtaining of employment.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

THOMAS A. LOGUE,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of Felix Joseph Henry—No. 571
January Session, 1936.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that Felix Joseph Henry, convicted of assault and battery, in the Court of Quarter Sessions of Philadelphia County, on May 1, 1930, be pardoned.

Our reasons for making this recommendation are as follows:

In 1929, the applicant was a police officer in the City of Philadelphia. His sister-in-law, a minor was reported to have disappeared. Through some source it was learned that she had been seen in the company of a Phillipino. The applicant learned the address of the Phillipino and waited outside the house. The Phillipino and the sister-in-law returned after some time and the applicant placed the Phillipino under arrest. The Phillipino resisted and the applicant struck him. Later the applicant was arrested and charged with assault and battery. He was convicted and placed on probation for one year.

The applicant was never involved in any other trouble and while we do not condone the offense of which he was convicted, we believe that there was provocation.

The applicant enjoys an excellent reputation and lives in a modest but clean and respectable home with his mother. A pardon will enable him to apply for a reinstatement as a patrolman and also will, in part, remove the stigma of the crime and be of material assistance to his advancement.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

THOMAS A. LOGUE,
Secretary of Internal Affairs

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of Lupe Escobar—No. 1717
January Session, 1936.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Lupe Escobar, convicted of statutory rape, in the Court of Oyer and Terminer of Allegheny County, on June 23, 1931, be commuted from seven and one-half years, to four years, eight months, expiring on February 23, 1936.

Our reasons for making this recommendation are as follows:

The applicant and three others were convicted of statutory rape. The applicant received a sentence of seven and one-half to fifteen years in the Western State Penitentiary. One accomplice received a sentence of two and one-half to five years. The second accomplice received a sentence of seven and one-half to fifteen years which sentence was commuted to three years, seven

months, and he was released on parole on February 18, 1935. The third accomplice received a sentence of two and one-half to five years.

The Board of Trustees of the Western State Penitentiary states, "If this inmate were eligible for parole we would probably recommend him", and in its detailed report states, "This case is a case of rape only in the technical sense".

The testimony of the doctors who examined the girl after the commission of the alleged offense was to the effect that the prosecutrix was not chaste.

Nothing in the record indicates that the applicant was the ring leader. The minimum sentence of all of the accomplices have expired.

The applicant has served over four and one-half years of his minimum sentence. We believe he has been sufficiently punished.

The District Attorney's representative who appeared before us at the open session said that he had no objection to granting clemency. The trial judge said, "It may be worth-while to give him (the applicant) an opportunity to show that he deserves consideration and that he will make good in the future."

Applicant will be on parole until 1946. A home and employment have been assured him in Texas, and our recommendation is contingent upon his removing to, and remaining in, that State.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

THOMAS A. LOGUE,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of Charles A. Heckman—No. 2176

January Session, 1936.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that Charles A. Heckman, convicted of fraudulent conversion, rehypothecation of securities without consent, in the Court of Quarter Sessions of Lehigh County, on September 27, 1933, be pardoned.

Our reasons for making this recommendation are as follows:

In March, 1935, we recommended a commutation of sentence for the applicant and on this recommendation was commuted to one year, expiring April 18, 1935, and he was released on parole on April 20, 1935. The reasons given by us at that time for making our recommendations were as follows: "In 1933, the applicant was convicted of fraudulent conversion and rehypothecation of securities. He was sentenced to pay a fine of $500.00, and costs of prosecution and imprisonment in the Lehigh County Prison for one year and six months. The facts of the case are as follows: The prosecutor had pledged bonds as collateral security for a note with the Allentown Trust Company, of which the applicant was president. The note contained no authorization for rehypothecation without consent. The applicant repledged the bonds with the Pennsylvania Company to secure loans of the Allentown Trust Company. The bonds were repledged without any reference to the prosecutor's note. Later a renewal note for the indebtedness was executed by the prosecutor, the renewal note containing an authorization to rehypothecate the securities pledged as collateral. The prosecutor lost nothing through the rehypothecation. It appears to us that the repledging was done solely through an inadvertence and lack of knowledge of the particular acts governing the rehypothecation of securities and was entirely without any criminal intent or benefit to the applicant."

Since that time the applicant has conducted himself in an exemplary manner. We have again a great many letters from responsible persons urging the granting of a pardon.

A pardon will, in part, remove the stigma of the crime from the applicant and his family. It will be of assistance to him in obtaining a position of trust and responsibility in keeping with his ability, training, and education, and will be of material benefit to his advancement in the field of activity for which he is qualified.

Respectively submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

THOMAS A. LOGUE,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of Anthony Rinaldi—No. 2278

January Session, 1936.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Anthony Rinaldi, convicted of abusing a woman child, in the Court of Oyer and Terminer of Lackawanna County, on October 3, 1934, be commuted from three years to one year, four months, expiring on February 3, 1936.

Our reasons for making this recommendation are as follows:

The applicant and three others were convicted of abusing a woman child. Three of them, including applicant, were sentenced to serve terms of from three to six years in the Eastern State Penitentiary, and one was sentenced to the Pennsylvania Industrial School.

From information received since the conviction it is obvious that the prosecutrix was so bad morally that the applicant and his accomplices should not have been convicted. The sentences of the two accomplices who were sentenced to the Penitentiary were commuted and they were released on parole. The applicant is entitled to the same consideration. He was never involved in any other trouble.

The present District Attorney of Lackawanna County recommended serious consideration of the case.

Applicant will be on parole until 1940. Employment has been assured.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

THOMAS A. LOGUE,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of Joseph E. Heath, Jr.—No. 2373
January Session, 1936.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Joseph E. Heath, Jr., convicted of larceny, fraudulent conversion, embezzlement by employe of corporation, making false entries in book of account, in the Court of Quarter Sessions of Philadelphia County, on June 11, 1930, be commuted from ten years to five years, nine months, expiring on March 11, 1936.

Our reasons for making this recommendation are as follows:

The applicant plead guilty to larceny, embezzlement by employe, making false entries in book of account, and fraudulent conversion, in 1930. He was sentenced to serve from ten to twenty years in the Eastern State Penitentiary, but this sentence was reconsidered, and on July 2nd, he was resentenced to the Philadelphia County Prison at Holmesburg for the same length of time. He was never involved in any other trouble, and his institutional record is excellent. He has served approximately five and three-fourths years of his sentence. We believe he has been sufficiently punished and are satisfied he is not a habitual criminal.

The applicant bore an excellent reputation prior to his sentence, and his family are the finest type of people.

Employment has been assured, and an excellent home has been provided.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

THOMAS A. LOGUE,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of Richard P. Donnelly—No. 2744
January Session, 1936.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that Richard P. Donnelly, convicted of unlawful sale of intoxicating liquor, in the Court of Quarter Sessions of Philadelphia County, on March 20, 1929, be pardoned.

Our reasons for making this recommendation are as follows:

In 1929, the applicant plead guilty to the unlawful sale of intoxicating liquor. He was placed on probation for one year, and ordered to pay the costs of prosecution. He was never involved in any other trouble and enjoys an excellent reputation in the community in which he resides.

At the present time he is employed as a motorman by the Philadelphia Rapid Transit Company.

The District Attorney's representative who appeared before us, in open session, said that he was not opposed to the granting of a pardon. The parole agent who investigated the case stated that the applicant intends to file an application with the Civil Service Board of the Philadelphia Police Department for a position as patrolman. A pardon will, in part, remove the stigma of crime attached to applicant and his family and will be of material assistance to his advancement.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

THOMAS A. LOGUE,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of Orlando Lewis Piorenza—No. 2746
January Session, 1936.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Orlando Lewis Piorenza, convicted of larceny, in the Court of Oyer and Terminer of Columbia County, on July 2, 1935, be commuted from one and one-half years to eight months, expiring on March 2, 1936.

Our reasons for making this recommendation are as follows:

The applicant plead guilty to larceny in 1936. He was sentenced to serve a term of from one and one-half to three years in the Eastern State Penitentiary. He was never involved in any other serious trouble. The person from whom the goods, valued at about $25.00, were stolen was a former employer, and is willing to reemploy the applicant.

Applicant's reputation is good and, when able, supported his parents and younger brother

Applicant will be on parole until 1938. Employment has been assured.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

THOMAS A. LOGUE,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of Theodore Linkewicz—No. 2748
January Session, 1936.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Theodore Linkewicz, convicted of possession and explosion of dynamite, in the Court of Oyer and Terminer of Luzerne County, on April 9, 1935, be commuted from five years to one year, expiring on April 9, 1936.

Our reasons for making this recommendation are as follows:

The applicant and several others were convicted of the possession and explosion of dynamite. Sentences of from five to ten years and fines of $500.00 were imposed. The crimes were committed during the heat of a recent and bitter mine strike, which involved the anthracite miners of Pennsylvania and the United Mine Workers of America. There was no serious damage, and no persons were injured. The trouble between the two unions has been settled, and there is little or no danger of a recurrence of the same type of trouble.

The trial judge states, "* * * I feel, however, that each of the applicants should be required to serve a period of at least one year in the penitentiary before being released on parole." We are in accord with the trial judge's opinion.

The applicant has an excellent institutional record, and we are satisfied he is not a habitual criminal.

The applicant will be on parole until 1945. Employment and a home have been assured.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

THOMAS A. LOGUE,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of Charles F. E. Fahey—No. 2758
January Session, 1936.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that Charles F. E. Fahey, convicted of embracery, in the Court of Quarter Sessions of Allegheny County, on March 23, 1934, be pardoned.

Our reasons for making this recommendation are as follows:

The applicant was convicted of embracery in 1934. He was sentenced to pay a fine of $500.00, costs of prosecution, and to undergo imprisonment in the Allegheny County jail for one year.

An appeal to the Superior Court was refused July 13, 1934. Applicant was released on parole on December 9, 1935, after having served over six months, and the costs were placed on the county and the fine remitted.

The trial judge states, "I believe he (the applicant) is a well-meaning man and that he committed this offense in a moment of weakness, feeling under obligation for the public position which he held. At the time of the trial I was of the impression that he was taking responsibility for the acts of someone else, but he has stoutly maintained that no one else was concerned in the crime and I believe he is entitled to credit for having done it all himself. My judgment is that he is thoroughly repentant and that there is no probability of future wrong doing on his part."

The warden of the Allegheny County Prison states that he believes the applicant is worthy of consideration.

The trial District Attorney's representative who appeared before us at the open session stated that he was not opposed to the granting of a pardon.

The applicant was never involved in any other trouble. He enjoys an excellent reputation in the community in which he lives. A number of responsible citizens have written to us urging us to recommend a pardon.

A pardon will, in part, remove the stigma of crime from the applicant and his family and will be of material assistance to his advancement.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

THOMAS A. LOGUE,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of Willets P. Bates—No. 2763
January Session, 1936.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Willets P. Bates, convicted of sodomy, in the Court of Quarter Sessions of Philadelphia County, on May

5, 1933, be commuted from five years to two years, nine months, expiring on February 5, 1936.

Our reasons for making this recommendation are as follows:

In 1933, the applicant was adjudged guilty of assault and battery to commit sodomy, and assault and battery to ravish. He was sentenced to serve a term of from five to ten years in the Eastern State Penitentiary.

The prosecutrix told an unbelievable story about the events leading up to the alleged attack. The District Attorney's representative who appeared before us at the open session admitted her story was illogical. After careful examination of the facts in the case there is considerable doubt in our minds as to the applicant's guilt. His record in the penitentiary has been excellent.

The trial judge states, "If you think there is merit in his (the applicant's) application, I will have no objection to his commutation."

Applicant has served almost three years of his minimum sentence. We believe he has been sufficiently punished.

Applicant will be on parole until 1943. Employment has been assured.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

THOMAS A. LOGUE,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of Tony Guiliano—No. 2773
January Session, 1936.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Tony Guiliano, convicted of robbery, receiving stolen goods, in the Court of Oyer and Terminer of Allegheny County, on June 10, 1931, be commuted from fifteen years to four years, eight months, expiring on February 10, 1936.

Our reasons for making this recommendation are as follows:

In 1931, the applicant was convicted on several charges of robbery. He was sentenced to serve a term of from fifteen to thirty years in the Western State Penitentiary.

At the time of the commission of the crimes the applicant was only seventeen years of age. He was never involved in any other trouble. His institutional record is excellent. He has served almost five years of his minimum sentence. We believe he has been sufficiently punished. The Board of Trustees of the Eastern State Penitentiary states, "If this inmate were eligible for parole, we probably would recommend him for parole: (1) first conviction. (2) excellent institutional record."

Warden Ashe of the Western State Penitentiary states: "He (the applicant) has been industrious and cooperative and has never been reported for any infraction of discipline. He is an experienced barber and if released, should be able to earn an honest livelihood." The District Attorney's representative who appeared before us at the open session was not opposed to the granting of clemency.

Applicant will be on parole until 1961. Arrangements for employment and a home have been made in New York, and our recommendation is contingent upon his returning to and remaining in that State.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

NOT SITTING,
Attorney General.

THOMAS A. LOGUE,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of Nartz Bobbin—No. 2781
January Session, 1936.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Nartz Bobbin, convicted of breaking and entering, larceny, in the Court of Quarter Sessions of Columbia County, on March 12, 1935, be commuted from one and one-half years to one year, expiring on March 12, 1936.

Our reasons for making this recommendation are as follows:

Applicant plead guilty to breaking and entering in 1935. He was sentenced to serve a term of from one and one-half years to three years in the Eastern State Penitentiary.

Applicant was never involved in any other trouble. The trial judge states that the applicant is entitled to consideration. The trial District Attorney has no objection to the granting of clemency. All the goods stolen were returned.

The former superintendent of the Pennsylvania Industrial School states: "This young man's record shows no previous arrests. He was transferred to this institution from the Eastern State Penitentiary on April 30, 1935, on the merits of his good behavior. He was assigned to the kitchen and later transferred to the sign shop and has made good progress with his work. He has made a very satisfactory adjustment during his entire time in this institution and I feel is entitled to consideration for clemency."

We believe the applicant will be sufficiently punished if he serves one year.

The applicant will be on parole until 1938. Satisfactory arrangements have been made for a home and employment has been assured. He has a wife and one child who are in urgent need of his support.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

THOMAS A. LOGUE,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of George F. Heinecke—No. 2789
January Session, 1936.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of George F. Heinecke, convicted of burglary, in the Courts of Oyer and Terminer and Quarter Sessions of Philadelphia, County on August 1, 1934, be commuted from two and one-half to one year, seven months, expiring on February 1, 1936.

Our reasons for making this recommendation are as follows:

The applicant plead guilty to several charges of burglary in 1934. He was sentenced to serve a term of from two and one-half to five years in the Eastern State Penitentiary. At the time of the commission of the crime he was only eighteen years of age. The Board of Trustees of the Eastern State Penitentiary states: "This man has a satisfactory institutional record. At the present time he is employed in the library. He has attempted to improve himself by attending school in the afternoons. * * *"

The trial judge states: "* * * I know of no reason why the applicant should not receive favorable consideration by the board, if, in its judgment, it is merited."

By the time the applicant can be released he will have served over a year and a half of his minimum sentence. The District Attorney's representative who appeared before us at the open session stated that because of the extreme youth of the applicant and because no deadly weapons were used, he is entirely satisfied to leave the matter in the hands of the Board.

We believe the applicant has been sufficiently punished and are satisfied he is not a habitual criminal.

The applicant will be on parole until 1939. An excellent home awaits him and employment has been guaranteed.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

THOMAS A. LOGUE,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of Agazio Fraietta—No. 1607
February Session, 1936.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the life sentence of Agazio Fraietta, convicted of murder, first degree, in the Court of Oyer and Terminer, of Allegheny County, on June 16, 1926, be commuted from life to nine years, nine months, expiring on March 16, 1936.

Our reasons for making this recommendation are as follows:

The present District Attorney of Allegheny County states that the jury might very properly have returned a verdict of murder in the second degree and that he would not object to a commutation of sentence. The trial judge states, "At the time of the trial of this case I was of the opinion that the finding of the jury of first degree murder was perhaps a little severe. I have no further knowledge of any facts than those brought to my attention at the time of this trial, I now state that I will be entirely satisfied with any action which the Board may see fit to take, after consideration of all of the circumstances."

The maximum sentence which the applicant could have received if a second degree verdict had been returned would have been from ten to twenty years. The applicant has now served almost ten years of his sentence. He was never involved in any other trouble. We believe he has been sufficiently punished and are satisfied he is not a habitual criminal.

The applicant will be on parole for the period of his natural life.

Respectfully submitted.

THOMAS KENNEDY
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth,

CHARLES J. MARGIOTTI,
Attorney General.

THOMAS A. LOGUE,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of Francis P. Croft—No. 2208
February Session, 1936.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Francis P. Croft, convicted of unlawfully causing explosive mixtures to explode, in the Court of Quarter Sessions of York County, on September 3, 1935, be commuted from one year to seven months, expiring on April 3, 1936.

Our reasons for making this recommendation are as follows:

The applicant, and several accomplices plead nolo contendere to felonious carrying and possessing of bombs and explosives. The applicant was sentenced to serve from one to two years in the Eastern State Penitentiary.

The trial judge states, "These four men were concerned in a strike and in the explosion of a bomb in an effort to terrorize workman of another employer who refused to cooperate with the strikers. They were properly convicted and sentenced from one to two years September 3, 1935. My impression as the result of the trial was, and is, that they were the tools of others and were carried away by strike hysteria without any settled vicious intent or purpose. I believe that everything of benefit to the public and to them in the way of penalty has been accomplished; and would recommend the exercise of clemency provided they can be kept under the eye of diligent parole officers.

The trial District Attorney states, "I would voice no objection to their application for clemency and am of the opinion if they are granted a commutation of sentence that we will not likely have any further trouble from any of them." The private prosecutor says he is heartily in accord with favorable consideration.

We believe the applicant has been sufficiently punished and are satisfied he is not a habitual criminal.

The applicant will be on parole until 1937. Satisfactory arrangements have been made for employment and a home.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth,

NOT SITTING,
Attorney General.

THOMAS A. LOGUE,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of Thomas Whalen, Jr.—No. 2248
February Session, 1936.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Thomas Whalen, Jr., convicted of robbery, in the Court of Quarter Sessions of Erie County, on May 16, 1932, be commuted from five years, to three years, ten months, expiring on March 16, 1936.

Our reasons for making this recommendtaion are as follows:

In 1932, the applicant was convicted of robbery. The amount of money involved was sixty cents. He was sentenced to serve from five to ten years in the Western State Penitentiary. He has served almost four-fifths of his minimum sentence. He was never involved in any other serious trouble.

The trial judge states, "I think that I wrote you some time ago that this application has merit. Mr. Stout, the General Manager of the Erie Forge and Steel Company, a former associate in business of the father of Thomas Whalen, has agreed to give this boy employment, I believe that he will go straight and that in any event it is worth a trial".

The Board of Trustees of the Western State Penitentiary state: "If this inmate were eligible for parole, we probably would recommend him for parole."

The applicant will be on parole until 1942. Arrangements for a home and employment have been made.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth,

NOT SITTING,
Attorney General.

THOMAS A. LOGUE,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of John B. Haney—No. 2356
February Session, 1936.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of John B. Haney, convicted of robbery, being armed with an offensive weapon to rob, in the Court of Quarter Sessions of Philadelphia County, on January 30, 1929, be commuted from ten years, to seven years, two months, expiring on March 30, 1936.

Our reasons for making this recommendation are as follows:

The applicant was convicted of robbery, being armed with an offensive weapon, in 1929. He was sentenced to serve from ten to twenty years in the Eastern State Penitentiary. He has now served over seven years of his minimum sentence. He was never involved in any other trouble and has a satisfactory institutional record. We believe he has been sufficiently punished and are satisfied he is not a habitual criminal.

The trial judge has no objection to the granting of clemency. The Supervisor of paroles recommends clemency.

The applicant will be on parole until 1949. An excellent home and employment have been provided for the applicant upon his release.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth,

NOT SITTING,
Attorney General.

THOMAS A. LOGUE,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of William A. Miele—No. 2379
February Session, 1936.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the sentence of William A. Miele, convicted of embezzlement, in the Court of Quarter Sessions of Philadelphia County, on January 8, 1934, be commuted from two and one-half years, to one year, five months, fifteen days, expiring on July 15, 1936.

Our reasons for making this recommendation are as follows:

The applicant was convicted of embezzlement as an officer of a corporation. He was sentenced on January 8, 1934, to serve a term of two and one-half years in the Philadelphia County Prison but did not start serving his sentence until February 1, 1935.

The applicant was secretary of a building and loan association in the City of Philadelphia. He was charged with embezzlement and abstraction of funds. It appears that the embezzlement probably took place because of the applicant's ignorance of the work and his desire to help the poor and unfortunate persons in his community. The applicant was in no way qualified to be a secretary of a building and loan association. He is a plumber by trade and since his incarceration has saved the County

of Philadelphia thousands of dollars by doing the plumbing work in the Philadelphia County Prison.

The applicant enjoys one of the finest Army records and Major-General Edward C. Shannon, former Lieutenant Governor, appeared before us in open session on several occasions and recommended clemency. Many of the stockholders of the building and loan association, of which the applicant was secretary, have urged us to grant clemency.

We believe the applicant has been sufficiently punished and are satisfied he is not a habitual criminal. A commutation of sentence from two and one-half years to one year, five months, fifteen days, will permit the applicant to be with his family on Easter.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

NOT SITTING,
Attorney General.

THOMAS A. LOGUE,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of Joseph Swilp—No. 2759
February Session, 1936.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Joseph Swilp, convicted of possession and explosion of dynamite, in the Court of Quarter Sessions of Luzerne County on April 9, 1935, be commuted from five years to one year, expiring on April 9, 1936.

Our reasons for making this recommendation are as follows:

The applicant and several others were convicted of the possession and explosion of dynamite. Sentences of from five to ten years and fines of $500 were imposed. The crimes were committed during the heat of a recent and bitter mine strike, which involved the anthracite miners of Pennsylvania and the United Mine Workers of America. There was no serious damage, and no persons were injured. The trouble between the two unions has been settled, and there is little or no danger of a recurrence of the same type of trouble.

The trial judge states, "I feel, however, that each of the applicants should be required to serve a period of at least one year in the penitentiary before being released on parole." We are in accord with the trial judge's opinion.

The applicant has an excellent institutional record, and we are satisfied he is not a habitual criminal.

The applicant will be on parole until 1945. Employment and a home have been assured.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

THOMAS A. LOGUE,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of Frederick J. Faulkner—No. 2768
February Session, 1936.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentences of Frederick J. Faulkner, convicted of (1) being armed with an offensive weapon; (2) assault to rob; (3) entering to commit a felony, in the Court of Oyer and Terminer and Quarter Sessions, of Philadelphia County on May 19, 1930, be commuted from (1) ten years; (2) five years; (3) five years; to (1) five years, ten months; (2) one day; (3) one day, expiring on March 21, 1936.

Our reasons for making this recommendation are as follows:

The applicant plead guilty to several charges of robbery and being armed with an offensive weapon in 1930, and was sentenced to three consecutive terms of imprisonment in the Eastern State Penitentiary of from ten to twenty years, five to twenty years, and five to twenty years.

The sentence of an accomplice was commuted on our recommendation in August, 1935. The District Attorney's representative, who appeared before us in open session, was not opposed to the granting of clemency.

The applicant was never involved in any other trouble. In May of this year he will have served six years of his minimum sentence. We believe he has been sufficiently punished, and are satisfied he is not a habitual criminal.

Employment and a good home have been provided for the applicant upon his release. The applicant will be on parole until 1956.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

THOMAS A. LOGUE,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of Stephen Olshefski—No. 2805
February Session, 1936.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Stephen Olshefski, convicted of possession and explosion of dynamite, in the Court of Quarter Sessions of Luzerne County on April 9, 1935, be commuted from five years to one year expiring on April 9, 1936.

Our reasons for making this recommendation are as follows:

The applicant and several others were convicted of the possession and explosion of dynamite. Sentences of from five to ten years and fines of $500, were imposed. The crimes were committed during the heat of a recent and bitter mine strike, which involved the anthracite miners of Pennsylvania and the United Mine Workers of America.

There was no serious damage, and no persons were injured. The trouble between the two unions has been settled, and there is little or no danger of a recurrence of the same type of trouble.

The trial judge states, "I feel, however, that each of the applicants should be required to serve a period of at least one year in the penitentiary before being released on parole." We are in accord with the trial judge's opinion.

The applicant has an excellent institutional record, and we are satisfied he is not a habitual criminal.

The applicant will be on parole until 1945. Employment and a home have been assured.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

THOMAS A. LOGUE,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of Lestern Harbaugh—No. 2806
February Session, 1936.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Lester Harbaugh convicted of unlawfully causing explosive mixtures to explode, in the Court of Quarter Sessions of York County on September 3, 1935, be commuted from one year to seven months, expiring on April 3, 1936.

Our reasons for making this recommendation are as follows:

The applicant, and several accomplices plead nolo contendere to felonious carrying and possessing of bombs and explosives. The applicant was sentenced to serve from one to two years in the Eastern State Penitentiary.

The trial judge states, "These four men were concerned in a strike and in the explosion of a bomb in an effort to terrorize workmen of another employer who refused to cooperate with the strikers. They were properly convicted and sentenced from one to two years September 3, 1935. My impression as the result of the trial was, and is, that they were the tools of others and were carried away by strike hysteria without any settled vicious intent or purpose I believe that everything of benefit to the public and to them in the way of penalty has been accomplished and would recommend the exercise of clemency provided they can be kept under the eye of diligent parole officers."

The trial District Attorney states, "I would voice no objection to their application for clemency and am of the opinion if they are granted a commutaton of sentence that we will not likely have any further trouble from any of them." The private prosecutor says he is heartily in accord with favorable consideration.

We believe the applicant has been sufficiently punished and are satisfied, he is not a habitual criminal.

The applicant will be on parole until 1937. Satisfactory arrangements have been made for employment and a home.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

NOT PRESIDING,
Attorney General.

THOMAS A. LOGUE,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of Allen C. Houser—No. 2807
February Session, 1936.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Allen C. Houser, convicted of unlawfully causing explosive mixtures to explode, in the Court of Quarter Sessions of York County on September 3, 1935, be commuted from one year to seven months, expiring on April 3, 1936.

Our reasons for making this recommendation are as follows:

The applicant, and several accomplices plead nolo contendere to felonious carrying and possessing of bombs and explosives. The applicant was sentenced to serve from one to two years in the Eastern State Penitentiary.

The trial judge states, "These four men were concerned in a strike and in the explosion of a bomb in an effort to terrorize workmen of another employer who refused to cooperate with the strikers. They were properly convicted and sentenced from one to two years September 3, 1935. My impression as the result of the trial was, and is that they were the tools of others and were carried away by strike hysteria without any settled vicious intent or purpose. I believe that everything of benefit to the public and to them in the way of penalty has been accomplished and would recommend the exercise of clemency provided they can be kept under the eye of diligent parole officers."

The trial District Attorney states, "I would voice no objection to their application for clemency and am of the opinion if they are granted a commutation of sentence that we will not likely have any further trouble from any of them." The private prosecutor says he is heartily in accord with favorable consideration.

We believe the applicant has been sufficiently punished and are satisfied he is not a habitual criminal. The applicant will be on parole until 1937. Satisfactory arrangements have been made for employment and a home.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

THOMAS A. LOGUE,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of Raymond Miller—No. 2809
February Session, 1936.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Raymond Miller, convicted of unlawfully causing explosive mixtures to explode, in the Court of Quarter Sessions of York County on September 3, 1935, be commuted from one year to seven months, expiring on April 3, 1936.

Our reasons for making this recommendation are as follows:

The applicant, and several accomplices plead nolo contendere to felonious carrying and possessing of bombs and explosives. The applicant was sentenced to serve from one to two years in the Eastern State Penitentiary.

The trial judge states, "These four men were concerned in a strike and in the explosion of a bomb in an effort to terrorize workmen of another employer who refused to cooperate with the strikers. They were properly convicted and sentenced for one to two years September 3, 1935. My impression as the result of the trial was, and is, that they were the tools of others and were carried away by strike hysteria without any settled vicious intent or purpose. I believe that everything of benefit to the public and to them in the way of penalty has been accomplished; and would recommend the exercise of clemency provided they can be kept under the eye of diligent parole officers."

The trial District Attorney states, "I would voice no objection to their application for clemency and am of the opinion if they are granted a commutation of sentence that we will not likely have any further trouble from any of them." The private prosecutor says he is heartily in accord with favorable consideration.

We believe the applicant has been sufficiently punished and are satisfied he is not a habitual criminal.

The applicant will be on parole until 1937. Satisfactory arrangements have been made for employment and a home.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

THOMAS A. LOGUE,
Secretary of Internal Affairs

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of Albert Damrick—No. 2813
February Session, 1936.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the sentences of Albert Damrick, convicted of robbery (5), in the Court of Oyer and Terminer of Allegheny County on September 26, 1929, (2) maximum sentences, four years; (3) minimum sentence, two years; (4) minimum sentence, two years; (5) minimum sentence two years to (2) two years, six months; (3) one day; (4) one day; (5) one day, expiring on March 29, 1936.

Our reasons for making this recommendation are as follows:

The applicant was sentenced on five different bills of indictment, to serve from two to four years consecutive terms of imprisonment in the Western State Penitentiary. He has served approximately six and one-half years of his sentence. We believe he has been sufficiently punished.

The Board of Trustees of the Western State Penitentiary states, "If this inmate were eligible for parole, we probably would recommend him for parole as we believe his change in attitude since his incarceration makes him a good parole risk, February 4, 1936." The District Attorney's representative who appeared before us at the open session stated that he was not opposed to the granting of clemency. Two accomplices have been released.

The applicant will be on parole until 1940. Legitimate employment and an excellent home will be provided for the applicant upon his release.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

THOMAS A. LOGUE,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of Dominick Basciano—No. 2815
February Session, 1936.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Dominick Basciano, convicted of robbery, in the Court of Oyer and Terminer of Delaware County on October 25, 1935, to begin October 11, 1935, be commuted from two and one-half years to six months, expiring on April 11, 1936.

Our reasons for making this recommendation are as follows:

The applicant was convicted of robbery, in October, 1935. He was sentenced to serve a term of from two and one-half to five years in the Eastern State Penitentiary, sentence to begin October 11, 1935.

After a careful consideration of the facts in the case it is our opinion that there was no robbery. The applicant and two others were engaged in a drinking bout. The applicant and one of his friends placed a $3.00 bet on the outcome of the Louis-Carnera fight, several hours after the conclusion of the fight, and the third friend was made stakeholder. The applicant asked the stakeholder to turn over the money and the stakeholder refused, stating, "Try and get it," which the applicant proceeded to do.

The applicant was never involved in any other trouble. We believe he has been sufficiently punished for what he has done, and are satisfied he is not a habitual criminal. He has a satisfactory institutional record.

The applicant will be on parole until 1940.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

THOMAS A. LOGUE,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of Mike Vucica (Spiroski)—No. 2821
February Session, 1936.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommended that the (1) maximum sentence, minimum sentences, of Mike Vucica (Spiroski), convicted of (1) robbery; (2) burglary; (3) larceny by trick, in the Court of Oyer and Terminer and Quarter Sessions, of (1) Washington, (2) (3) Allegheny County on (1) May 11, 1921, (2) Nov. 11, 1927, (3) Dec. 15, 1927, be commuted from (1) twenty years; (2) one and one-half years; (3) one year to (1) eleven years, four months; (2) one day; (3) one day, expiring on April 1, 1936.

Our reasons for making this recommendation are as follows:

The applicant was convicted of robbery in 1921. He was sentenced to serve a term of from three to twenty years in the Western State Penitentiary. At the expiration of his minimum sentence he was released on parole. In 1927, he was sentenced to serve a term of from one and one-half to three years and one to two years for larceny by trick and burglary.

The applicant is a native of Jugoslavia. Our recommendation is for the purpose of, and contingent upon, his deportation to that Country.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

THOMAS A. LOGUE,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of Edward Lanning—No. 2822
February Session, 1936.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentences of Edward Lanning, convicted of burglary, in the Court of Oyer and Terminer and Quarter Sessions, of Lackawanna County on October 12, 1928, be commuted from (1) five years; (2) five years, to (1) four years; (2) three years, five months, expiring on March 12, 1936.

Our reasons for making this recommendation are as follows:

The applicant plead guilty to two charges of burglary. He was sentenced to serve a term of from five to ten years on each charge, to run consecutively. He was never involved in any other crime and has a satisfactory institutional record. He has served seven and one-half years of his minimum sentence. We believe he has been sufficiently punished and are satisfied he is not a habitual criminal.

The District Attorney of Lackawanna County states that the application should receive serious consideration.

The applicant will be on parole until 1946. Employment has been assured and arrangements have been made for a satisfactory home.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

NOT PRESIDING,
Attorney General.

THOMAS A. LOGUE,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of Lester L. Corey—No. 2823
February Session, 1936.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentences of Lester L. Corey, convicted of robbery, receiving stolen goods, in the Court of Oyer and Terminer of Allegheny County on June 21, 1933, be commuted from (1) two and one-half years, (2) two and one-half years, to (1) two years, (2) nine months, twenty-one days, expiring on April 11, 1936.

Our reasons for making this recommendation are as follows:

The applicant plead guilty to robbery and receiving stolen goods. He was sentenced to serve two consecutive terms of imprisonment of from two and one-half to five years each in the Western State Penitentiary.

The trial judge states, "At the time this matter was before us, in 1933, I was of the opinion that Mr. Corey was of a much higher type than those ordinarily before us on the charge of robbery. At that time I also had before me a letter which I had received from Judge Montgomery, of Minneapolis, Minn., copy of which is attached to Corey's petition for clemency. I also at that time received a letter from his former wife, who apparently was the cause of his downfall. She appeared to be genuinely repentant for what she had done and spoke of Mr. Corey in the highest terms.

"Had there been no one else involved in these crimes except him I would have been inclined to be very lenient; but did not see how I could make any distinction between him and the other co-defendants at that time.

"I had a talk with him after imposing sentence and told him at that time that I would recommend a pardon after he had served a reasonable time. I believe that the Board would be entirely justified, due to his previous good reputation, in granting him clemency at this time, and I would recommend that the same be done."

The Board of Trustees of the Western State Penitentiary states, "If this inmate were eligible for parole, we probably would recommend him for parole: (1) first offense, (2) excellent work and conduct record, (3) has employment, February 4, 1936."

We believe the applicant has been sufficiently punished and are satisfied he is not a habitual criminal. The ap-

plicant will be on parole until 1941. Employment has been assured.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

THOMAS A. LOGUE,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of Louis Vernon—No. 2828
February Session, 1936.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentences of Louis Vernon, convicted of robbery, (3) in the Court of Oyer and Terminer and Quarter Sessions, of Delaware County on March 19, 1929, be commuted from (1) ten years; (2) ten years; (3) ten years, to (1) seven years; (2) one day; (3) one day, expiring on March 21, 1936.

Our reasons for making this recommendation are as follows:

The applicant plead guilty to three charges of robbery in 1929. He was sentenced to serve three consecutive terms in the Eastern State Penitentiary of from ten to twenty years. He has served almost seven years of his sentence. He was never involved in any other trouble. He was seventeen years of age at the time of his arrest. He has an excellent institutional record and has attempted to improve himself by studying. We believe he has been sufficiently punished, and are satisfied he is not a habitual criminal. The District Attorney's representative who appeared before us at the open hearing stated that consideration should be shown.

The applicant will be on parole until 1956. Employment and a home have been arranged for in Virginia, and our recommendation is contingent upon his removal to that State.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

THOMAS A. LOGUE,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of Robert Rickards—No. 2829
February Session, 1936.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Robert Rickards, convicted of robbery, larceny of auto, violation of firearms act, in the Court of Oyer and Terminer and Quarter Sessions of Delaware County on March 21, 1933, be commuted from nine years to three years, expiring on March 21, 1936.

Our reasons for making this recommendation are as follows:

The applicant and two others were adjudged guilty of robbery, larceny of an automobile, and violation of the firearms act. The applicant was sentenced to serve a term of from nine to twenty years in the Eastern State Penitentiary. He was only seventeen years of age at the time of the commission of the crime. An accomplice was commuted, upon our recommendation, on October 30, 1935.

The District Attorney's representative, who appeared before us at the open hearing, did not oppose the granting of clemency. The applicant was never convicted of any other crime and has an excellent institutional record. By the time he can be released, he will have served over three years of his minimum sentence. We believe he has been sufficiently punished and are satisfied that he is not a habitual criminal. The applicant will be on parole until 1935.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

NOT SITTING,
Attorney General.

THOMAS A. LOGUE,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of Joseph Walsh—No. 2831
February Session, 1936.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the sentence of Joseph Walsh, convicted of operating an automobile while under the influence of intoxicating liquor, in the Court of Quarter Sessions of Philadelphia County on January 10, 1935, be commuted from two years to one year, three months, expiring on April 10, 1936.

Our reasons for making this recommendation are as follows:

In January, 1935, the applicant was convicted of operating a motor vehicle while under the influence of intoxicating liquor. He was sentenced to serve a term of two years in the Philadelphia County Prison, to run concurrently with the unexpired probationary sentence of three years, imposed in 1933, for entering a building with intent to commit a felony. No property damage nor personal injury was caused by the applicant's operation of the automobile. He has now served over a year in the Philadelphia County Prison.

The Superintendent of the Philadelphia County Prison states, "* * * the facts as set forth therein (application of Joseph Walsh) are correct and feel the application is meritorious." The Supervisor of Paroles states that in his opinion the punishment suffered by the applicant has been sufficient.

The applicant's mother owns and operates a restaurant in Philadelphia. She is suffering from chronic rheumatism and needs the applicant to assist her in the management of the business.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

THOMAS A. LOGUE.
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of John Mayeros—No. 77
March Session, 1936.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of John Mayeros, convicted of robbery, in the Court of Quarter Sessions of Northumberland County on April 18, 1927, be commuted from ten years to nine years, expiring on April 18, 1936.

Our reasons for making this recommendation are as follows:

In 1927, the applicant and an accomplice were implicated in the robbery of a bank in Elysburg, Pennsylvania.

The applicant was sentenced to serve a term of from ten to twenty years in the Eastern State Penitentiary. He was never convicted of any other crime, and his institutional record has been excellent. On April 18, he will have served nine years of his minimum sentence. We believe he has been sufficiently punished.

The accomplice, who received the same sentence, was granted a commutation of sentence in December, 1935, on our recommendation.

The applicant will be on parole until 1947. Employment has been assured in Ohio, and our recommendation is contingent upon his removal to and remaining in that state.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

THOMAS A. LOGUE.
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of Robert Bullock—No. 401
March Session, 1936.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Robert Bullock, convicted of second degree murder, in the Court of Oyer and Terminer of Philadelphia County on June 29, 1927, be commuted from ten years to eight years, ten months, expiring on April 29, 1936.

Our reasons for making this recommendation are as follows:

In 1927, the applicant plead guilty to murder in the second degree. He was sentenced to serve a term of from ten to twenty years in the Eastern State Penitentiary.

The applicant, a colored man, had been living with the deceased, a white woman of very poor reputation, for a number of years. They had frequent quarrels, and on several occasions the applicant administered beatings to the deceased. After the last beating a doctor was called in and made several subsequent visits to treat the deceased. On one visit, about four days after his first call, he found the woman dead. A post-mortem examination showed that death was caused primarily by a ruptured bladder, which the attending physician had failed to note. If the applicant had elected to stand trial, it is altogether probable that he would have been convicted of some lesser crime.

The applicant will have served nine years of his minimum sentence on June 29. We believe he has been sufficiently punished. He has a satisfactory institutional record and is employed in a position of trust outside the walls at Graterford.

The applicant will be on parole until 1947.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

THOMAS A. LOGUE,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of John J. Tivnan—No. 719
March Session, 1936.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that John J. Tivnan, convicted of operating a motor vehicle while under the influence of intoxicating liquors, in the Court of Quarter Sessions of Philadelphia County, on November 14, 1929, be pardoned.

Our reasons for making this recommendation are as follows:

The applicant was convicted of operating a motor vehicle while under the influence of intoxicating liquors in 1929. He was sentenced to pay a fine of $200, costs of prosecution, and placed on probation. He was never involved in any other trouble and has an excellent reputa-

tion. Prior to his conviction he was a member of the Philadelphia Police Force. For the past six years he has been employed by the Philadelphia Electric Company.

The District Attorney's representative, who appeared before us at the open session, stated that he had no objections to the granting of a pardon.

A pardon will, in part, remove the stigma of the crime from the applicant and his family and will make him eligible to apply for employment under civil service regulations.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

THOMAS A. LOGUE,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of Steve Celich—No. 1636
March Session, 1936.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that Steve Celich, convicted of conspiracy, extortion, possession of firearms, in the Court of Quarter Sessions of Dauphin County on March 24, 1933, be pardoned.

Our reasons for making this recommendation are as follows:

In 1933, the applicant, when only seventeen years of age, plead guilty to conspiracy and extortion. He was sentenced to serve a term of from four to eight years in the Eastern State Penitentiary. A commutation of the minimum sentence to two years and one month was granted in April, 1935, on our recommendation. Since the applicant's release on parole he has conducted himself in an exemplary manner and is attending the Harrisburg Academy. The headmaster of this institution states that the applicant has an exceptionally good record at the school, and it was his opinion that the applicant showed no criminal tendencies.

The trial judge recommends a pardon, and the trial District Attorney stated that he would concur in any action the Board would take. A pardon will be of material assistance to the applicant's advancement and will, in part, remove the stigma of the crime.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

THOMAS A. LOGUE,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of George Thompson—No. 2036
March Session, 1936.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the sentences of George Thompson, convicted of four charges of robbery, receiving stolen goods, bills Nos. (1) 118, (2) 119, (3) 120, (4) 121; and one charge of voluntary manslaughter, in the Court of Oyer and Terminer of Allegheny County on April 21, 1925, be commuted from (3) maximum of six years; (4) maximum of six years; (5) minimum of six years, to (3) one day; (4) one day; (5) one day, expiring on April 24, 1936.

Our reasons for making this recommendation are as follows:

In 1925, the applicant was sentenced to serve a term of from eighteen to thirty-six years for robbery, receiving stolen goods and voluntary manslaughter. The sentence of one accomplice, sentenced to serve the same term of imprisonment, was commuted, and he was released on parole in 1934. Another accomplice was first sentenced to life imprisonment and pardoned in 1925, but later was sentenced on the robbery charges to serve a term of from twenty-eight to fifty-nine years. The sentence of this accomplice was commuted in 1935, but he is still confined as we have not approved the Board of Trustee's recommendation for parole, since it appears that this accomplice was the ring-leader. The applicant has served almost eleven years of his sentence, although he was confined for one and one-half years before he was sentenced.

The only other trouble in which the applicant was involved occurred when he was fifteen years of age. At that time he served a period of three months for larceny.

The Board of Trustees of the Western State Penitentiary states, "If this inmate were eligible for parole, we probably would recommend him for parole because there apparently is a complete change in his attitude."

The District Attorney's representative, who appeared before us in open session, stated that he was not opposed to the granting of clemency.

We believe the applicant has been sufficiently punished.

The applicant will be on parole for a long period of time. A home and employment have been provided for him if he is released.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

THOMAS A. LOGUE,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of Arthur Lorise—No. 2353
March Session, 1936.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum

sentence of Arthur Lorise, convicted of entering, robbery, in the Court of Oyer and Terminer of Allegheny County on February 16, 1933, effective February 14, 1933, be commuted from seven and one-half years, to three years, three months, expiring on May 14, 1936.

Our reasons for making this recommendation are as follows:

The applicant and one, Leo Litfin, plead guilty to robbery in 1933. The applicant was sentenced to serve from seven and one-half to fifteen years in the Western State Penitentiary. In December, 1935, a commutation was granted to Litfin, on our recommendation. Both the applicant and Litfin had no previous criminal record, and were approximately of the same age. The applicant was never involved in any other trouble, and his conduct and employment records during his incarceration have been excellent. We believe he has been sufficiently punished and are satisfied he is not a habitual criminal.

The Warden of the Western State Penitentiary states, "He (the applicant) has been industrious and cooperative and has never been reported for any infraction of our rules. He is an experienced barber, is in good physical and mental health, and if released, should be able to earn an honest livelihood."

The applicant will be on parole until 1948. A suitable home and employment have been assured him upon his release.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

THOMAS A. LOGUE,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of Walter Wilkinson—No. 2454
March Session, 1936.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Walter Wilkinson, convicted of robbery, being armed, assault and battery with intent to kill, in the Court of Quarter Sessions of Philadelphia County on February 27, 1925, be commuted from twenty years to nine years, eleven months, expiring on May 28, 1936.

Our reasons for making this recommendation are as follows:

In 1925, the applicant was convicted of robbery, being armed with an offensive weapon. He was sentenced to serve a term of from eight to twenty years in the Eastern State Penitentiary. At the expiration of his minimum sentence he was released on parole. In June, 1934, he was sentenced to serve a term of from one to two years in the Eastern State Penitentiary for the crime of assault and battery with intent to kill, sentence to run concurrent with the unexpired portion of the sentence for robbery.

The trial judge in the assault and battery case has written to us and told us that from additional evidence brought to the attention of the court subsequent to the conviction the jury might have been justified in rendering a different verdict, if it had the benefit of the after-discovered evidence, and that under all the circumstances he would recommend further consideration on parole.

Warden Smith, in a letter written at the direction of the Board of Trustees of the Eastern State Penitentiary, states: "His parole violation appears to have been nothing more than a brawl and the Board of Trustees is of the opinion that for Wilkinson to be compelled to serve the entire balance of his parole time is far too severe as the punishment he could have received for such an offense would not have exceeded three years. He has already completed twenty months of his second sentence of from one to two years.

"Therefore, in view of the above, the Board feels that this case should be given consideration."

After a full consideration of all the facts, we concur in the opinion of the trial judge and the Board of Trustees of the penitentiary.

The applicant will be on parole until 1946.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

THOMAS A. LOGUE,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of Martin Tylosky—No. 2502
March Session, 1936.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Martin Tylosky, convicted of attempted robbery, in the Court of Oyer and Terminer of Allegheny County on June 24, 1932, be commuted from five years to three years, ten months, expiring on April 24, 1936.

Our reasons for making this recommendation are as follows:

The applicant was convicted of attempted robbery in 1932. He was sentenced to serve a term of from five to ten years in the Western State Penitentiary. The District Attorney's representative, who appeared before us at the open session, stated that he was not opposed to the granting of clemency and that the applicant was under the influence of his brother.

The applicant has served almost four years of his minimum sentence. We believe he has been sufficiently punished. The Board of Trustees of the Western State Penitentiary states, "If this inmate were eligible for parole, we probably would recommend him for parole (1) has excellent institutional record (2) has job and sponsor."

The applicant will be on parole until 1942.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

THOMAS A. LOGUE,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of Paul Carnicelli—No. 2697

March Session, 1936.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Paul Carnicelli, convicted of burning to defraud insurer, in the Court of Oyer and Terminer of Fayette County on April 23, 1935, be commuted from two years to one year, expiring on April 23, 1936.

Our reasons for making this recommendation are as follows:

The applicant was convicted of burning to defraud insurer in 1935. He was sentenced to serve a term of from two to five years in the Western State Penitentiary. He was never involved in any other trouble and enjoyed an excellent reputation. His institutional record has been very good. By the time he can be released he will have served one-half of his minimum sentence. We believe he has been sufficiently punished and are satisfied he is not a habitual criminal. The trial judge has no objections to the granting of clemency.

The applicant will be on parole until 1940. Employment has been assured, and an excellent home has been provided.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

THOMAS A. LOGUE,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of Anthony Baker—No. 2745

March Session, 1936.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Anthony Baker, convicted of statutory rape, in the Court of Oyer and Terminer of Luzerne County on December 4, 1933, be commuted from three years to two years, five months, expiring on May 4, 1936.

Our reasons for making this recommendation are as follows:

The applicant was convicted of statutory rape in 1933. He was sentenced to serve a term of from three to six years in the Eastern State Penitentiary. He has served over three-fourths of his minimum sentence. He was never involved in any other trouble, and his institutional record has been excellent. At the time of his commission of the crime he was only nineteen years of age. We believe he has been sufficiently punished and are satisfied he is not a habitual criminal.

The applicant will be on parole until 1939. His mother and three minor sisters are in urgent need of his support. Employment has been assured.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

THOMAS A. LOGUE,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of James Brislin—No. 2841

March Session, 1936.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of James Brislin, convicted of possession and explosion of dynamite, in the Court of Quarter Sessions of Luzerne County on April 9, 1935, be commuted from five years to one year, expiring on April 9, 1936.

Our reasons for making this recommendation are as follows:

The applicant and several others were convicted of the possession and explosion of dynamite. Sentences of from five to ten years and fines of $500.00 were imposed. The crimes were commtited during the heat of a recent and bitter mine strike, which involved the anthracite miners of Pennsylvania and the United Mine Workers of America. There was no serious damage, and no persons were injured. The trouble between the two unions has been settled, and there is little or no danger of a recurrence of the same type of trouble.

The trial judge states, "...I feel, however, that each of the applicants should be required to serve a period of at least one year in the penitentiary before being released on parole," We are in accord with the trial judge's opinion.

The applicant has an excellent institutional record, and we are satisfied he is not a habitual criminal.

The applicant will be on parole until 1945. Employment and a home have been assured.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

THOMAS A. LOGUE,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of James Lavelle—No. 2842

March Session, 1936.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of James Lavelle, convicted of robbery, being armed with an offensive weapon, in the Court of Oyer and Terminer and Quarter Sessions of Philadelphia County on February 7, 1930, be commuted from ten years to six years, three months, expiring on May 7, 1936.

Our reasons for making this recommendation are as follows:

The applicant plead guilty to robbery in 1930. He was sentenced to serve a term of from ten to twenty years in the Eastern State Penitentiary. At the time of the commission of the crime he was only nineteen years of age. He has a satisfactory institutional record and has served over three-fifths of the minimum sentence. We believe he has been sufficiently punished.

An excellent home has been provided for the applicant upon his release, as well as legitimate employment.

The applicant will be on parole until 1950.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

THOMAS A. LOGUE,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of James Caple—No. 2843

March Session, 1936.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of James Caple, convicted of robbery, in the Court of Oyer and Terminer of Delaware County on May 5, 1933, be commuted from four years to three years expiring on May 5, 1936.

Our reasons for making this recommendation are as follows:

The applicant plead guilty to robbery in 1933. He was sentenced to serve a term of from four to ten years in the Eastern State Penitentiary.

Commander John D. Pennington, Superintendent of the Pennsylvania Industrial School, states: "Caple was transferred to this school on February 6, 1934, from the Eastern State Penitentiary on the basis of good behavior and the likelihood of his falling in line with training given here. He was assigned to the garage and school and has made good progress. He has made a very satisfactory adjustment during his entire time in this school and I feel is entitled to consideration for clemency."

The District Attorney's representative, who appeared before us at the open session, stated that he was not opposed to clemency. The applicant has served approximately three-fourths of his minimum sentence. We believe he has been sufficiently punished.

The applicant will be on parole until 1943.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

THOMAS A. LOGUE,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of Michael Notorfrancesco—No. 2845

March Session, 1936.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that Michael Notorfrancesco, convicted of larceny of an automobile, in the Court of Quarter Sessions of Philadelphia County, on December 5, 1919, be pardoned.

Our reasons for making this recommendation are as follows:

The applicant, when only eighteen years of age, was convicted of the larceny of an automobile. He was sentenced to serve a term of eighteen months in the Philadelphia County Prison, but this sentence was reconsidered and set aside on February 5, 1921, and sentence was suspended and the applicant placed on parole for the balance of the term.

The applicant was never involved in any other crime, and he has been gainfully employed for a number of years. He enjoys an excellent reputation, is married, and the father of two children. On a number of occasions, the applicant has taken civil service examinations and, while he attained high grades, he never was appointed because of the conviction. A pardon will make the applicant eligible for appointment to civil service positions, be of material assistance to his advancement, and in part remove the stigma of the crime from his family and himself.

The District Attorney's representative, who appeared before us at the open session, stated that he had no objection to the granting of a pardon.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

THOMAS A. LOGUE,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE
Governor

BOARD OF PARDONS

In re Application Maurice Dibofsky—No. 2852
March Session, 1936.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that Maurice Dibofsky, convicted of burglary, felonious entry and larceny, in the Court of Quarter Sessions of Montgomery County, on January 16, 1931, be pardoned.

Our reasons for making this recommendation are as follows:

The applicant plead guilty to burglary, larceny and felonious entry in 1930. He was sentenced to serve a term of from one to ten years in the Montgomery County Prison. The facts concerning the imposition of sentence were as follows:

The applicant, prior to the commission of the crimes, was employed at the Philadelphia Post Office. He obtained sick leave because of a mental condition. After the commission of the crimes the applicant stated that he did not remember anything about it. Doctor Geston stated that the applicant was suffering from a psychoneuristhenic condition, having delusions of various kinds. Judge Williams was in favor of suspending sentence, but stated that it should not be suspended unless the applicant could be placed in the right kind of an institution, and that it appeared to him that the best thing that could be done was to sentence him to prison or jail and then have him paroled, under the Act of May 31, 1919, P. L. 356, to a suitable institution, for treatment. Thereupon, sentence was imposed on February 6, 1931, after a petition was allowed for a removal of the applicant to Mt. Sinai Hospital. After several months' treatment the applicant was returned to the Montgomery County Prison, from which institution he was released on December 12, 1931.

The applicant was never involved in any other trouble. The doctor, who is treating the applicant at the present time, states that he has a slight nervous condition which will disappear with steady employment.

A pardon would enable the applicant to apply for reinstatement with the Post Office Department, enhance his chances for advancement in other lines of endeavor, and would in part remove the stigma of the crimes.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

THOMAS A. LOGUE,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of Cyril Method Washco—No. 2853
March Session, 1936.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Cyril Method Washco, convicted of aggravated assult and battery, in the Court of Quarter Sessions of Luzerne County on April 9, 1935, be commuted from one and one-half years to one year, expiring on April 9, 1936.

Our reasons for making this recommendation are as follows:

The applicant was adjudged guilty of aggravated assault and battery in 1935. He was sentenced to serve a term of from one and one-half to three years in the Eastern State Penitentiary.

The District Attorney states: "In the above application for clemency, after consideration of the circumstances existing at the time of sentence and the history of the proceedings thereafter, it would appear that the ends of justice would be served by a commutation of the sentence imposed."

The defendant was sentenced at a time of considerable disturbance due to the rivalry between labor unions, which has since terminated. Furthermore, a co-defendant, Peter Kimbert, sentenced at the same time to the Luzerne County jail, has since been paroled by the court."

The applicant was never convicted of any other crime, and he enjoys an excellent reputation. His institutional record has been satisfactory.

The applicant will be on parole until 1938. Employment has been assured.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

THOMAS A. LOGUE,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of John H. Gordon—No. 2858
March Session, 1936.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of John H. Gordon, convicted of arson, in the Court of Oyer and Terminer of Bedford County on September 11, 1934, be commuted from two and one-half years to one year, eight months, expiring on April 11, 1936.

Our reasons for making this recommendation are as follows:

The applicant plead guilty to arson in 1934. He was sentenced to serve a term of from two and one-half to five years in the Western State Penitentiary. The trial District Attorney states: "Your letter of February 25, 1936, as well as the applications for clemency in behalf of the above named defendants, was received this day. I at once presented this matter to our Judge the Honorable Harry C. James. After going over the petition very carefully, we desire to say to your Honorable Board that we shall not oppose the petitions of John Gordon and Martin Dively. We were informed by Mr. Gordon's brother several weeks ago, that his brother, John, would again present his petition before the Board of Pardons on the grounds that he is in need of immediate medical assistance. At the request of Judge James, I wrote the doctor in charge of Bellefonte institution and asked him to furnish our Court with the complete medical examination

of this defendant. This examination was later on furnished our Court, and we are satisfied that the defendant, John H. Gordon, should be given medical attention that he is unable to secure at the institution in which he is now confined."

The Board of Trustees of the Eastern State Penitentiary states: "If this inmate were eligible for parole, we probably would recommend him for parole (1) first conviction (2) excellent institutional record. He is unable to work, however, he draws $46.94 per month retirement, rural mail carrier. He has applied for disability compensation, U. S. Veterans' Bureau."

The applicant will be on parole until 1939.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

THOMAS A. LOGUE,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of Stephen Ezbicki—No. 2860
March Session, 1936.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Stephen Ezbicki, convicted of robbery, being armed with an offensive weapon, in the Court of Quarter Sessions of Erie County on May 16, 1932, be commuted from seven years to four years and one day, expiring on May 17, 1936.

Our reasons for making this recommendation are as follows:

The applicant was convicted of robbery in 1932. He was sentenced to serve a term of from seven to fifteen years in the Western State Penitentiary. The District Attorney appeared before us at the open session and stated that there was such a doubt in his mind as to the applicant's guilt that he would recommend clemency although he added that because of the criminal record he thought that it would do no harm to keep the applicant in the penitentiary. The applicant has served almost four years in prison or the total of his back time for his parole violation. In view of the doubt as to his guilt, we believe he should be released as he has been more than sufficiently punished for his bad record.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

THOMAS A. LOGUE,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of John Raub—No. 2862
March Session, 1936.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of John Raub, convicted of highway robbery, in the Court of Oyer and Terminer of Northampton County on October 18, 1932, be commuted from four years to three years, seven months, expiring on May 18, 1936.

Our reasons for making this recommendation are as follows:

The applicant and two others were convicted of highway robbery in 1932. The applicant was sentenced to serve from four to eight years in the Northampton County Prison. The trial District Attorney states: "At the time of the trial it appeared that Raub (the applicant) took the smallest part in the holdup. The chief actors were Charles Riker and Nick Petrolio. Since the latter received clemency when he was an important actor, you may feel that Raub should likewise receive clemency. "We know that Raub's former employer thought highly of him as an employee and steady worker. We understand independently of the petition that he could get his job back as soon as he is released from prison."

The applicant has served over three and one-half years of his minimum sentence. The sentence of an accomplice, as stated by the District Attorney, was commuted on our recommendation approximately one year ago.

We believe the applicant has been sufficiently punished. The report from the Northampton County Children's Aid Society indicates that his family is in urgent need of his support.

The applicant will be on parole until 1940. Employment has been assured him.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

THOMAS A. LOGUE,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of Thomas A. Byrne—No. 2866
March Session, 1936.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that Thomas A. Byrne, convicted of operating an automobile while intoxicated in the Court of Quarter Sessions of Philadelphia County, on September 11, 1934, be pardoned.

Our reasons for making this recommendation are as follows:

In 1934, the applicant was convicted of operating an automobile while under the influence of intoxicating liquor. Sentence was suspended.

The applicant had been employed as a police officer in Philadelphia for eighteen years. He had been under the care of the chief police surgeon because of a heart condition and was unable to do active duty. He had never been involved in any other crime, and his conduct since

1934 has been exemplary. A pardon will enable him to apply for reinstatement to the police force.

Neither the trial judge nor the trial District Attorney have any objection to the granting of a pardon. The pardon will be of material assistance to the applicant's advancement and will in part remove the stigma of the crime.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

THOMAS A. LOGUE,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of Martin N. Dively—No. 2867
March Session, 1936.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Martin N. Dively, convicted of malicious opening of grave and removing of body, in the Court of Quarter Sessions of Bedford County on May 18, 1935, be commuted from two years to one year, expiring on May 18, 1936.

Our reasons for making this recommendation are as follows:

The applicant plead guilty to maliciously opening a grave and removing a body. He was sentenced to serve a term of from two to four years in the Western State Penitentiary. The trial judge states, "* * * the application in the above stated case has the approval of the Court, and clemency is recommended." The trial District Attorney states, "* * * we are satisfied that the defendant is telling the truth in his application. We know it to be a fact that this man is a hard worker and not a real criminal, but that he got into this mess through his drinking, and that Fetters and Barclay, realizing that he was easily tempted to do things through drink, persuaded him to join their drinking party, and while under the influence of liquor, he did assist Fetters and Barclay in the removing of this one body from one of the cemeteries in our county." The District Attorney of Blair County appeared before us to oppose the application of Ross A. Barclay, who was admittedly the leader in the crime, and told us that there was no question but that the applicant was merely a laborer and a tool of the ringleader.

On May 18th, the applicant will have served one-half of his minimum sentence. We believe he will have been sufficiently punished if he serves that time.

The applicant will be on parole until 1939.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

THOMAS A. LOGUE,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of Joseph Klinitski—No. 2872
March Session, 1936.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Joseph Klinitski, convicted of possession and explosion of dynamite, in the Court of Oyer and Terminer of Luzerne County on April 23, 1935, be commuted from five years to one year, expiring on April 23, 1936.

Our reasons for making this recommendation are as follows:

The applicant and several others were convicted of the possession and explosion of dynamite. Sentences of from five to ten years and fines of $500 were imposed. The crimes were committed during the heat of a recent and bitter mine strike, which involved the anthracite miners of Pennsylvania and the United Mine Workers of America. There was no serious damage, and no persons were injured. The trouble between the two unions has been settled, and there is little or no danger of a recurrence of the same type of trouble.

The trial judge states, "* * * I feel, however, that each of the applicants should be required to serve a period of at least one year in the penitentiary before being released on parole." We are in accord with the trial judge's opinion.

The applicant has an excellent institutional record, and we are satisfied he is not a habitual criminal.

The applicant will be on parole until 1945. Employment and a home have been assured.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

THOMAS A. LOGUE,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of Peter Bonsavage—No. 2960
March Session, 1936.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Peter Bonsavage, convicted of possession and explosion of dynamite, in the Court of Quarter Sessions of Luzerne County on April 8, 1935, be commuted from five years to one year, expiring on April 9, 1936.

Our reasons for making this recommendation are as follows:

The applicant and several others were convicted of the possession and explosion of dynamite. Sentences of from five to ten years and fines of $500, were imposed. The crimes were committed during the heat of a recent and bitter mine strike, which involved the anthracite miners of Pennsylvania and the United Mine Workers of America. There was no serious damage, and no persons were injured. The trouble between the two unions has been

settled, and there is little or no danger of a recurrence of the same type of trouble.

The trial judge states, "* * * I feel, however, that each of the applicants should be required to serve a period of at least one year in the penitentiary before being released on parole." We are in accord with the trial judge's opinion.

The applicant has an excellent institutional record, and we are satisfied he is not a habitual criminal.

The applicant will be on parole until 1945. Employment and a home have been assured.

Respectfully submitted,

NOT PRESIDING
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

THOMAS A. LOGUE,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of John Toth—No. 1553
April Session, 1936.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of John Toth, convicted of robbery, receiving stolen goods in the Court of Oyer and Terminer of Cambria County on December 28, 1931, be commuted from five years to four years, seven months, expiring on July 28, 1936.

Our reasons for making this recommendation are as follows:

The applicant and three others were implicated in the hold-up of an American Store Company in Johnstown. Each of the four received a sentence of from five to ten years in the Western State Penitentiary.

The present District Attorney states that he has no objections to the granting of clemency because the sentences of two of the accomplices were commuted. The third accomplice escaped from the Rockview Farm Prison and received an additional sentence of from five to ten years.

The applicant was never involved in any other trouble and had a good reputation prior to the commission of this crime.

The recommendation for commutation of the minimum sentence to expire on July 28 is made because of his disciplinary and work records in the institution. By that time he will have served over four and one-half years of his minimum sentence. We believe he will have been sufficiently punished.

Applicant will be on parole until 1941.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

THOMAS A. LOGUE,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of Thomas Mern Moreman—No. 1716
April Session, 1936.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the sentences of Thomas Mern Moreman, convicted of (1) bill No. 28, robbery, (2), bill No. 29 and No. 30, robbery, bills Nos. 308, 320, 322, robbery, in the Court of Oyer and Terminer of Allegheny County, on January 15, 1931, be commuted from (1), bill No. 28, from a maximum of twenty years, to five years, four months, expiring May 15, 1936; (2), bill No. 29 and No. 30, from two years to one day, expiring May 16, 1936.

Our reasons for making this recommendation are as follows:

The applicant and two others were implicated in two robberies in 1931. The applicant was sentenced on two separate bills of indictment to serve a term of from ten to twenty years and from two to four years, to run consecutively, in the Western State Penitentiary. Another accomplice, who received the same sentence, had his minimum sentence commuted, upon our recommendation, in May, 1935.

The third accomplice received a sentence of from two to four years in the Allegheny County Workhouse and was released on parole a number of years ago.

The applicant was never involved in any other trouble.

The trial judge states: "While I do not credit Moreman's explanation of the circumstances under which he allegedly became involved in the two robberies in question, if your Board believes that he can get work and decent employment as he suggests, and that his prison record indicates he will probably be able to rehabilitate himself in decent society, I would have no objection to a commutation of his minimum sentence, if the maximum were undisturbed, in order to help assure proper conduct on his part after his discharge from prison."

The District Attorney's representative, who appeared before us at the open session, stated that he is not opposed to the granting of clemency.

The applicant has served over five years of his minimum sentence, was never involved in any other trouble, and has an excellent prison record. We believe he has been sufficiently punished and are satisfied he is not a habitual criminal.

At the time of the commission of the crime the applicant was only nineteen years of age and the report from the institution states that his criminal activities were largely the result of unemployment.

The Board of Trustees of the Western State Penitentiary states: "If this inmate were eligible for parole, we would probably recommend him for parole (1) first conviction (2) good institutional record."

The applicant will be on parole for approximately twenty years. Employment has been assured.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

THOMAS A. LOGUE,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of John Cochran—No. 1773
April Session, 1936.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that John Cochran, convicted of voluntary manslaughter, in the Court of Oyer and Terminer of Washington County, on May 27, 1933, be pardoned.

Our reasons for making this recommendation are as follows:

In 1933, the applicant was convicted of voluntary manslaughter. He was sentenced to serve a term of from four to eight years in the Western State Penitentiary. In 1935, upon our recommendation, his minimum sentence was commuted and he was released on parole in June of last year.

The applicant was never involved in any other trouble and since his release has conducted himself in an exemplary manner. The trial District Attorney states: "The writer, District Attorney at the time of the trial of this case, has known this defendant some years and personally knows that while on the Police force he was regarded as an efficient officer. His reputation both as a private citizen and while a member of the Police force of the City of Washington was good and so far as I know the occurrence which led to his conviction of manslaughter and subsequent imprisonment, has been the only thing to mar that record. Mr. Cochran is not a law violator and I do not believe would ever have been involved in any violation of the law had this unfortunate situation not arisen. I therefore feel that there is no real situation for Mr. Cochran to be on parole.

"The Commonwealth has nothing to fear in my opinion as to any future violations of the law on the part of Cochran and now that his sentence has been commuted and his behavior has been excellent since his release, I am in favor of giving him every aid in making a fresh start with a clear record."

A pardon will in part remove the stigma of the crime from the applicant and his family and will be of material assistance to his advancement.

Respectfully submitted,

NOT PRESIDING,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

THOMAS A. LOGUE,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of Francis Connelly, al. El Roy Krotz —No. 1795
April Session, 1936.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Francis Connelly, al. El Roy Krotz, convicted of robbery in the Court of Oyer and Terminer of Allegheny County on August 17, 1935, be commuted from five years to two years, nine months, expiring on May 17, 1936.

Our reasons for making this recommendation are as follows:

In 1933, the applicant, when only eighteen years of age, plead guilty to robbery. He was sentenced to serve a term of from five to ten years in the Western State Penitentiary.

The trial judge stated, in September, 1935: "Now it appears that there were some strong factors in his (the applicant's) favor which could have been presented at the time he pleaded and which, I am certain, would have influenced me in imposing sentence much less than he received. From the record it appears that he has been imprisoned for more than two years, in addition to the time he spent in the hospital.

"If a satisfactory record is before your Board, I recommend that he be released on parole."

The Board of Trustees of the penitentiary states: "If this inmate were eligible for parole, we probably would recommend him for parole (1) first conviction (2) good constitutional record."

The District Attorney's representative, who appeared before us at the open session, stated that he was not opposed to the granting of clemency and felt that the applicant should be given a chance. Applicant was never involved in any other crime. We believe he has been sufficiently punished and are satisfied he is not a habitual criminal. Applicant will be on parole until 1943. Employment is assured.

Respectfully submitted,

NOT PRESIDING,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

THOMAS A. LOGUE,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of William F. Schultze—No. 1948
April Session, 1936.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of William F. Schultze, convicted of attempted extortion in the Court of Quarter Sessions of Philadelphia County on January 8, 1934, be commuted from five years to two years, five months, expiring on June 8, 1936.

Our reasons for making this recommendation are as follows:

The applicant was convicted of attempted extortion in 1934, and the jury recommended mercy. He was sentenced to serve a term of from five to ten years in the Eastern State Penitentiary.

The trial judge states: "* * * that as I look back at the facts of the case the conviction grows in my mind, notwithstanding the time employed in the execution of the crime, it was nevertheless the result of an impulse that for the time the prisoner was not able to control. Considering he is twenty-five years of age and that he had theretofore borne an excellent reputation, there is in my hum-

ble opinion no reason to believe that he may repeat this or other crimes. If clemency is accorded at this time he will still be under probation for the unexpired term of fifteen years, which of itself should prove the most effective deterrent."

The District Attorney's representative, who appeared before us at the open session, said he was not opposed to the granting of clemency.

The applicant has an excellent institutional record and is employed in the bookkeeping department. He will be on parole until 1949. Employment has been assured him. He has a wife and two children who are in urgent need of his support.

Respectfully submitted,

NOT PRESIDING,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

THOMAS A. LOGUE,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of Thomas Christian Stocker—No. 2090

April Session, 1936.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the sentences of Thomas Christian Stocker, convicted of (1), Bill No. 22, robbery; (2), Bill No. 3, larceny; (3), Bill No. 1, robbery-armed; (4), Bill No. 4, larceny; (5), Bill No. 77, robbery; (6), Bill No. 78, being armed; (7), Bill No. 79, being armed, in the Court of Oyer and Terminer and Quarter Sessions of Allegheny County on May 29, 1931, be commuted from (2), Bill No. 3, two and one-half years to one day, expiring on May 30, 1936.

Our reasons for making this recommendation are as follows:

The applicant and several others were convicted of several charges of robbery and larceny. The applicant received a sentence of from seven and one-half to thirty years in the Western State Penitentiary. One accomplice received a sentence of from ten to twenty years. His sentence was commuted, upon our recommendation, in December, 1935, and we are recommending the commutation of sentence for another accomplice who received a sentence of from twenty-five to fifty years.

The Board of Trustees of the Western State Penitentiary states: "If this inmate were eligible for parole, we probably would recommend him for parole (1) he has had but one previous conviction (2) he has had a very good institutional record."

The trial District Attorney's representative, who appeared before us at the open session, is not opposed to clemency. Mr. T. H. Reiber, Parole Director of the Western State Penitentiary, recommended clemency and stated that the applicant has been working in the psychology department and is highly efficient, although when he first entered the institution he was a poor typist and did not know shorthand.

On May 29th, the applicant will have served five years of his minimum sentence. We believe he has been sufficiently punished and are satisfied he is not a habitual criminal.

The applicant will be on parole until 1961. Employment has been assured.

Respectfully submitted,

NOT PRESIDING,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

THOMAS A. LOGUE,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of Victor Kawalec—No. 2225

April Session, 1936.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Victor Kawalec, convicted of robbery, carrying concealed deadly weapons, in the Court of Quarter Sessions of Northampton County on October 5, 1931, be commuted from seven years to four years, eight months, expiring on May 29, 1936.

Our reasons for making this recommendation are as follows:

The applicant with two others plead guilty to robbery and carrying concealed deadly weapons in 1931. Each of the three was sentenced to serve from seven to fourteen years in the Eastern State Penitentiary.

The sentence of one accomplice was commuted, upon our recommendation, in May, 1935; and the sentence of the second accomplice was commuted, upon our recommendation, in October, 1935.

The applicant was not the ring leader. He has served over four and one-half years of his minimum sentence. He was never involved in any other trouble and has a satisfactory institutional record. We believe he has been sufficiently punished and are satisfied he is not a habitual criminal.

The trial judge states: "In view of the fact that Stanley Dashuta and Charles Zukowski, accomplices of the applicant, have been released on parole, the present application should receive favorable consideration."

The applicant will be on parole until 1945. Employment and an excellent home have been arranged in New Jersey. Our recommendation is contingent upon his removal to and remaining in that State.

Respectfully submitted,

NOT PRESIDING,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

THOMAS A. LOGUE,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of Joseph Frederick Snyder—No. 2387
April Session, 1936.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Joseph Frederick Snyder, convicted of robbery in the Court of Oyer and Terminer of Columbia County on January 23, 1933, be commuted from seven and one-half years to three years, four months, expiring on May 23, 1936.

Our reasons for making this recommendation are as follows:

The applicant, when only nineteen years of age, plead guilty to robbery. He was sentenced to serve from seven and one-half to fifteen years in the Eastern State Penitentiary. He was never involved in any other trouble. His institutional record has been excellent, and he is employed in the main office of the Rockview Farm Prison. Since his incarceration he has endeavored to improve himself.

The trial judge states: "I believe this young man (the applicant) should be paroled. He has served long enough in my opinion."

The trial District Attorney states: "Please be advised that I also have no objection to the parole of this man (the applicant)."

The applicant has served almost three and one-half years of his minimum sentence. We believe he has been sufficiently punished and are satisfied he is not a habitual criminal.

The applicant will be on parole until 1940. An excellent home has been provided and employment assured upon his release.

Respectfully submitted,

THOMAS KENNEDY,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

THOMAS A. LOGUE,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of William Joseph Simpkins—No. 2585
April Session, 1936.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of William Joseph Simpkins, convicted of assault and battery with intent to kill in the Court of Oyer and Terminer and Quarter Sessions of Philadelphia County on April 2 1934, be commuted from three and one-half years to two years, two months, expiring on June 2, 1936.

Our reasons for making this recommendation are as follows:

The applicant plead guilty to assault and battery with intent to kill in 1934. He was sentenced to serve a term of from three and one-half to seven years in the Eastern State Penitentiary. The facts of the case are as follows:

The applicant was friendly with a girl. She wished to terminate the friendship, and this made the applicant very jealous. He was intoxicated and shot the girl and attempted to commit suicide. The trial judge states: "If you think this man has been sufficiently punished and that further confinement will add no improvement to any that may have been noted, I have no objection to a pardon, provided he returns to the State of Washington instead of taking up his activities in Philadelphia."

The District Attorney's representative, who appeared before us at the open session, stated that he was entirely willing to leave it up to the Board to decide what action should be taken.

The applicant was never involved in any other trouble and has a satisfactory institutional record. He has served over two years of his minimum sentence. We believe he has been sufficiently punished and are satisfied he is not a habitual criminal.

The applicant will be on parole until 1941. Our recommendation is contingent upon his removal to and remaining in the State of Washington.

Respectfully submitted,

NOT PRESIDING,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

THOMAS A. LOGUE,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of Anthony Lococo (Cook)—No. 2804
April Session, 1936.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the sentences of Anthony Lococo (Cook), convicted of (1), Bill No. 3, robbery; (2) Bill No. 4, robbery; (3) Bill No. 5, carrying concealed deadly weapons; (4) Bill No. 78, being armed; (5) Bill No. 79, being armed; (6) Bill No. 77, robbery; (7) Bill No. 1, robbery-armed, in the Court of Oyer and Terminer of Allegheny County on May 29, 1931, be commuted from (5) Bill No. 79, a maximum of twenty years, to one day; (6) Bill No. 77, a minimum of ten years, to one day, expiring on May 31, 1936.

Our reasons for making this recommendation are as follows:

In 1931, the applicant was convicted of a number of charges of robbery. He was sentenced to serve a term of from twenty-five to fifty years in the Western State Penitentiary.

The report from the penitentiary indicates that he became involved in the crimes because of financial difficulties growing out of hospitalization of his wife and decreased employment resulting from the depression. Prior to this time the applicant was regularly employed, had the reputation of being an excellent worker, meeting his financial obligations regularly and promptly. His penitentiary record is excellent, and during the recent flood, he worked day and night to assist the officials in keeping order and saving records.

The Board of Trustees of the Western State Penitentiary states: "If this inmate were eligible for parole, we probably would recommend him for parole (1) first conviction (2) excellent institutional record."

The sentence of one accomplice was commuted, upon

our recommendation, in December, 1935. The applicant will have served, before he can be released, five years of his minimum sentence. We believe he will have been sufficiently punished and are satisfied he is not a habitual criminal.

The applicant will be on parole for a long period of time. Employment has been assured.

Respectfully submitted,

NOT PRESIDING,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

THOMAS A. LOGUE,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of Jordan Scarpino—No. 2874

April Session, 1936.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that Jordan Scarpino, convicted of robbery, receiving stolen goods in the Court of Oyer and Terminer of Allegheny County on November 7, 1930, be pardoned.

Our reasons for making this recommendation are as follows:

On November 7, 1930, the applicant was sentenced to serve a term of from six to twelve months in the Allegheny County jail for robbery and receiving stolen goods.

The trial District Attorney states to the parole agent who investigated the case that the applicant's arrest was entirely unjustified; that after he had prosecuted the case he received information which indicated that the applicant was innocent, and thereupon moved the court that the applicant be released on parole. This was done on February 5, 1931, and on June 30, 1931, the applicant was finally discharged from his parole.

The parole agent, from his investigation, reported to us that there was real doubt about the applicant's guilt.

The applicant was never involved in any other trouble. He has been operating a barber shop in Pittsburgh for the past five years and enjoys an excellent reputation in the community in which he resides.

In view of the doubt as to the applicant's guilt, his excellent reputation, and the fact that he has engaged in a legitimate business and conducted himself in an exemplary fashion, we believe a pardon should be granted.

Respectfully submitted,

NOT PRESIDING,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

THOMAS A. LOGUE,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of James B. Givin—No. 2879

April Session, 1936.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that James B. Givin, convicted of conspiracy to cheat, and defraud, in the Court of Quarter Sessions of Philadelphia County, on April 16, 1931, be pardoned.

Our reasons for making this recommendation are as follows:

The applicant plead nolo contendere to conspiracy to cheat and defraud. He was adjudged guilty and was sentenced to serve a term of one year in the Philadelphia County Prison. After serving approximately eight months of his sentence he was released on parole. At the time of his trouble, he was associated with the Conway Brothers in Philadelphia and had been a member of the Bar of Philadelphia County for over thirty years. The applicant did not profit by the commission of the crime. He was never involved in any other trouble and his conduct since then has been exemplary. He is almost seventy years of age.

A letter addressed to us, dated April 15, 1936, by the applicant, reads as follows: "In the matter of my application for a pardon as above, if the Board would grant the petition I will not at any time in the future apply for reinstatement as a member of the Philadelphia Bar.

Yours respectfully

James B. Given."

The District Attorney's representative, who appeared before us at the open session, stated that he opposed the application for a pardon, only if the applicant intended applying for reinstatement to the Bar. A copy of the quoted letter was given to the District Attorney's representative.

A pardon will in part remove the stigma of the crime and will be of assistance to the applicant in obtaining employment.

Respectfully submitted,

NOT PRESIDING,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

THOMAS A. LOGUE,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of William John Minor—No. 2882

April Session, 1936.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of William John Minor, convicted of robbery, larceny of automobile, in the Court of Oyer and Terminer and Quarter Sessions of Delaware County on

March 21, 1933, be commuted from ten years to three years, two months, expiring on May 21, 1936.

Our reasons for making this recommendation are as follows:

The applicant and two others plead guilty to robbery and larceny of an automobile. The applicant was sentenced to serve from ten to twenty years in the Eastern State Penitentiary.

At the time of the commission of the crime the applicant was only seventeen years of age. The sentence of both accomplices were commuted upon our recommendation and both have been released on parole.

The applicant has an excellent institutional record and is attempting to improve himself by attending school. Col. Joseph Klapp Nichols and Col. F. Dickinson Shaw have interested themselves in this case and are willing to act as his sponsors. They will see to it that the applicant has employment if released.

The applicant has served over three years of his minimum sentence. On May 19th, he will be twenty-one years of age. We believe he has been sufficiently punished and are satisfied he is not a habitual criminal.

The applicant will be on parole until 1953.

Respectfully submitted,

NOT PRESIDING,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

THOMAS A. LOGUE,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of Will Harris—No. 2883
April Session, 1936.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Will Harris, convicted of robbery, receiving stolen goods, in the Court of Oyer and Terminer of Allegheny County on October 2, 1930, be commuted from seven and one-half years to five years, eight months expiring on June 2, 1936.

Our reasons for making this recommendation are as follows:

The applicant plead guilty to robbery and receiving stolen goods in 1930. He was sentenced to serve from seven and one-half to fifteen years in the Western State Penitentiary.

The District Attorney's representative, who appeared before us at the open session, stated he had no objections to the granting of clemency.

The trial judge stated: "However, I find the indictment in this case does not indicate a prior conviction in our court and if Harris's prison record has been good, and he can obtain employment through which he can and will support his family, then I think his application is meritorious.

"Finding the foregoing facts favorable to the applicant, I would voice no objection to the commutation of his minimum sentence so that he might be released in the early future."

The Board of Trustees of the penitentiary stated: "If this inmate were eligible for parole, we probably would recommend him for parole (1) first conviction, has job and home; would recommend release to home of mother in Alabama."

The applicant has served five and one-half years of his minimum sentence. We believe he has been sufficiently punished and are satisfied he is not a habitual criminal. Applicant will be on parole until 1945. Our recommendation is contingent upon his removal to and remaining in the State of Alabama.

Respectfully submitted,

NOT PRESIDING,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

THOMAS A. LOGUE,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of Harry Walsh—No. 2905
April Session, 1936.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Harry Walsh, convicted of sodomy, in the Court of Oyer and Terminer of Philadelphia County on May 31, 1935, be commuted from two years to one year, expiring on May 31, 1936.

Our reasons for making this recommendation are as follows:

The applicant plead guilty to sodomy in 1935. He was sentenced to serve a term of from two to ten years in the Eastern State Penitentiary. A letter from the Chief Probation Officer of Philadelphia County reads as follows: "The court has reviewed the case in question and the plea set forth under question 17 of the application has favorably impressed the court, particularly insofar as the defendant's previous conduct is concerned. His record for industry in the past, and his previous reputation are also meriting of consideration, and it now appears doubtful that the defendant will ever again permit himself to reach that condition which will result in a repetition of such an offense.

"I am therefore directed by Judge Heiligman to say that he joins in the application for clemency at this time."

The District Attorney's representative, who appeared before us at the open session, did not oppose the granting of clemency.

The applicant has a satisfactory institutional record and has never been convicted of any other crime. He is almost fifty-seven years of age. On May 31, 1936, he will have served one-half of his minimum sentence. We believe he has been sufficiently punished and are satisfied he is not a habitual criminal. The applicant will be on parole until 1945. Arrangements have been made for employment and a satisfactory home.

Respectfully submitted,

NOT PRESIDING,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

THOMAS A. LOGUE,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

BOARD OF PARDONS

In re Application of Frank S. Masley—No. 2906
April Session, 1936.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that Frank S. Masley, convicted of conspiracy, misdemeanor, in the Court of Quarter Sessions of Allegheny County, on May 29, 1929, be pardoned.

Our reasons for making this recommendation are as follows:

The applicant plead nolo contendere in 1929, to several charges of conspiracy. The charges arose out of the alleged failure of the applicant to properly perform his duties, together with others, as election officers, and for the alleged making of false and fraudulent returns and for the permitting of false and fraudulent voting.

He was adjudged guilty and was sentenced to serve four months' imprisonment in the Allegheny County Workhouse. At the expiration of four months he was released and placed on parole for two years.

The trial judge states: "In my opinion Frank S. Masley should be granted a pardon. While he pleaded guilty to a charge of negligence in his conduct as a Judge of Election, and was sentenced and served four months in the workhouse, he was not a part of the political organization which was responsible for the corruption that occurred at the polling place in question. He has not been engaged in politics since his imprisonment and is a man of good moral character. I am satisfied he will never be guilty of any further infraction of law. I feel certain he will advocate by precept and example honesty in elections. I think his name should be cleared.

The District Attorney's representative, who appeared before us at the open session, said he absolutely recommended the granting of a pardon.

After a careful examination of all the facts in the case we are in accord with the recommendations of the trial judge and the District Attorney's representative.

A pardon will, in part, remove the stigma of the crime from the applicant and his family and will be of material assistance to his advancement.

Respectfully submitted,

NOT PRESIDING,
Lieutenant Governor.

DAVID L. LAWRENCE,
Secretary of the Commonwealth.

CHARLES J. MARGIOTTI,
Attorney General.

THOMAS A. LOGUE,
Secretary of Internal Affairs.

The above recommendation is approved:

GEORGE H. EARLE,
Governor.

REPORT OF THE LEHIGH COAL AND NAVIGATION COMPANY FOR THE YEAR 1935

The Lehigh Coal and Navigation Company
1421 Chestnut Street

December 28, 1935.

To the Senate and House of Representatives of the Commonwealth of Pennsylvania in the General Assembly met:

In compliance with the requirements of the 19th Section of the Act of Assembly, passed March 20, 1818, entitled "An Act to Improve the Navigation of the River Lehigh," I would respectfully report that the tolls received on the Lehigh Navigation during the year 1935 amount to FOUR THOUSAND SIX HUNDRED SIXTY-SIX DOLLARS AND SEVENTY-ONE CENTS ($4,666.71), according to the returns made to this office.

Very truly yours,

HENRY H. PEASE,
Secretary.

State of Pennsylvania } ss:
City of Philadelphia }

Before me, the subscriber, a Notary Public of the County of Philadelphia and State of Pennsylvania, personally appeared on this twenty-eighth day of December, A. D. 1935, HENRY H. PEASE Secretary of THE LEHIGH COAL AND NAVIGATION COMPANY who being duly affirmed according to law, did depose and say that the above statement is just and true to the best of his knowledge, information and belief.

HENRY H. PEASE.

Affirmed and subscribed before me the day and year aforesaid.

R. V. PIERCE, Notary Public

My Commission expires, February 21, 1939

(SEAL)

EIGHTY-FIRST ANNUAL STATEMENT OF THE SAVING FUND SOCIETY OF GERMANTOWN AND ITS VICINITY

School Lane and Germantown Avenue
East Germantown Office
Chelten Avenue and Wister Street

Banking Hours—Both Offices

Mondays to Thursdays, inclusive, 9 A. M. to 3 P. M.
Fridays, 9 A. M. to 8 P. M.
Saturdays, 9 A. M. to Noon
Closed on Legal Holidays

January 1, 1936

Chartered 1854

Statement—January 1, 1936

Par Value	ASSETS	Maturities	Rate	Book Value
$3,117,825	U. S. A. Government Bonds	1938-1956	Various	$3,116,793 75
25,000	Federal Farm Loan	1942	4½	24,937.50
160,812	State of Arkansas	1953-1964	3½&5	106,299.70
150,000	State of Kentucky Bridge	1950	4	150,000.00
100,000	State of Louisiana	1947-1953	4½	100,000.00
50,000	State of North Carolina	1942	5	50,000.00
75,000	State of West Virginia	1939-1942	5	73,875.00
50,000	County of Monmouth, N. J.	1946-1947	4½	50,000.00
50,000	County of Spartanburg, S. C.	1945-1947	4½	50,000.00
25,000	City of Akron, Ohio	1941	5	25,000.00
90,000	City of Birmingham, Ala.	1945-1953	4¾&5	90,000.00
90,000	City of Boston, Mass.	1940-1960	4&4¼	83,466.82
10,000	City of Canton, Ohio	1954	4½	9,568.00
50,000	City of Charleston, S. C.	1962	4½	49,875.00
30,000	City of Chattanooga, Tenn.	1951	4¾	30,000.00
240,000	City of Chicago, Ill.	1939-1947	4&4½	185,292.19
80,000	City of Cleveland, Ohio	1936-1941	4¼&4½	80,000.00
200,000	Delaware River Joint Commission Phila.-Camden Bridge	1956-1959	4¼	200,000.00
50,000	City of Des Moines, Iowa	1941-1942	4½	50,000.00
208,042	City of Detroit, Mich.	1962-1963	3,3¼,4¼&5	145,674.07
25,000	City of Fort Worth, Texas	1949-1951	5	24,968.75
27,000	City of Houston, Texas	1939-1945	5	27,000.00
50,000	City of Jacksonville, Fla.	1937-1946	5	50,000.00
15,000	City of Kansas City, Mo.	1937	4½	13,500.00
30,000	City of Knoxville, Tenn.	1951	5	29,700.00
135,000	City of Los Angeles, Cal.	1941-1945	4½&5	134,295.00
35,000	City of Memphis, Tenn.	1945-1947	4½	35,000.00
30,000	City of Montreal, Can.	1971	4½	25,560.00
100,000	City of New Orleans, La.	1934-1952	4½	100,000.00
7,000	City of Newport, R. I.	1937	5	7,000.00
260,000	City of New York, N. Y.	1951-1979	4¼&4½	257,930.82
100,000	City of Norfolk, Va.	1940-1956	4½&5	100,000.00

EIGHTY-FIRST ANNUAL STATEMENT OF THE SAVING FUND SOCIETY OF GERMANTOWN AND ITS VICINITY—(Continued)

Par Value	ASSETS	Maturities	Rate	Book Value
$50,000	City of Oklahoma, Okla.	1937	4½	$50,000.00
25,000	City of Ottawa, Ontario, Can.	1937-1939	6	24,736.50
5,000	City of Pawtucket, R. I.	1936	4½	5,000.00
575,000	City of Philadelphia, Pa.	1945-1979	4¼,4½&5	575,000.00
95,000	City of Pittsburgh, Pa.	1938-1951	5&6	95,000.00
300,000	Port of New York Authority	1943-1975	4,4¼&4½	300,000.00
36,000	City of Salt Lake, Utah	1936-1940	4½&5	35,875.00
50,000	City of San Diego, Cal.	1947-1948	5	50,000.00
97,000	City of San Francisco, Cal.	1936-1953	4,4½&5	96,739.40
18,000	City of Seattle, Wash.	1936-1941	4½	18,000.00
75,000	City of Toronto, Can.	1938-1942	4½&5	72,969.08
200,000	Commonwealth of Australia	1955-1957	5	194,521.25
100,000	Dominion of Canada	1960	4	90,250.00
200,000	Province of Ontario, Can.	1943-1960	4½&5	200,000.00
15,000	Albany Port Dist., N. Y.	1957	4¾	10,537.50
85,000	Boston Metropolitan District	1962-1965	4¾	79,551.25
50,000	Greater Greenville, S. C. Sewer Dist.	1967	4½	50,000.00
60,000	Louisiana Port Commission	1950-1953	5	59,850.00
38,000	Marin, Cal. Munic Wtr. Dist.	1936-1947	5	38,000.00
75,000	Miami Conservancy Dist., Ohio	1940-1947	5½	75,000.00
50,000	Twp. of Hanover School Dist.	1941-1946	5½	50,000.00
75,000	Ala. Great So. R. R. 1st Cons.	1943	4&5	73,217.50
75,000	Atchison, Top. & Santa Fe Ry. (Cal. Ariz. Lines) 1st Refdg.	1962	4½	71,090.00
100,000	Atchison, Top. & Santa Fey Ry. Transcontinental Short Line 1st Mtge.	1958	4	100,000.00
190,000	Atlanta & Charlotte Air Line Ry. Co. 1st	1944	4½&5	181,351.25
100,000	Atlantic Coast Line L. & N. Coll.	1952	4	91,365.00
72,000	Bal. & Ohio R. R. Co. Eq. Tr.	1936-1940	4½&5	68,562.24
70,000	Balto. & Ohio R. R. Co. (Pitts. Lake Erie & West Va.) Refdg. Mtge.	1941	4	67,109.30
121,000	Balto & Ohio R. R. Co. 1st Mtge.	1948	5	120,450.25
150,000	Canadian Natl. Ry. Co. Gtd.	1956-1969	4½&5	146,500.00
55,000	Canadian Natl. Ry. Co. Eq. Tr.	1938-1940	4½&5	53,646.10
350,000	Canadian Pac. Ry. Co. Eq. Tr.	1936-1945	4½&5	337,949.80
100,000	Canadian Pac. Ry. Co. Cons.	Perpetual	4	85,000.00
25,000	Carolina Central R. R. Co. 1st Cons.	1949	4	4,000.00
55,000	Central New England Ry. Co. 1st	1961	4	30,000.00
50,000	Central Pacific Ry. Co. Gtd.	1960	5	49,563.75
172,000	Central Pacific Ry. Co. 1st & Refdg.	1949	4	145,427.00
100,000	Central Pacific Ry. Co. (Thru Short Line) 1st Mtge.	1954	4	100,000.00
50,000	Central R. R. of N. J. Gen. Mtge.	1987	5	50,000.00
75,000	Chesa. & Ohio Ry. Co. Gen Mtge.	1992	4½	65,615.75
385,000	Chesa. & Ohio Ry. Co. Eq. Tr.	1946-1949	3&4	380,514.49
50,000	Chi. Burl. & Quincy R. R. Co. Gen.	1958	4	42,250.00
100,000	Chi. Burl. & Quincy R. R. Co. 1st & Refdg.	1977	4½	100,000.00
100,000	Chi. Burl. & Quincy R. R. Co. (Ill. Div.) 1st Mtge.	1949	3½	100,000.00
75,000	Chicago & Erie R. R. Co. 1st Mtge.	1982	5	72,913.25
75,000	Chicago Junction Rys. & Union Stock Yds. Co. 1st	1940	5	68,000.00
87,000	Chi. Mil. & St. Paul Ry. Eq. Tr.	1936	5&5½	82,722.80
198,000	Chi. Mil. & St. Paul Ry. Gen.	1989	4½	100,000.00
27,000	Chi. & Northw'n Ry. Eq. Tr.	1936-1938	5	24,637.15
32,000	Chi & Northwestern Ry. Gen.	1987	5	16,000.00
153,000	Chi. R. I. & Pac. Eq. Tr.	1936-1940	4½	149,855.99
110,000	Chi. R. I. & Pac. Gen.	1988	4	48,950.00
150,000	Chi. St. L. & N. Orleans R. R. Gold	1951	5	147,843.75
144,000	Chi. Union Station Co. 1st Mtge.	1963	4&4½	127,875.99
85,000	Choctaw & Memphis R. R. Co. 1st	1949	5	37,400.00
100,000	Choctaw, Okla. & Gulf R. R. Con.	1952	5	35,000.00
118,000	Cincinnati Union Termi. 1st	2020	5	115,063.28
25,000	Cleveland, Akron & Col. Ry. 1st Cons.	1940	4	22,000.00
50,000	Cleve. Cinn. Chi. & St. L. Ry. Co. (Cairo Div.) 1st	1939	4	41,015.25
125,000	Cleve. Cinn. Chi. & St. L. Ry. Co. (Cinn. Wabash & Mich. Ry.) 1st	1991	4	109,937.50
192,000	Cleve. Cinn. Chi. & St. L. Ry. Co. (St L. Div.) 1st Coll.	1990	4	173,333.55
43,000	Cleve. Cinn. Chi. & St. L. Ry. Co. Refdg & Impry.	1977	4½	42,957.00
28,000	Clev. Lorain & Wheeling Ry. Gen.	1936	5	27,000.00
100,000	E. Tenn. Va. & Ga. Ry. Co. Cons.	1956	5	98,728.50
132,000	Eastern Railway Co. of Minnesota (Northern Div.) 1st Mtge.	1948	4	132,000.00
141,000	Erie Railroad Eq. Tr.	1936-1941	4½,5&6	139,521.43
50,000	Erie Railroad Co. Prior Lien	1996	4	40,912.50
144,000	General Amer. Tank Car Corp. Eq. Tr.	1936-1945	4½	138,529.44
30,000	Ga. So. Fla. Ry. Co. Eq. Tr.	1936-1939	4½	29,771.75
150,000	Great Northern Ry. Co. Gen.	1973-1977	4½&5	140,183.75
50,000	Greenbrier, Cheat & Elk R. R. 1st Mtge.	1944	5	49,250.00
34,000	Illinois Central R. R. Eq. Tr.	1936-1939	4½,5&5½	33,118.22
$100,000	Illinois Cent. R. R. Coll. Tr. (Louisville N. Orleans & Texas Ry. Co.)	1953	4	$80,187.50
72,000	Illinois Cent. R. R. Coll. Tr.	1952	4	57,550.00
100,000	Illinois Cent. R. R. & Chi. St. L. & New Orleans 1st Jt. Refdg.	1963	5	96,000.00
50,000	Illinois Central R. R. Louisville Div. Terminal 1st Non-call	1953	3½	44,500.00
55,000	Indianapolis Union Ry. Co. Gen. & Refdg.	1965	5	54,107.50
55,000	Jacksonville, Term. Co. Refdg. & Ext. Mtge.	1967	6	55,000.00
100,000	Kansas City, Ft. Scott & Memphis Ry. Refdg. Mtge.	1936	4	40,000.00
150,000	Kansas City Term. Ry. 1st	1960	4	130,153.75
50,000	Kentucky Central Ry. Co. 1st	1987	4	42,035.00
125,000	Lehigh & New Eng. Eq. Tr.	1939-1944	4	124,537.50
50,000	Lehigh & New Eng. R. R. Co. Gen. Mtge.	1965	4	50,000.00
70,000	Lehigh Valley Coal Co. 1st & Refdg.	1954-1974	5	40,000.00
50,000	Lehigh Valley R. R. Gen. Cons.	2003	5	40,000.00
100,000	Long Island R. R. Refdg.	1949	4	88,312.50
100,000	Long Is. R. R. Co. Unified Mtge.	1949	4	100,000.00
50,000	Louisville & Nashville R. R. (A. K. & C. Div.)	1955	4	42,225.60
25,000	Midland Valley R. R. Co. 1st	1943	5	20,000.00
19,000	Mil., Sparta & N. W. R.y Co. 1st	1947	4	10,000.00
50,000	Minn. St. P. & S. S. Marie Ry. 1st	1938	4	45,025.00
63,000	Minn. St. P. & S. S. Marie Ry. 2nd	1949	4	50,660.00
125,000	Missouri Pacific R. R. Eq. Tr.	1936-1944	4½&5	120,633.61
31,000	Missouri Pacific Rwy. Co. 3rd	1938	4	29,607.50
100,000	New Orleans & N. E. R. R. Prior Lien	1940	5	99,562.50
50,000	N. Y Cent. & Hud. Riv. R. R. (Mich. Cent. Coll.)	1998	3½	36,875.00
100,000	N. Y. Cent. & Hud. Riv. R. R. (Lake Shore Coll.)	1998	3½	72,563.75
50,000	N. Y. Cent. & Hud. Riv. R. R. Deb.	1942	4	45,937.50
113,000	N Y Cent. R. R. Co. Refdg. & Impry.	2013	4½	113,000.00
20,000	N. Y. Cent. Lines Eq. Tr.	1936-1939	4½&5	18,335.02
50,000	N. Y. Connecting R. R. 1st	1953	4½	32,262.50
100,000	N. Y. Lackawanna & Western Ry. Co. 1st & Refdg. Ser. A	1973	4	94,750.00
88,000	N. Y., N. H. & Hart. Eq. Tr.	1936-1940	4½&5	85,314.41
100,000	N. Y. Penna. & Ohio R. R. Prior Lien	1950	4¼	100,000.00
41,000	Norfolk & Western Ry. Co. (Pocahontas Coal & Coke) Purchase Money Mtge. 1st	1941	4	41,000.00
127,000	No. Pac. Ry. Co. P. L. & L. G.	1997	4	105,762.25
100,000	Oregon R. R. & Navig. Co. Cons.	1946	4	78,375.75
200,000	Oregon Short Line R. R. Cons. 1st	1946	5	194,298.75
75,000	Pacific R. R. of Missouri 2nd	1938	5	64,591.25
103,000	Penna. Co. Tr. Ctfs.	1941-1944	3½	95,050.45
146,000	Penna. R. R. Gen.	1984	4¼	124,580.57
100,000	Penna. R. R. Cons.	1960	4½	88,207.50
25,000	Phila. & Reading R. R. 1st Cons.	1937	4	22,000.00
220,000	Pitts. C. C. & St. L. Ry. Cons.	1940-1963	4&4½	214,837.50
250,000	Pitts. C. C. & St. L. Gen. Mtge.	1977	4½	250,000.00
50,000	Pitts. Shenango & Lake Erie R. R. 1st Mtge.	1940	5	50,000.00
25,000	Reading Co. Pur. Money Mtge.	1952	4	22,000.00
100,000	Reading Co. Gen. & Refdg. Mtge.	1997	4½	98,400.00
125,000	Reading Co. Eq. Tr.	1943-1944	4½	125,000.00
125,000	Richmond Term. Ry. Co. 1st	1952	5	123,711.00
150,000	Santa Fe, Prescott & Phoenix Ry. 1st	1942	5	148,058.00
27,000	St. L. S. W. Ry. Eq. Tr.	1937-1940	5	27,000.00
55,000	St Paul & Duluth R. R. Co. 1st Cons. Mtge.	1968	4	55,000.00
50,000	St. P., Minn. & Man. Ry. Co. Cons.	1943	5	45,000.00
31,000	St. P., Minn. & Man. Ry. Co. (Montana Ext.)	1937	4	25,691.25
113,000	Seaboard Air Line Rwy. Co. Eq. Tr.	1945	2	90,000.00
108,000	Southern Pacific Ry. Eq. Tr.	1936-1944	4½&5	101,879.26
100,000	Southern Pacific Co.	1981	4½	90,626.25
100,000	Southern Pacific R. R. Co. 1st & Refdg.	1955	4	86,093.75
100,000	Southern Pacific Co. Ore. Lines 1st	1977	4½	97,250.00
25,000	Southern Pacific Co. (San Fran. Term.) 1st	1950	4	20,000.00
88,000	Southern Ry. Co. 1st Cons.	1994	5	86,822.50
15,000	Southern Ry. Co. (Memphis Div.) 1st	1996	5	14,487.50
110,000	Southern Ry. Co. (E. Tenn. Reorg.)	1938	5	105,250.00
40,000	Terminal R. R. Assoc. of St. L. 1st	1939	4½	36,000.00
35,000	Terminal R. R. Assoc. of St. L. 1st Cons.	1944	5	35,000.00
75,000	Terre Haute & Peoria R. R. Co. 1st	1942	5	74,985.00
50,000	Toledo, Can. So & Detroit Ry. 1st	1956	4	34,250.00
50,000	Toledo Terminal R. R. Co. 1st	1957	4½	40,362.50
50,000	Vicksburg, Shreveport & Pac. R. R. Prior Lien	1940	5	45,937.50
189,000	Virginian Ry. Co. 1st	1962	4½&5	184,957.50
99,000	Wabash Rwy. Eq. Tr.	1936-1939	4½&5	98,343.69

EIGHTY-FIRST ANNUAL STATEMENT OF THE SAVING FUND SOCIETY OF GERMANTOWN AND ITS VICINITY—(Continued)

Par Value	ASSETS	Maturities	Rate	Book Value
$100.000	Wabash R. R. Co. 1st	1939	5	$100.000.00
170.000	West Shore R. R. Co. 1st	2361	4	141.185.00
76.000	Western N. Y. & Pa. R. R. Co. Gen.	1943	4	65.488.75
142.000	Winston Salem S. Bound Ry. Co. 1st	1960	4	116.525.00
50.000	Wisconsin Cent. Ry. Co. 1st Gen.	1949	4	5.000.00
100.000	Alabama Pwr. Co. 1st & Refdg.	1967	4½	94.858.75
100.000	Bell Tel. Co. of Canada 1st	1957	5	99.875.00
100.000	Carolina Pr. & Lt. Co. 1st & Refdg.	1956	5	99.330.00
50.000	Cent. Ariz. Lt. & Pr. Co. 1st Mtge.	1960	5	50.000.00
250.000	Central Hudson Gas & Elec. Corp. 1st & Refdg Mtge.	1965	3½	250.000.00
250.000	Central Ill. Lt. Co. 1st Cons. Mtge.	1963	4¼	244.000.00
100.000	Chester Water Service Co. 1st	1958	4½	92.350.00
18.750	Chicago Rwys. Co. 1st	Extended	5	5.605.00
200.000	Cleveland Elec. Illuminating Co. Gen. Mtge.	1965	3¾	200.000.00
216.000	Commonwealth Edison Co. 1st Ser. H	1965	3¾	212.340.00
100.000	Connecticut River Pwr. Co. 1st	1952	5	99.750.00
100.000	Consolidated Gas Co. of N. Y. Deb.	1957	5	93.750.00
279.000	Consumers Power Co. 1st & Unify.	1958-1965	3¾&4½	274.155.00
108.000	Dayton Pr. & Lt. Co. 1st & Refdg	1960	3½	108.000.00
218.000	Delaware Pr. & Lt. Co. 1st Mtge.	1969	4¼&4½	192.191.35
27.000	Duke Power Co. 1st & Refdg.	1967	4½	26.546.75
350.000	Duquesne Light Co. 1st Mtge.	1965	3½	350.000.00
113.000	Edison Elec. Illuminating Co. of Boston	1936	5	112.370.00
24.000	Fort Pitt Trac. Co. 1st Mtge. Extended		5	10.000.00
100.000	Georgia Power Co. 1st & Refdg.	1967	5	94.866.25
125.000	Gulf States Util. Co. Texas 1st & Refdg.	1956-1961	4½&5	117.273.50
72.000	Hestonville. Mantua & Fairmount Pass. Rwy. Cons.	1939	5½	37.000.00
80.000	Hydraulic Power Co. of Niagara Falls Refdg. & Imprv.	1951	5	80.000.00
200.000	Illinois Bell Telephone Co. 1st & Refdg.	1970	3½	198.647.00
103.000	Indianapolis Pwr. & Lt. Co. 1st	1957	5	101.385.00
100.000	Los Angeles Gas & Elec. Corp. 1st & Gen. Mtge.	1970	4	100.000.00
200.000	Market Street Elevated Pass. Rwy. 1st Mtge.	1955	4	173.336.25
50.000	Memphis Pr. & Lt. Co. 1st & Refdg.	1978	4½	46.375.00
83.000	Mississippi River Pwr. Co. 1st	1951	5	82.900.00
89.000	Nashville Rwy. & Lt. Co. Refdg. & Extd.	1958	5	84.151.50
75.000	Nashville Rwy. & Lt. Co. 1st Cons.	1953	5	74.250.00
100.000	New England Tel. & Tel. Co. 1st	1952	5	100.000.00
100.000	N. Y. Edison Co. 1st L. & Refdg.	1951	5	96.750.00
100.000	New York Pwr. & Lt. Corp. 1st	1967	4½	88.843.75
50.000	N. Y. & Westchester Ltg. Co. Gen	2004	4	40.125.00
100.000	Ohio Edison Co. 1st Cons. Mtge.	1960	5	100.000.00
75.000	Pacific Coast Pwr. Co. 1st	1940	5	72.344.76
100.000	Pac. Gas & Elec. Co. 1st & Refdg.	1964	4	100.000.00
100.000	Penna. Power & Light Co. 1st	1981	4½	95.890.00
61.000	Penna. Wtr. & Pwr. Co. 1st & Refdg.	1968	4½	56.865.20
45.000	Peoples Pass. Ry. Co. 1st	1935	4	33.000.00
114.500	Phila. Elec. Co. 1st Mtge. S. F.	1966	5	114.425.00
49.000	Phila. Elec Pwr. Co. 1st Mtge.	1972	5½	42.803.67
100.000	Phila. Suburban Wtr. Co. 1st Mtge.	1965	4	100.000.00
50.000	Portland Gen. Elec. Co. 1st Mtge.	1950	5	50.000.00
100.000	Public Service Co. of Northern Illinois 1st & Refdg.	1960-1981	4½	97.513.95
200.000	Safe Harbor Water & Pwr. Corp. 1st	1979	4½	189.952.75
147.000	Salmon River Power Co. 1st	1952	5	143.807.00
85.000	San Diego Cons. Gas & Elec. Co. 1st	1965	4	85.000.00
50.000	Seattle. Wash Munic. Lt. & Pwr. Refdg.	1944	4	50.000.00
50.000	Shawinigan Water & Pwr. Co. 1st Mtge. & Coll. Tr.	1968	4½	49.750.00
200.000	Southern Bell Tel. & Tel. Co. 1st	1941	5	199.500.00
255.000	Southwestern Bell Telephone Co. 1st & Refdg.	1954-1964	3½&5	255.000.00
200.000	Union Elec. Lt. & Pwr. Co. (Mo.) Gen.	1957	4½&5	190.790.00
20.000	Union Pass. Ry. Co. Extd.	1960	4	12.000.00
100.000	United Elec. Co. of N J. 1st Mtge.	1949	4	93.676.50
200.000	Virginia Elec. & Pwr. Co. 1st & Refdg. Mtge.	1955	4	200.000.00
34.000	West End Pass. St. Ry. Co. Extended		4	25.000.00
50.000	West Phila. Pass. Ry. 2nd	1956	5½	35.000.00
250.000	John Wanamaker 1st Mtge.	1949	5½	250.000.00
$26.570.929				$24.858.397.11
	Loans on Collateral			31.547.82
	First Mortgages on Real Estate			6.578.146.07
	Banking Houses			350.000.00
	Other Real Estate			509.523.37
	Cash on Hand and in Banks			1.856.680.92
				$34.184.295.29

LIABILITIES

Due 46.273 Depositors	$30.364.536.99
Surplus	3.250.000.00
Contingent Reserve	569.758.30
	$34.184.295.29

We, the Subscribers, Auditors, appointed by the Saving Fund Society of Germantown and Its Vicinity, do hereby certify that we have examined the above statement, and the assets therein named, and find them correct.

WILLIAM H. EMHARDT,
ARTHUR H. JONES,
VICTOR PAUL,
JOSEPH A. SKELLY, C.M.,
GEORGE W. EMLEN, Jr.

January 8, 1936

3 Per Cent Interest Paid on Savings Accounts
No Interest Paid on Christmas Clubs
Accounts may be opened and business transacted by Mail

SUMMARY

The following table shows the growth of the Society since 1854:

Date	Number of Accounts Number of Accounts	Amount of Deposits Amount of Deposits
June 1, 1855	273	$12.788.84
June 1, 1859	811	75.023.85
January 1, 1867	1.146	133.631.84
January 1, 1872	1.699	361.847.87
January 1, 1876	3.250	581.936.50
January 1, 1880	4.028	875.141.53
January 1, 1884	7.190	1.439.825.13
January 1, 1890	11.285	2.361.209.14
January 1, 1895	13.052	2.810.673.15
January 1, 1900	16.294	4.233.238.96
January 1, 1905	20.966	6.171.093.37
January 1, 1906	22.136	6.600.117.54
January 1, 1907	23.027	6.819.630.54
January 1, 1908	23.525	7.073.089.59
January 1, 1909	23.526	7.237.800.94
January 1, 1910	24.511	7.803.287.60
January 1, 1911	25.391	8.432.959.44
January 1, 1912	26.187	8.920.471.24
January 1, 1913	27.428	9.516.274.34
January 1, 1914	28.279	10.166.451.58
January 1, 1915	28.748	10.493.595.63
January 1, 1916	29.680	11.113.251.13
January 1, 1917	31.351	12.475.855.49
January 1, 1918	31.236	12.352.547.63
January 1, 1919	31.368	12.673.422.18
January 1, 1920	32.648	13.826.837.62
January 1, 1921	33.704	14.939.289.83
January 1, 1922	33.341	15.362.838.62
January 1, 1923	33.598	16.089.240.36
January 1, 1924	35.145	18.037.811.53
January 1, 1925	35.649	19.378.508.30
January 1, 1926	36.146	20.572.152.56
January 1, 1927	36.373	21.299.361.99
January 1, 1928	36.406	22.688.872.71
January 1, 1929	37.583	23.732.990.99
January 1, 1930	38.354	24.830.384.57
January 1, 1931	39.134	26.512.360.06
January 1, 1932	41.605	26.727.657.47
January 1, 1933	43.028	26.960.86[illegible]03
January 1, 1934	44.047	26.831.1[illegible]60
January 1, 1935	45.414	28.340.528.05
January 1, 1936	46.273	30.364.536.99
Total Received since organization, 1854		$247.821.706.32
Total Paid Depositors		217.457.169.33
Due Depositors January 1, 1936		$30.364.536.99

An account may be opened by a deposit of 10 cents, and interest is paid on all balances of $5.00 or over.

Officers

ARTHUR W. JONES, President.
H. T. MONTGOMERY, Vice-President.
W. N. PRICE, Secretary and Treasurer.
H. H. HEWETT, Asst. Sec'y and Asst. Treas.
ROBERT H. BOLLING, Asst. Treas.
GEORGE WHARTON PEPPER, Solicitor.

Managers

MARRIOTT C. MORRIS	J. SOMERS SMITH
LIVINGSTON E. JONES	ALFRED G. SCATTERGOOD
HAROLD E. GILLINGHAM	WALTER M. SCHWARTZ
CLARENCE M. CLARK	C. STEVENSON NEWHALL
WILLIAM A. LAW	ARTHUR W. JONES
THOMAS RAEBURN WHITE	FRANCIS B. BRACKEN
H. T. MONTGOMERY	CHARLES C. WRIGGINS

JOHN T. EMLEN

The Managers serve without compensation, and neither they nor any officer or agent of the Saving Fund can directly or indirectly borrow money from, or become in any way indebted to it.

REPORT OF THE AUDITORS OF THE WESTERN SAVING FUND SOCIETY OF PHILADELPHIA FOR THE YEAR 1935

ASSETS

Par Value		Book Value
$13,958,600.00	United States of America Government Securities	$13,956,926.60
8,287,291.60	State, County and Municipal Securities	7,945,660.83
31,416,000.00	Railroad Bonds	28,703,978.48
3,377,000.00	Railroad Equipment Trust Certificates	3,068,847.12
15,519,500.00	Miscellaneous Securities	14,607,050.56
9,617,227.71	Real Estate Mortgages	8,177,062.79
11,485.80	Mortgages, F. H. A.	11,485.80
3,198,501.65	Other Real Estate	3,198,501.65
17,639.75	Call Loans	17,639.75
1,603,622.81	Bank Buildings	1,603,622.81
2,844.95	Clearance Account—Advancements	2,844.95
13,264,364.08	Cash	13,264,364.08
$100,274,128.35		$94,558,035.42

LIABILITIES

Deposits	$87,752,359.68
Clearance Account—Tax Accumulation	2,052.96
Clearance Account—Unallocated Funds	1,630.39
Clearance Account—Unclaimed Funds	6,327.95
Clearance Account—"FP" Liquidation	50.00
Clearance Account—F. H. A. Mortgages	80.16
Surplus	6,795,534.28
	$94,558,035.42

REPORT OF THE AUDITORS

The undersigned, Auditors appointed by the President Judges of the Court of Common Pleas of Philadelphia, to audit and settle the accounts of THE WESTERN SAVING FUND SOCIETY OF PHILADELPHIA, in conformity with the provisions of Article 1, of the "Act" incorporating the said Society, approved 8th February, 1847, having been duly sworn according to law faithfully so to do:

Certify that the Assets of the said Society, at the close of business on the Thirty-first day of December, 1935, have been examined and verified by them, and that the cost thereof as set forth in the above Schedule agrees with the books and the balance sheet of the Society.

The amount due to depositors, including interest, on the First day of January, 1936, and the Surplus or Contingent Fund are correctly stated and are in agreement with the books and the balance sheet.

THOMAS RIDGEWAY,
CHAS. J. BIDDLE,
FRANCIS H. ROLLEN, JR.

The Society also holds for 1,628 depositors, United States of America Treasury Bonds and Certificates, deposited severally by them for safekeeping of which the par value is $315,300.00.

THOMAS RIDGEWAY,
CHAS. J. BIDDLE,
FRANCIS H. ROLLEN, JR.

ASSETS

Par Value	U. S. GOVERNMENT SECURITIES	Book Value
$100,000.00	United States of America 3¼% Treasury Notes, 1937	$99,687.50
800,000.00	United States of America 2⅞% Treasury Bonds, 1955-60	800,000.00
2,350,000.00	United States of America 3⅜% Treasury Bonds, 1947-43	2,350,000.00
1,253,600.00	United States of America 3¼% Treasury Bonds, 1944-46	1,253,600.00
1,363,000.00	United States of America 4¼% Treasury Bonds, 1947-52	1,363,000.00
820,000.00	United States of America 4% Treasury Bonds, 1944-54	820,000.00
940,000.00	United States of America Treasury 3¾S, 1956-46	940,000.00
420,000.00	United States of America 3⅛% Treasury Bonds, 1949-52	420,000.00
1,860,000.00	United States of America Treasury 3S, 1955-51	1,860,000.00
1,583,400.00	United States of America 3⅛% Treasury Bonds, 1949-46	1,583,400.00
950,000.00	United States of America 1½% Treasury Notes, Series C-1940	950,000.00
230,000.00	United States of America 2¾% Treasury Bonds, 1947-45	230,000.00
$12,670,000.00		$12,669,687.50
250,000.00	Federal Farm Mortgage Corporation 3% Bonds, 1949-44	250,000.00
250,000.00	Federal Farm Mortgage Corporation 3% Bonds, 1947-42	250,000.00
5,650.00	Home Owners' Loan Corporation 2¼% Bonds, Series "G", 1944-42	5,650.00
480,450.00	Home Owners' Loan Corporation 2¾% Bonds, Series "B", 1949-39	479,428.44
302,500.00	Home Owners' Loan Corporation 3% Bonds, Series "A", 1952-44	302,160.66
$13,958,600.00		$13,956,926.60

STATE, COUNTY AND MUNICIPAL SECURITIES

$100,000.00	Albany Port District, N. Y. 4¾% Bonds, 1936-52	$99,000.00
158,000.00	Allegheny County, Pa. 4¼% Miscellaneous Bonds, 1942-46-47	157,210.00
50,000.00	Allegheny County, Pa. 4¼% Bridge Bonds, Series 20, 1942	49,750.00
50,000.00	Allegheny County, Pa. 4¼% Road Bonds, Series 34-B3, 1943	49,750.00
100,000.00	County of Bergen, N. J. 4¾% Public Improvement Bonds, 1952-53	97,000.00
200,000.00	City of Bethlehem, Pa. 3½% Refunding Water Bonds, 1946-49	196,000.00
100,000.00	City of Boston, Mass. 3¾% Rapid Transit Bonds, 1940 (Reg)	98,000.00
5,000.00	City of Boston, Mass. 4% Bonds, 1957 & 1971 (Reg)	4,834.38
44,000.00	City of Boston, Mass. 4% Bonds (Boylston Street Subway), 1958-60 (R)	42,641.72
15,000.00	City of Boston, Mass. 4% Bonds (Traffic Tunnel), 1980-50 (Reg)	13,634.05
20,000.00	City of Boston, Mass. 4¼% Bonds, 1944 (Reg)	19,551.43
41,000.00	City of Boston, Mass. 4¼% Bonds, 1938-63 (Reg)	40,377.66
5,000.00	City of Boston, Mass. 4¼% Bonds, 1962 (Reg)	4,987.50
50,000.00	City of Boston, Mass. 4¼% Bonds (Dorchester Rapid Transit) 1974 (Reg)	49,375.00
45,000.00	City of Boston, Mass. 4¼% Rapid Transit Loan (Dorchester Tunnel), 1960 (Reg)	43,016.31
200,000.00	Boston Metropolitan District 3% Bonds, 1956-57	195,344.67
90,000.00	Boston Metropolitan District 4¾% Serial Gold Bonds, Ser "B", 1961	86,355.00
75,000.00	City of Camden, N. J. 4½% Repavement & School Bonds, Series of 1915, 1945	60,000.00
100,000.00	City of Cleveland, Ohio, Water Works 4½S, 1944-46	95,000.00
281,000.00	City of Detroit, Mich. 4½% Public Utility Bonds (Street Rwy.), 1947-48	244,470.00
20,000.00	City of Detroit, Mich. 4½% Various Municipal Impvt. & Refdg. Bonds, Series "A", 1963	11,200.00
20,000.00	City of Detroit, Mich. 4½% Public Sewer Refdg. Bonds, Ser. "A", 1963	11,200.00
70,000.00	City of Detroit, Mich. 4½% Refunding Bonds, Series "A", 1963	44,240.00
1,777.50	City of Detroit, Mich. 3¼% Refunding Bonds, Ser. "B", 1962 (Reg)	1,244.25
3,570.00	City of Detroit, Mich. 3¼% Refunding Bonds, Ser. "C", 1962 (Reg)	2,766.75
30,000.00	Harris County, Texas, Special Road 4S, 1942-44	29,700.00
70,000.00	City of Jersey City, N. J. Water 4½S, 1961 (Reg)	59,500.00
100,000.00	Town of Kearny, N. J. 4½% Impvt. & School Bonds, 1944-46	94,000.00
125,000.00	City of Knoxville, Tenn. Water 4½S Gold Bonds, 1953-63	117,500.00
50,000.00	City of Louisville, Ky. Refunding 3½S, 1943	49,483.30
41,000.00	Mercer County, N. J. 4% Road, Bridge & County Bldgs. & Impvt. Bonds, 1937	40,342.65
110,000.00	City of Miami, Fla. 5% Refunding Bonds, 1964	39,600.00
8,944.10	City of Miami, Fla. 2% Refdg. Certificates of Indebtedness, 1947 (Reg)	4,919.26
145,000.00	State of Minnesota 4¼% Trunk Highway Bonds, 1940-47	144,516.05
15,000.00	State of Missouri 4¼% Road Bonds, 1944	14,950.05
50,000.00	State of Missouri Highway 3% Bonds, 1955	48,490.29
16,000.00	City of Nashville, Tenn. 4¾% Gold Bonds, 1936-52	15,926.71
100,000.00	City of Newark, N. J. Funding 4½S, Series "I", 1944 (Reg)	94,000.00
300,000.00	City of Newark, N. J. Funding 4½S, 1944 (Reg)	282,000.00
25,000.00	City of New York, N. Y. 4¼% Bonds, 1941-48 (Reg)	22,633.61
50,000.00	City of New York, N. Y. 4¼% Bonds, 1942-43	45,793.38
25,000.00	City of New York, N. Y. 4¼% Bonds, 1942	22,829.20
341,000.00	City of New York, N. Y. 4¼% Gold Exempt School Bonds, Ser. 10 E 1944-52	334,180.00
50,000.00	City of New York, N. Y. 4¼% Corporate Stock (Rapid Transit Construction), 1964	45,401.57
89,000.00	City of New York, N. Y. 4¼% Corporate Stock, 1966	78,320.00
20,000.00	New York City, N. Y. 4¼S SR 6-E Bonds (Construction Schools), 1954	18,500.00
25,000.00	City of New York, N. Y. 4¼% Corporate Stock, 1977	20,750.00

REPORT OF THE AUDITORS OF THE WESTERN SAVING FUND SOCIETY OF PHILADELPHIA FOR THE YEAR 1935—(Continued)

ASSETS

Par Value		Book Value
$65,000.00	City of New York, N. Y. Serial 4¼% Bonds (Construction Schools) 1961	$64,837.50
106,000.00	City of New York, N. Y. 4S (Construction of Schools), 1942-43	105,470.00
92,000.00	City of New York, N. Y. 4S (Provide for Work & Home Relief) 1942	91,540.00
114,000.00	City of New York, N. Y. 3¾S, 1944-46	113,501.92
25,000.00	City of New York, N. Y. 4% Bonds (Construction of Schools) 1949	24,937.50
272,000.00	City of New York, N. Y. 4% Bonds, 1949	271,320.00
25,000.00	City of Niagara Falls, N. Y. 4⅛% School District Bonds, 1938	21,875.00
66,000.00	City of Niagara Falls, N. Y. 4¼% Public Welfare Bonds, Ser. "A", 1938-40	65,780.22
20,000.00	Commonwealth of Pennsylvania Soldier Bonus 3¼% Bonds, 1945-46	20,000.00
200,000.00	City of Philadelphia, Pa. 4% Miscellaneous Bonds, 1937-43 (Reg)	198,125.00
75,000.00	City of Philadelphia, Pa. 4% Loan of Jan. 7, 1915, 1946 (Reg)	69,562.50
25,000.00	City of Philadelphia, Pa. 4% Loan of May 6, 1915, 1947	24,968.75
10,000.00	City of Philadelphia, Pa. 4% Loan of Apr. 10, 1926, 1978-48	9,987.50
50,000.00	City of Philadelphia, Pa. 4% Loan of Oct. 1, 1920, 1952	49,937.50
175,000.00	City of Philadelphia, Pa. 4% Loan of June 29, 1916, 1966	174,781.25
330,000.00	City of Philadelphia, Pa. 4% Loan of July 8, 1929, 1951-81	321,000.00
100,000.00	City of Philadelphia, Pa. 4¼% Loan of Oct. 5, 1923, 1975-45	99,875.00
61,000.00	City of Philadelphia, Pa. 4¼% Loan of Dec. 30, 1919, 1952-42	60,923.75
375,000.00	City of Philadelphia, Pa. 4¼% Loans of Sept. 22, 1924 and Oct. 5, 1923, 1976-46	374,531.25
28,000.00	City of Philadelphia, Pa. 4½% Loan of June 29, 1916, 1948	27,965.00
26,000.00	City of Philadelphia, Pa. 4½% Loans of Sept. 22, 1924 and Dec. 30, 1919, 1975-45	25,935.00
305,000.00	City of Philadelphia, Pa. 20-50 Yr. Loan of March, 21, 1928 4½% Bonds, 1979-49	303,475.00
250,000.00	City of Philadelphia, Pa. 15 Year 5% Bonds, 1947	249,250.00
14,000.00	School District of the City of Philadelphia, Pa. 4¼S, 1947	13,930.00
4,000.00	School District of Philadelphia, Pa. 4S, 1939 (Reg)	3,980.00
1,000.00	School District of Philadelphia, Pa. 4¼S, Loan of Nov. 11, 1913 1939 (Reg)	995.00
1,000.00	School District of Philadelphia, Pa. 4¼S, Loan of March 1, 1927 1939	995.00
106,000.00	School District of Philadelphia, Pa. 4¼S, 1937	105,470.00
30,000.00	City of Philadelphia, Pa. School District 4% Bonds, 1948	29,850.00
95,000.00	City of Philadelphia, Pa. School District 4½% Bonds, 1945	94,525.00
5,000.00	City of Philadelphia, Pa. School District 4S, 1946	4,975.00
10,000.00	City of Philadelphia, Pa. School District 4¼S, 1942	9,950.00
60,000.00	City of Philadelphia, Pa. School District 4¼S, 1942	59,700.00
5,000.00	City of Philadelphia, Pa. School District 4¼S, 1945	4,975.00
20,000.00	City of Philadelphia, Pa. School District 4¼S, 1950	19,900.00
25,000.00	City of Philadelphia, Pa. School District 4½S, 1941	24,875.00
175,000.00	City of Pittsburgh, Pa. 4¼% Miscellaneous Bonds, 1942	174,781.25
59,000.00	City of Pittsburgh, Pa. 4¼% Bonds, 1947-52	58,926.25
25,000.00	City of Pittsburgh, Pa. 4¼% Miscellaneous Bonds, 1948	24,968.75
41,000.00	City of Pittsburgh, Pa. 4¼% Bonds, 1947-52	40,948.75
185,000.00	City of St. Louis, Mo. 3¾% Gen'l Relief Bonds, 1940-41 (Op. 1939)	183,150.00
5,000.00	City of St. Louis, Mo. 4¼% Gold Bonds, 1939	4,987.50
250,000.00	City of St. Louis, Mo. 3% School District Bonds, 1953-54	244,563.62
47,000.00	City of St. Paul, Minn. 4% Public Welfare Bonds, 1940-42	46,941.25
160,000.00	City & County of San Francisco, Cal. 4½% Water Bonds, 1950	157,530.00
70,000.00	City & County of San Francisco, Cal. 4½% Memorial Halls Bonds, 1944-46	68,950.00
10,000.00	City & County of San Francisco, Cal. 4½% Hospital Bonds, 1948	9,700.00
50,000.00	Union County, N. J. 4¼% Park Bonds, 1940	49,750.00
50,000.00	County of Westchester, N. Y. 4% Park Bonds, 1942	44,696.03
350,000.00	State of West Virginia 4¼% Gold Bonds, 1945-48	348,250.00
$8,287,291.60		$7,945,660 83

RAILROAD SECURITIES

$241,000.00	Atchison, Topeka & Santa Fe Rwy Co. Gen'l Mtge 4% Gold Bonds, 1995	$232,373.75
262,000.00	Atchison, Topeka & Santa Fe Rwy Co. (Transcontinental Short Line) 1st Mtge 4% Gold Bonds, 1958	259,772.50
284,000.00	Atlantic Coast Line RR Co. 1st Consolidated Mtge 4% Gold Bonds, 1952	276,292.50
300,000.00	Atlantic Coast Line RR Co. Gen'l Unified Mtge 4½% Gold Bonds, Series "A", 1964	273,000.00
150,000.00	Atlantic Coast Line RR Co. (Louisville & Nashville) Collateral 4% Gold Bonds, 1952	125,000.00
47,000.00	Atlantic Coast Line Railroad of South Carolina 1st Mtge 4S, 1948	46,530.00
150,000.00	Baltimore & Ohio RR Co. 1st Mtge 4% Gold Bonds, 1948	141,375.00
100,000.00	Baltimore & Ohio RR Co. 1st Mtge 5% Gold Bonds, 1948	99,750.00
365,000.00	Baltimore & Ohio RR Co. (Pitts., Lake Erie & West Va. System) Refdg Mtge 4S, 1941	343,038.01
295,000.00	Baltimore & Ohio RR Co. (Toledo-Cincinnati Div) 1st Lien & Refdg Mtge 4S, 1959	264,793.75
125,000.00	Beech Creek Extension RR Co. First Mortgage 3½S, 1951	112,469.50
100,000.00	Big Sandy Railway First 4S, 1944	99,875.00
38,000.00	Catawissa Railroad Co. First Mortgage 4S, 1948	37,285.00
400,000.00	Central Pacific Rwy First Refdg Mortgage 4S, 1949	364,551.91
100,000.00	Central Pacific Rwy First Refdg Mortgage 4S 1949 (Reg)	91,000.00
164,000.00	Central Railroad of New Jersey Gen'l Mtge 5S, 1987 (Reg)	161,540.00
336,000.00	Central Railroad of New Jersey Gen'l Mtge 5S, 1987	335,730.00
41,000.00	Chesapeake & Ohio Rwy (Richmond & Allegheny Div) 1st Consolidated 4S, 1989	40,374.50
48,000.00	Chesapeake & Ohio Rwy (Richmond & Allegheny Div) 2nd Consolidated 4S, 1989	46,080.00
2,000.00	Chesapeake & Ohio Northern Rwy 1st Mortgage 5s, 1945	2,020.00
290,000.00	Chicago, Burlington & Quincy RR Co. Gen'l Mtge 4% Bonds, 1958	279,550.00
125,000.00	Chicago, Burlington & Quincy RR Co. First & Refdg Mtge 4½% Bonds, Series "B", 1977	120,937.50
256,000.00	Chicago, Rock Island & Pacific Rwy Gen'l Mtge 4S, 1988	89,300.00
121,000.00	Chicago Union Station Co. 1st Mtge 4% Bonds, Ser "D", 1963	120,318.75
500,000.00	Chicago Union Station Co. 1st Mtge 4½S, Series "A", 1963	498,750.00
180,000.00	Chicago & Northwestern RR 4¾% Gen'l Mtge Gold Bonds, 1987	77,400.00
500,000.00	Chicago & Western Indiana RR Co. Consolidated Mtge 4S, 1952	450,000.00
200,000.00	Choctaw & Memphis RR Co. First Mortgage 5S, 1949	110,000.00
300,000.00	Choctaw, Oklahoma & Gulf RR Consolidated Mortgage 5S, 1952	90,000.00
79,000.00	Cincinnati, Hamilton & Dayton RR Co. General 5S, 1942	79,000.00
235,000.00	Cincinnati Union Terminal Co. 1st Mtge 4½% Gold Bonds, Ser "A", 2020	234,706.25
44,000.00	Cincinnati Union Terminal Co. 1st Mtge 5% Bonds, Ser. "B", 2020	42,790.00
29,000.00	Cleveland, Akron & Columbus Rwy Co. 4% First Consolidated Mtge, 1940	28,505.96
153,000.00	Cleveland, Cincinnati, Chicago & St. Louis Rwy Co. Refdg & Impvt 5s, Series "D", 1963	126,566.25
200,000.00	Cleveland, Cincinnati, Chicago & St. Louis Rwy (St. Louis Div) 1st Collateral Trust Mtge 4S, 1990	169,340.00
247,000.00	Cleveland, Cincinnati, Chicago & St. Louis Rwy Refdg & Impvt Mtge 4½S, Series "E", 1977	200,070.00
102,000.00	Cleveland, Lorain & Wheeling Rwy Gen'l Mortgage 5S, 1936	101,745.00
77,000.00	Cleveland & Pittsburgh RR Gen'l Mtge 4½S, Ser. "A", 1942	76,992.50
225,000.00	Cleveland Short Line Rwy 1st Mortgage 4½S, 1961	220,500.00
600,000.00	Cleveland Union Terminals Co. 1st Mtge 4½% S. F. Gold Bonds, Series "C", 1977	540,000.00
30,000.00	Coal River Rwy First 4S, 1945	29,962.50
161,000.00	Columbia & Port Deposit Rwy 1st Mortgage 4S, 1940	159,310.00
13,000.00	Columbus & Toledo RR 4% 1st Mortgage Bonds, 1955	12,740.00
248,000.00	Connecting Railway Co. of Philadelphia 1st Mtge 4% Gold Bonds, 1951	243,964.64
50,000.00	Connecting Railway Co. of Philadelphia 1st Mtge 5% Bonds, 1951	49,875.00
376,000.00	Delaware & Bound Brook RR 1st Consolidated 3½S, 1955	370,360.00
250,000.00	Detroit Terminal & Tunnel RR 1st Mortgage 4½S, 1961	237,687.50
159,000.00	East Tennessee, Virginia & Georgia Rwy Co. 5% 1st Consolidated Mtge Bonds, 1956	156,750.00
500,000.00	Erie RR Consolidated Mortgage Prior Lien 4S, 1996	425,000.00
250,000.00	Great Northern Rwy Co. Gen'l Mtge 4½% Gold Bonds, Ser. "D", 1976	212,500.00

REPORT OF THE AUDITORS OF THE WESTERN SAVING FUND SOCIETY OF PHILADELPHIA FOR THE YEAR 1935—(Continued)

ASSETS

Par Value		Book Value
$250,000.00	Great Northern Rwy Co. Gen'l Mtge 4½% Gold Bonds, Ser. "E", 1977	$212,500.00
22,000.00	Illinois Central RR Co. 4% First Mortgage Bonds, 1951	21,230.00
175,000.00	Illinois Central RR Co. (Louisville, New Orleans & Texas) Collateral Trust 4% Gold Bonds, 1953	126,000.00
170,000.00	Illinois Central RR Co. and Chicago, St. Louis & New Orleans RR Co. Joint 1st Refdg Mtge 4½% Bonds Ser. "C", 1963	106,780.00
175,000.00	Kansas City, Ft. Scott & Memphis Rwy Co. Refdg Mtge 4% Gold Bonds, 1936	66,500.00
750,000.00	Kansas City Terminal Co. First Mortgages 4S, 1960	672,500.00
126,000.00	Kentucky Central Rwy First 4S, 1987	124,740.00
70,000.00	Lake Shore & Michigan Southern Rwy 1st Mortgage 3½S, 1997 (Reg)	60,200.00
403,000.00	Lehigh Coal & Navigation Co. Funding & Impvt Mtge 4S, 1948	399,000.00
300,000.00	Lehigh Coal & Navigation Co. Consolidated Mtge S. F. 4½S, Series "A", 1954	294,750.00
200,000.00	Lehigh Coal & Navigation Co. Consolidated Mortgage S. F. 4½S, Series "C", 1954	196,500.00
50,000.00	Lehigh & New England RR Co. Gen'l Mtge 4S, Series "A", 1965	49,750.00
90,000.00	Lehigh Valley RR Co. First 4S, 1948	89,490.00
150,000.00	Lehigh Valley RR Consolidated Mortgage Annuity 6S, Perpetual (Reg)	149,250.00
261,000.00	Lehigh Valley Harbor Terminal Rwy 1st Mtge 5% Gold Bonds, 1954	251,865.00
296,000.00	Louisville & Nashville RR Co. (Atlanta, Knoxville & Cincinnati Div.) 4S, 1955	295,630.00
300,000.00	Michigan Central RR Co. 4½% Refdg. & Impvt Mtge Bonds, Ser. "C", 1979	288,000.00
300,000.00	Milwaukee, Sparta & Northwestern Rwy 1st Mtge 4S, 1947	105,000.00
100,000.00	Morris & Essex RR Co. Construction Mtge 5', Gold Bonds, Ser "A", 1955	97,000.00
100,000.00	Morris & Essex RR Co. Construction Mtge 4½% Gold Bonds, Ser "B", 1955	95,000.00
346,000.00	Nashville, Chattanooga & St. Louis Rwy 1st Mtge 4% Gold Bonds, Ser. "A", 1978	318,320.00
280,000.00	New York Central & Hudson River RR Co. 1st Mtge 3½% Gold Bonds, 1997	235,500.00
100,000.00	New York Central & Hudson River RR Co. Lake Shore Collateral 3½% Gold Bonds, 1998	80,000.00
300,000.00	New York Central RR Co. Consolidation Mortgage 4% Gold Bonds, Ser "A", 1998	267,000.00
300,000.00	New York Central RR 4½% Refdg & Impvt Mtge Bonds, Ser. "A", 2013	231,000.00
100,000.00	New York Central RR 5% Refdg & Impvt Mtge Bonds, Ser. "C", 2013	80,000.00
475,000.00	New York Connecting RR First Mortgage 4½S, 1953	462,250.00
200,000.00	New York Connecting RR First Mtge 5% Gold Bonds, Ser. "B", 1953	193,500.00
4,000.00	New York & Erie RR Second 5S, 1939	4,000.00
54,000.00	New York & Erie RR 1st Mortgage Extended 4S, 1947	53,757.50
100,000.00	New York & Hoboken Ferry Co. Gen'l Mortgage 5S, 1946	79,000.00
100,000.00	New York, New Haven & Hartford RR 6% Convertible Debentures, 1948 (Reg)	30,000.00
349,000.00	New York, Pennsylvania & Ohio RR Co. 4¼s, Prior Lien Extended, 1950	349,000.00
100,000.00	New York, Philadelphia & Norfolk RR 1st Mtge 4s, 1939	99,881.25
98,000.00	New York, Philadelphia & Norfolk RR 4% Stock Trust Ctfs, 1948	92,120.00
500,000.00	New York Line RR First Mortgage 4s, 1957 (Reg)	498,750.00
6,000.00	New York Short Line RR First Mortgage 4s, 1957	5,985.00
50,000.00	Norfolk & Southern Rwy First Mortgage 5s, 1941	15,000.00
153,000.00	Northern Central Rwy Co. Gen'l & Refdg 4½% Mtge. Ser. "A", 1974	151,470.00
498,000.00	Northern Pacific Rwy Co. Prior Lien Rwy & Land Grant 4% Gold Bonds, 1997	472,132.50
300,000.00	Northern Pacific Rwy Co. 4½% Refdg & Impvt Mtge Bonds, Ser. "A", 2047	282,000.00
200,000.00	Ogdensburg & Lake Champlain Rwy 1st Mortgage 4s, 1948	100,000.00
203,000.00	Ohio Connecting Rwy First Mortgage 4s, 1943	201,000.00
200,000.00	Pennsylvania RR Consolidated Mortgage 4s, 1948 (Reg)	193,655.00
1,075,000.00	Pennsylvania RR Consolidated Mtge 4½s of 1915, 1960 (Reg)	1,071,420.25
58,000.00	Pennsylvania RR Consolidated Mtge 4½s of 1915, 1960	57,806.86
825,000.00	Pennsylvania RR Gen'l Mtge 4½% Gold Bonds, Series "D", (800M Reg) 1981 (25M Cpn)	794,406.25
600,000.00	Pennsylvania, Ohio & Detroit RR Co. 1st & Refdg Mtge 4½% Gold Bonds, Series "A", 1977	592,225.00
547,000.00	Pere Marquette Rwy Co. 1st Mtge 5% Gold Bonds, Ser "A", 1956	474,661.25
250,000.00	Philadelphia, Baltimore & Washington RR 1st 4S, 1943	245,875.00
200,000.00	Philadelphia, Baltimore & Washington RR Gen'l Mtge 4½% Gold Bonds, Ser "C", 1977	198,000.00
250,000.00	Philadelphia & Reading RR Co. 1st Mtge Extended 4¼% Bonds, 1943	249,687.50
219,000.00	Philadelphia & Reading RR Co. Consolidated Mtge Extended 4% Bonds, 1937	218,717.50
119,000.00	Philadelphia & Reading RR Co. Impvt Mtge Extended 4% Bds. 1947	118,835.00
21,000.00	Pittsburgh, Cincinnati, Chicago & St. Louis Rwy Consolidated Mtge 4½%s, Ser "A", 1940	20,983.75
308,000.00	Pittsburgh, Cincinnati, Chicago & St. Louis Rwy Consolidated Mtge 4½%s, Ser "B", 1942	307,625.00
112,000.00	Pittsburgh, Cincinnati, Chicago & St. Louis Rwy Consolidated Mtge 4½%s, Ser "C", 1942	111,860.00
500,000.00	Pittsburgh, Cincinnati, Chicago & St. Louis Rwy Gen'l Mtge 4½% Gold Bonds, Ser "B", 1975	493,750.00
500,000.00	Pittsburgh, Cincinnati, Chicago & St. Louis Rwy Gen'l Mtge 4½% Gold Bonds, Ser "C", 1977	490,000.00
3,000.00	Pittsburgh, Cincinnati, Chicago & St. Louis Rwy Consolidated 4s, Ser "F", 1953	2,996.25
26,000.00	Pittsburgh, Virginia & Charleston RR 1st Mortgage 4s, 1943	25,740.00
7,000.00	Pittsburgh, Youngstown & Ashtabula Rwy 1st Gen's 5s. Ser "B", 1962	7,000.00
500,000.00	Pittsburgh, Youngstown & Ashtabula Rwy 1st Gen'l Mtge 4s, 1948	474,561.25
245,000.00	Reading Co. 4½% Gen'l & Refg Mortgage, Series "B", 1997	240,293.75
300,000.00	Richmond-Washington Co. 4% Guaranteed Collateral Trust Bonds, (Reg) 1943	288,239.53
38,000.00	St. Paul & Duluth RR Co. 4% 1st Consolidated Mtge Bonds, 1968	36,622.50
54,000.00	St. Louis-San Francisco Rwy Co. Prior Lien Mtge 5% Gold Bonds, Ser "B", 1950	7,560.00
221,000.00	Scioto Valley & New England RR Co. 1st Mtge 4% Gold Bonds, 1989	213,712.50
150,000.00	Shamokin, Sunbury & Lewisburg RR Second Mortgage 5s, 1945	149,625.00
540,000.00	Southern Pacific Co. (San Francisco Terminal) 1st (450M Reg) (90M Cpn) Mtge 4s, 1950	492,350.00
360,000.00	Southern Pacific Co. Central Pacific Stock Collateral Gold 4% Bonds, 1949	313,200.00
600,000.00	Southern Pacific Co. (Oregon Lines) 4½% First Mtge Bonds, Ser "A", 1977	573,000.00
200,000.00	Southern Pacific RR Co. First Refunding 4s, 1955	195,597.50
300,000.00	Southern Railway Co. 1st Consolidated Mtge 5% Gold Bonds, 1994	291,000.00
190,000.00	Terminal Railroad Association of St. Louis 1st Consolidated Mtge 5s, 1944	189,762.50
560,000.00	Union Pacific RR 4% First Lien & Refdg Mtge Bonds, 2008	531,675.00
250,000.00	Vandalia RR Consolidated Mortgage 4s, Series "B", 1957	239,715.00
26,000.00	Virginia Midland Rwy 5% Gen'l Mortgage Bonds, 1936	25,720.00
500,000.00	Virginia Railway Co. First Mtge 5% Gold Bonds, Ser "A", 1962	499,375.00
500,000.00	Washington Terminal Co. 4% First Mortgage Bonds, 1945	499,375.00
400,000.00	West Shore RR Co. 4% First Mortgage Bonds, 2361 (263M Reg) (137M Cpn)	339,740.00
505,000.00	Western New York & Pennsylvania RR 5% 1st Mtge Bonds, 1937	505,000.00
$31,416,000.00		$28,703,978.48

RAILROAD EQUIPMENT TRUST CERTIFICATES

$5,000.00	Atlantic Coast Line RR 6½% Equip. Trust, Ser "D", 1936	$4,928.50
10,000.00	Baltimore & Ohio RR 5% Eq Tr Ctfs, Ser "A", 1936-38	9,950.00
56,000.00	Central of Georgia Rwy Co. 4½% Eq Tr Ctfs. Ser "Q", 1936-40	51,690.00
20,000.00	Chesapeake & Ohio Rwy Co. 5½% Equip. Trust, Ser "T", 1936-37	19,950.00
18,000.00	Chesapeake & Ohio Rwy Co. 5% Equip. Trust, Ser "U", 1936-38	18,000.00
165,000.00	Chesapeake & Ohio Rwy Co. 5% Equip. Trust, Ser "V", 1936-39	164,975.00
200,000.00	Chesapeake & Ohio Rwy Co. 4½% Equip. Trust, Series of 1930, 1939-43	199,000.00
50,000.00	Chicago & Northwestern Rwy Co. 4½% Eq Trust, Ser "S", 1937	46,000.00
50,000.00	Chicago & Northwestern Rwy Co. 4½% Eq Trust, Ser "X", 1941-45	41,000.00
225,000.00	Chicago, Rock Island & Pacific Rwy Co. 4½% Eq Tr. (200M Cpn) (25M Reg) Ser "O", 1936-42	183,000.00
210,000.00	Chicago, Rock Island & Pacific Rwy Co. 4½% Eq Trust, Ser "Q", 1937-43	161,300.00
6,000.00	Erie Railroad Co. 4½% Equip. Trust, Ser "L L", 1936-41	5,863.85
3,000.00	Erie Railroad Co. 4½% Equip. Trust, Ser "N N", 1936-42	2,967.30
50,000.00	Illinois Central RR Co. 5% Eq Ctfs, Series "J", 1936-38	49,833.50
96,000.00	Lehigh & New England RR Co. 4½% Eq Tr Ctfs, Ser "F", 1936-41	95,520.00
10,000.00	Louisville & Nashville R R Co. 6½% Eq Tr Ctfs, Ser "D", 1936	9,975.00

REPORT OF THE AUDITORS OF THE WESTERN SAVING FUND SOCIETY OF PHILADELPHIA FOR THE YEAR 1935—(Continued)

Par Value	ASSETS	Book Value
$36,000.00	Louisville & Nashville R R Co. 4½% Eq Tr Ctfs., Ser "E", 1936-37	$34,779.26
1,000.00	Louisville & Nashville R R Co. 5% Eq Tr Ctfs, Ser "F", 1937	995.00
51,000.00	Missouri Pacific RR Co. 5% Eq Tr Ctfs, Ser "D", 1937-39	49,380.00
225,000.00	Missouri Pacific RR Co 4½% Eq Tr Ctfs. Ser "F", 1936-44	206,500.00
42,000.00	New York Central Lines 5% Equipment Trust of 1922, 1936-37	41,514.50
2,000.00	New York Central Lines 4½% Equipment Trust of 1922, 1936-37	1,904.14
117,000.00	New York Central Lines 5% Equipment Trust of 1923, 1936-38	113,569.42
302,000.00	New York Central Lines 5% Equipment Trust of 1924, 1936-37	301,907.50
3,000.00	New York Central Lines 4½% Equipment Trust of 1924, 1936-39	2,944.43
18,000.00	Pennsylvania RR 5% Gen'l Equipment Trust, Ser "A", 1937-38	17,652.60
51,000.00	Pennsylvania RR 5% Gen'l Equipment Trust, Ser "B", 1936-39	50,938.15
189,000.00	Pennsylvania RR 4½% Gen'l Equipment Trust, Ser "C", 1936-39	186,088.30
50,000.00	Pennsylvania RR 4½% Gen'l Equip. Trust Ctfs, Ser "D", 1936-40	49,264.35
230,000.00	Reading Co. 4½% Equipment Trust Certificates, Ser "M", 1936-39	227,248.00
70,000.00	St. Louis-San Francisco Rwy Co. 4½% Eq Tr Ctfs. Ser "BB", 1936-41	28,000.00
173,000.00	St. Louis-San Francisco Rwy Co. 4½% Eq Tr Ctfs. Ser "DD", 1936-44	69,200.00
218,000.00	Southern Pacific Co. 5% Equipment Trust. Series "F", 1936-38	214,219.93
100,000.00	Southern Pacific Co. 5% Equipment Trust, Series "G", 1936-39	99,400.00
110,000.00	Southern Railway Co. 5% Equipment Trust, Ser "Y", 1936-39	107,097.50
2,000.00	Southern Railway Co. 4½% Equipment Trust, Ser "Z", 1936-39	1,940.80
10,000.00	Southern Railway Co. 4½% Equipment Trust, Ser "A A", 1936-41	9,816.90
28,000.00	Union Pacific RR Co. 5% Equipment Trust, Series "B", 1936-37	27,269.16
75,000.00	Virginian Railway Co. 4½% Equip. Trust Ctfs. Ser "E", 1936-40	72,963.53
100,000.00	Wabash Railway Co. 4½% Equip. Trust Ctfs, Ser "H", 1936-44	90,300.00
$3,377,000.00		$3,068,847.12

MISCELLANEOUS SECURITIES

$200,000.00	Hotel Adelphia First Mortgage 5¾% Bonds, 1937 (Reg)	$90,000.00
140,000.00	Alabama Power Co. 1st Mtge Lien & Refg Gold 5% Bonds, 1951	128,536.25
200,000.00	Alabama Power Co. First & Refdg Mtge 4½% Gold Bonds, 1967	156,000.00
250,000.00	Allentown-Bethlehem Gas Co. First Mtge 3¾% Bonds, 1965	249,937.50
207,000.00	Bell Telephone Co. of Pennsylvania 1st & Refdg Mtge 5% Gold Bonds, Ser "C", 1960	205,752.00
500,000.00	Bellevue-Stratford Hotel First Mortgage 5¾% Bonds, 1935 (Reg)	150,000.00
100,000.00	Benjamin Franklin Hotel First Mtge 6% Gold Bonds, Ser "A" " 1933	45,000.00
351,000.00	Brooklyn Edison Co. Gen'l Mortgage 5s, Series "A", 1949	351,000.00
165,000.00	Brooklyn Edison Co. General "E" 5s, 1952	165,000.00
46,000.00	Brooklyn Union Gas Co. First Consolidated 5s, 1945	46,000.00
1,000.00	Buffalo General Electric Co. Gen'l Refdg Mtge 4½% Gold Bonds, Ser "B", 1981	998.75
73,000.00	Central District Telephone Co. 5s, 1943	73,000.00
337,000.00	Central Hudson Gas & Electric Corpn. 1st & Refdg Mtge 3½% Bonds, 1965	335,315.00
443,000.00	Chesapeake & Potomac Telephone Co. First 5s, Ser "A", 1943	442,872.50
200,000.00	Cincinnati Gas & Electric Co. 1st Mtge 4% Gold Bonds, Ser "A", 1968	196,346.73
333,000.00	Cleveland Electric Illuminating Co. Gen'l Mtge Bonds 3¾s, Series due 1965	332,583.75
245,000.00	Commonwealth Edison Co. First Mtge 4½% Gold Bonds, Ser "D", 1957	234,537.50
582,000.00	Commonwealth Edison Co. First Mtge 4% Gold Bonds, Ser "F", 1981	504,069.00
462,000.00	Consolidated Gas, Electric Light & Power Co. of Balto 1st Refdg Mtge S. F. 4% Gold Bonds, Series due 1981	394,437.63
540,000.00	Consumers Power Co. 1st Lien & Unifying Mtge 4½% Gold Bonds, Series of 1928, 1958	492,500.00
70,000.00	Consumers Power Co. 1st Lien & Unifying 3¾ Mtge Bonds, Series of 1936, 1965	69,825.00
206,000.00	Consumers Power Co. First Lien & Unifying Mortgage 3½s, 1965	203,940.00
230,000.00	Dayton Power & Light Co. 1st & Refdg Mtge 3½% Bonds. Series due 1960	229,425.00
300,000.00	Delaware Power & Light Co. 1st Mtge 4½% Gold Bonds, Series due 1971	293,500.00
244,000.00	Detroit Edison Co. Gen'l & Refdg Mtge 4% Bonds, Ser "F", 1965	253,682.50
927,000.00	Duquesne Light Co. First Mortgage 3½% Bonds, 1965	922,365.00
580,000.00	Edison Electric Illuminating Co. of Boston First Mtge 30 Yr. S. F. 3½% Bonds, Ser "A", 1965	577,105.99
65,000.00	Kansas City Power & Light Co. First Mortgage 4½% Bonds, 1961	54,702.36
23,000.00	Lehigh Telephone Co. 1st & Refdg Mtge 5% Bonds, Ser "A", 1949	22,990.00
50,000.00	New England Telephone & Telegraph Co. 1st Mtge 5% Gold Bonds, Ser "A", 1952	50,000.00
170,000.00	New York Dock Co. First Mortgage 4s, 1951	124,100.00
47,000.00	New York Edison Co. 1st Lien & Refunding 5s, Ser "B", 1944	47,000.00
335,000.00	New York Edison Co. 1st Lien & Refuding 5s, Ser "C", 1951	335,000.00
10,000.00	New York Gas & Electric Light, Heat & Power Co. Purchase Money (2nd) Mortgage 4s, 1949	9,975.00
649,000.00	New York & Queens Electric Light & Power Co. First & Consolidating Mtge Bonds 3½%, Series of 1935, 1965	645,755.00
300,000.00	New York & Weschester Lighting Co. Gen'l Mtge 4% Bonds, 2004	279,000.00
250,000.00	Pacific Gas & Electric Co. 1st & Refdg Mtge 4½% Gold Bonds, Ser "A", 1957	245,000.00
425,000.00	Pacific Gas & Electric Co. 1st & Refdg Mtge 4½% Gold Bonds, Ser "F", 1960	412,250.00
462,000.00	Packard Building First Mortgage 5% Bonds, Series "A", 1943	452,760.00
100,000.00	Pennsylvania Building First Mtge 6% Bonds, Series "A", 1934	45,000.00
60,000.00	Pennsylvania Water & Power Co. 1st Mtge 5% Bonds, 1940	58,927.50
104,000.00	Pennsylvania Water & Power Co. 1st Refdg Mtge 4½% Gold Bonds, Ser "B", 1968	100,782.52
97,000.00	Philadelphia Electric Co. First Mortgage Sinking Fund 5s, 1966 (Reg)	97,000.00
42,500.00	Philadelphia Electric Co. First Mortgage Sinking Fund 5s, 1966	38,620.00
223,000.00	Philadelphia Electric Co. 1st Lien & Refdg Mtge 4½% Gold Bonds, 1967	221,258.45
740,000.00	Philadelphia Electric Co. 1st & Refdg Mtge 4% Gold Bonds, 1971	705,513.75
142,000.00	Philadelphia Suburban Counties Gas & Electric Co. 1st & Refdg 4½s, 1957	141,731.92
375,000.00	Providence Gas Co. First Mortgage 4s, Series "B", 1963	376,397.50
301,000.00	Public Service Electric & Gas Co. 1st & Refdg Mtge 4% Gold Bonds, 1971	282,736.25
47,000.00	Rochester Railway & Light Co. 5% Consolidated Mortgage, 1954	47,000.00
360,000.00	Southern Bell Telephone & Telegraph Co. First 5s, 1941	360,000.00
475,000.00	Southern California Edison Co., Ltd. Refdg Mtge 3½s, Ser "A", 1960	467,875.00
45,000.00	Southern California Edison Co., Ltd., Refdg Mtge 3¾% Gold Bonds, Ser "B", 1960	44,325.00
311,000.00	Southwestern Bell Telephone Co. 1st & Refdg Mtge 5% Gold Bonds, Ser "A", 1954	311,000.00
523,000.00	Southwestern Bell Telephone Co. 1st & Refdg Mtge 3½s, Ser "B", 1964	523,000.00
100,000.00	Stanley Real Estate First Mtge 5½% Sinking Fund Gold Bonds, 1945	70,000.00
25,000.00	Suburban Gas Co. of Philadelphia First Mortgage 5s, 1952	25,000.00
128,000.00	West Penn Power Co. First Mortgage 4% Bonds, Ser "H", 1961	126,377.50
643,000.00	West Penn Power Co. First 5s, Series "G", 1956	643,000.00
$15,519,500.00		$14,607,050.56

CLASSIFICATION OF DEPOSIT ACCOUNTS
THE WESTERN SAVING FUND SOCIETY OF PHILADELPHIA

Number of Open Accounts on December 31, 1935

Classified

Office	Main	Chestnut Street	Kensington	Frankford	North Philadelphia	21st Street	Philadelphia National	First Penny	Total
$0. to $1.	20,684	648	226	169	151	57	6	3,839	25,780
$1. to $10. ...	18,949	1,910	3,383	1,482	1,238	431	25	28,276	55,694
$10. to $20 ...	5,175	1,581	1,075	361	651	208	17	4,924	13,992
$20. to $50. ...	4,659	1,422	891	425	858	174	12	3,766	12,207
$50. to $100. ..	3,443	1,673	1,262	613	560	141	10	3,804	11,506
$100. to $200. ..	4,224	1,329	1,227	472	476	98	9	2,579	10,414
$200. to $300. ..	2,622	1,011	1,081	583	774	109	13	1,202	7,395
$300 to $500. ..	3,667	919	712	575	580	64	11	1,458	7,986
$500 Up.	17,153	1,602	3,127	1,605	1,664	270	26	4,685	30,132
TOTAL	80,576	12,095	12,984	6,285	6,952	1,552	129	54,533	175,206

I swear that to the best of my knowledge and belief the above report of Classification of Accounts of The Western Saving Fund Society of Philadelphia constitutes a true and complete classification of said accounts.

J. R. MAULTY,
Treasurer.

Sworn and subscribed before me the eighth day of January, 1936.

(SEAL)

M. LUVERNE OSMOND,
Notary Public

My commission expires, March 9, 1939.

REPORT OF THE AUDITORS OF THE PHILADELPHIA SAVING FUND SOCIETY FOR THE YEAR 1935

The subscribers, duly appointed by the President Judges of the Courts of Common Pleas of Philadelphia County, to audit and settle the Accounts of The Philadelphia Saving Fund Society, under the provisions of the Third Section of the Supplement to the "Act" incorporating the said Society, approved March 15, 1824, having been duly qualified, respectfully report:—

That, in the performance of the duties assigned them, they have audited and settled the Books and Accounts of The Philadelphia Saving Fund Society for the year ending the thirty-first day of December, 1935, and have examined and ascertained the amount of the Bonds and Mortgages, Real Estate, Public Loans, Railroad Loans, and the other evidences of the property and effects of the said Society, and agreeably thereto have made out the subjoined statement, which agrees with the books at that date, and exhibits the situation and condition of the said The Philadelphia Saving Fund Society on the first day of January, 1936.

FRANCIS BIDDLE,
EMILN C. GUGELIN,
T. TRUXTUN HARE,
Auditors.

PUBLIC LOANS

UNITED STATES BONDS

ASSETS

	Maturities	Rate	Par Value	As Charged
Treasury Notes	1938	2½	$1,000,000.00	$1,010,800.00
Treasury Notes	1938	2⅞	1,550,000.00	1,574,000.00
Treasury Notes	1939	1⅜	510,000.00	510,000.00
Treasury Notes	1939	2⅛	3,250,000.00	3,321,267.00
Treasury Notes	1940	1½	1,700,000.00	1,705,643.09
Treasury Notes	1940	1⅝	3,800,000.00	3,840,131.00
Treasury Bonds	1941-1946	3¼	8,630,000.00	8,685,083.00
Treasury Bonds	1947	2¾	3,470,000.00	3,477,765.63
Treasury Bonds	1947	3⅜	250,000.00	250,000.00
Treasury Bonds	1948-1955	3	12,000,000.00	12,335,473.00
Treasury Bonds	1949-1952	3⅛	4,950,000.00	5,011,201.00
Treasury Bonds	1952	4¼	8,300,000.00	8,281,962.53
Treasury Bonds	1960	2⅞	8,000,000.00	8,101,790.00
Federal Farm Mortgage	1947	2¾	3,500,000.00	3,532,981.76
Federal Farm Mortgage	1947-1949	3	6,000,000.00	6,047,855.26
Federal Farm Mortgage	1964	3¼	900,000.00	931,008.00
Home Owners' Loan	1939	1½	250,000.00	250,889.00
Home Owners' Loan	1944	2¼	16,425.00	16,425.00
Home Owners' Loan	1949	2¾	2,287,200.00	2,295,168.00
Home Owners' Loan	1952	3	3,250,000.00	3,271,864.13
Dominion of Canada	1945	2½	1,500,000.00	1,462,125.00

STATE BONDS

Illinois, State	1948-1954	4	$2,536,000.00	$2,516,744.65
Mississippi, State	1946	4½	470,000.00	470,000.00
New Jersey, State	1940-1941	3¼	225,000.00	222,537.36
North Carolina	1936	4½	300,000.00	300,000.00
Pennsylvania State	1936-1938	3¾	375,000.00	375,000.00
Pennsylvania State	1946-1949	3	2,000,000.00	2,217,719.00
Pennsylvania State	1951	4¾	1,442,000.00	1,442,000.00
Tennessee State	1942	4¼	500,000.00	500,000.00
Tennessee State	1945	4½	250,000.00	250,000.00
West Virginia State	1942-1947	4¼	208,000.00	208,000.00
West Virginia State	1943-1950	4½	295,000.00	295,000.00

REPORT OF THE AUDITORS OF THE PHILADELPHIA SAVING FUND SOCIETY FOR THE YEAR 1935—(Continued)

COUNTY BONDS

	Maturities	Rate	Par Value	As Charged
Allegheny County, Md.	1947-1952	4¼	$183,000.00	$183,000.00
Allegheny County, Pa.	1936-1939	4	140,000.00	138,828.81
Allegheny County, Pa.	1939-1955	4¼	872,000.00	871,957.50
Anne Arundel County, Md.	1936-1939	4½	80,000.00	80,000.00
Atlantic City County, N. J.	1936-1948	4½	407,000.00	248,270.00
Atlantic City County, N. J.	1939-1946	5	150,000.00	84,000.00
Baltimore County, Md.	1944-1966	4½	478,000.00	478,000.00
Bergen County, N. J.	1937-1939	4¼	150,000.00	150,000.00
Bergen County, N. J.	1936-1955	4½	594,000.00	594,000.00
Buncombe County, N. C.	1936-1937	4¾	40,000.00	9,200.00
Cambria County, Pa.	1936-1945	4¼	188,000.00	188,000.00
Camden County, N. J.	1951-1960	4¼	223,000.00	223,000.00
Cape May County, N. J.	1936-1952	4½	375,000.00	375,000.00
Cape May County, N. J.	1936-1944	5	106,000.00	106,000.00
Chautauqua County, N. Y.	1938-1939	5	350,000.00	350,000.00
Cook County, Ill.	1938-1947	4	691,000.00	552,800.00
Cuyahoga County, Ohio	1936-1949	4½	430,000.00	430,000.00
Cuyahoga County, Ohio	1939-1948	6	64,500.00	64,500.00
Cuyahoga County, Ohio	1944-1951	4¼	272,000.00	271,320.00
Dallas County, Road District No. 1, Texas	1950-1953	4¾	200,000.00	200,000.00
Dillon, Florence, Williamsburg, Colleton, Beaufort and Jasper Counties, S. C. (Coastal Highway Bonds)	1936-1939	4½	100,000.00	100,000.00
Duval County, Fla.	1936-1939	5	72,000.00	72,000.00
Fayette County, Pa.	1940-1945	4¼	165,000.00	165,000.00
Fond du Lac County, Wis.	1936-1941	4½	86,000.00	86,000.00
Forsyth County, N. C.	1937-1956	4½	145,000.00	145,000.00
Franklin County, Ohio	1936-1937	4¾	8,500.00	8,500.00
Franklin County, Ohio	1936-1940	4½	77,000.00	77,000.00
Greenville County, S. C.	1936-1943	4½	180,000.00	180,000.00
Guilford County, N. C.	1938-1943	4¼	300,000.00	300,000.00
Guilford County, N. C.	1940-1950	4½	204,000.00	204,000.00
Hamilton County, Ohio	1936	4½	11,000.00	11,000.00
Hamilton County, Ohio	1939-1946	5	70,000.00	70,000.00
Hamilton County, Tenn.	1947-1958	4½	416,000.00	416,000.00
Harris County, Texas	1938-1951	4½	100,000.00	100,000.00
Harris County, Texas	1944-1947	4¾	50,000.00	50,000.00
Harris County, Houston Ship Channel Navigation District, Texas	1945-1958	4½	400,000.00	400,000.00
Hudson County, N. J.	1936-1950	4½	985,000.00	985,000.00
Jackson County, Mo.	1944-1950	4½	340,000.00	340,000.00
King County, Wash.	1936-1949	4½	190,000.00	190,000.00
Knox County, Tenn.	1947	5	150,000.00	150,000.00
Lehigh County, Pa.	1941	4¼	165,000.00	165,000.00
Lorain County, Ohio	1936-1947	4½	196,000.00	196,000.00
Lucas County, Ohio	1936-1939	5	124,000.00	124,000.00
Lucas County, Ohio	1945-1954	4½	390,000.00	390,000.00
Macomb County, Mich.	1936-1938	5	41,000.00	34,850.00
Mahoning County, Ohio	1936-1938	4¼	6,000.00	5,935.47
Mahoning County, Ohio	1936-1939	5	57,000.00	57,000.00
Mahoning County, Ohio	1936-1941	4½	134,000.00	134,000.00
Mahoning County, Ohio	1936-1943	4¾	106,000.00	106,000.00
Middlesex County, N. J.	1936-1943	4¼	294,000.00	294,000.00
Milwaukee County, Wis.	1943-1946	4¾	255,000.00	255,000.00
Monmouth County, N. J.	1937-1948	4½	315,000.00	315,000.00
Montgomery County, Md.	1938-1962	4½	745,000.00	745,000.00
Montgomery County, Ohio	1936-1946	5	106,100.00	100,795.00
Montgomery County, Ohio	1936-1948	4¾	79,000.00	75,050.00
Montgomery County, Ohio	1936-1950	4½	119,000.00	113,050.00
Montgomery County, Ohio	1938-1944	6	107,000.00	101,650.00
Morris County, N. J.	1936-1941	4½	114,000.00	114,000.00
Multnomah County, Ore.	1936-1954	4½	361,000.00	361,000.00
Multnomah County, Ore.	1945-1951	4¾	153,000.00	153,000.00
Nassau County, N. Y.	1936-1940	4¼	315,000.00	315,000.00
Oakland County, Mich.	1936-1938	4	17,000.00	14,450.00
Passaic County, N. J.	1936-1949	4¼	503,000.00	503,000.00
Richland, Lexington & Saluda Counties, S. C. (Highway Bonds)	1936-1937	4¾	155,000.00	155,000.00
Richland, Lexington & Saluda Counties, S. C. (Highway Bonds)	1937-1942	4½	62,000.00	61,922.50
St. Louis County, Mo.	1940-1948	4½	358,000.00	358,000.00
Scioto County, Ohio	1936-1938	4½	31,000.00	31,000.00
Shelby County, Tenn.	1936-1941	4¾	180,000.00	180,000.00
Shelby County, Tenn.	1949	4½	300,000.00	300,000.00
Somerset County, N. J.	1938-1950	4½	200,000.00	200,000.00
Spartansburg County, S. C.	1936-1947	4½	162,000.00	162,000.00
Stark County, Ohio	1936	5	24,000.00	24,000.00
Stark County, Ohio	1936-1938	4½	146,000.00	146,000.00
Suffolk County, N. Y.	1942-1948	3.60	145,000.00	144,718.75
Summit County, Ohio	1936-1940	4½	90,000.00	90,090.00
Summit County, Ohio	1936-1940	5	81,000.00	76,710.00
Summit County, Ohio	1938	6	42,000.00	42,000.00
Tarrant County Water Control and Improvement District No. 1, Texas	1937-1971	4½	493,000.00	491,685.00
Tioga County, Pa.	1936	4½	10,000.00	10,000.00
Trumbull County, Ohio	1936-1943	4¾	146,000.00	146,000.00
Trumbull County, Ohio	1938-1939	6	25,000.00	25,000.00
Trumbull County, Ohio	1941-1942	4½	11,500.00	11,500.00
Tulsa County, Oklahoma	1940-1942	5	62,000.00	62,000.00
Tulsa County, Oklahoma	1943-1948	4¾	138,000.00	138,000.00
Union County, N. J.	1936-1947	4¼	60,000.00	59,584.23
Union County, N. J.	1936-1960	4½	540,000.00	540,000.00
Venango County, Pa.	1938-1949	4¼	161,000.00	161,000.00
Wake County, N. C.	1936-1937	4¾	75,000.00	75,000.00
Wayne County, Mich.	1936-1937	4¼	61,000.00	61,000.00
Wayne County, Mich.	1938-1941	4¾	150,000.00	150,000.00

REPORT OF THE AUDITORS OF THE PHILADELPHIA SAVING FUND SOCIETY FOR THE YEAR 1935—(Continued)

MUNICIPAL BONDS

	Maturities	Rate	Par Value	As Charged
Abington Township, Pa.	1938-1948	4½	$49,000.00	$49,000.00
Abington Township School District, Pa.	1938-1958	4½	60,000.00	60,000.00
Akron City, Ohio	1936-1951	4½	311,000.00	311,000.00
Akron City, Ohio	1937	4¾	30,000.00	30,000.00
Allegheny City, Pa.	1937	4	119,000.00	110,670.00
Allegheny City School District, Pa.	1936-1938	4	24,000.00	24,000.00
Allegheny City School District, Pa.	1938	4½	69,000.00	69,000.00
Auburn City, N. Y.	1939-1943	3[50]	67,000.00	67,000.00
Baltimore City, Md.	1946-1954	4	170,000.00	165,000.00
Baltimore City, Md.	1943	5	300,000.00	300,000.00
Bayonne City, N. J.	1944-1949	4½	250,000.00	250,000.00
Bayonne City, N. J.	1949-1958	4¼	295,000.00	295,000.00
Bethlehem Borough, South, Pa.	1942	4½	42,000.00	42,000.00
Boston City, Mass.	1937-1943	3¾	35,000.00	34,807.74
Bridgeport City, Conn.	1938-1968	4½	509,000.00	509,000.00
Buffalo City, N. Y.	1938-1940	3[50]	466,000.00	466,000.00
Buffalo City, N. Y.	1945	3[10]	250,000.00	250,000.00
Camden City, N. J.	1936-1943	4¼	523,000.00	503,040.00
Camden City, N. J.	1936-1944	5	25,000.00	25,000.00
Carbondale City School District, Pa.	1936-1945	4¼	51,000.00	51,000.00
Carbondale City School District, Pa.	1936-1951	4¾	120,000.00	120,000.00
Charleston City Ind. School Dist., W. Va.	1936-1948	5	121,000.00	121,000.00
Chattanooga City, Tenn.	1947-1960	4½	340,000.00	340,000.00
Chattanooga City, Tenn.	1955-1959	4¾	125,000.00	125,000.00
Chester City School District, Pa.	1937-1942	4½	55,000.00	55,000.00
Chicago City Sanitary District, Ill.	1955	4¼	1,679,000.00	1,511,100.00
Chicago City, Ill.	1955	4½	720,000.00	648,000.00
Cleveland City, Ohio	1936-1938	4¼	66,000.00	65,517.25
Cleveland City, Ohio	1936-1949	4½	986,000.00	986,000.00
Cleveland City, Ohio	1936-1950	4¾	220,000.00	220,000.00
Cleveland City School District, Ohio	1936-1943	4¼	180,000.00	180,000.00
Cleveland City School District, Ohio	1941-1946	4½	107,000.00	107,000.00
Clifton City, N. J.	1936-1956	4¼	83,000.00	83,000.00
Covington City, Ky.	1936-1959	4½	188,000.00	188,000.00
Covington City, Ky.	1951-1961	4¼	110,000.00	110,000.00
Dayton City, Ohio	1936	4	10,000.00	9,762.54
Dayton City, Ohio	1936-1950	4¼	46,000.00	45,786.30
Dayton City School District, Ohio	1940-1946	4½	167,000.00	167,000.00
Detroit City, Mich.	1943-1963	4½	712,000.00	712,000.00
Detroit City, Mich.	1956	4	600,000.00	584,947.08
Detroit City, Mich.	1962	3¼	35,004.84	31,504.35
East Cleveland City, Ohio	1936-1937	4½	26,000.00	26,000.00
East Providence Town, R. I.	1937-1948	4¼	105,000.00	104,481.13
Elizabeth City, N. J.	1936-1954	4¼	36,000.00	36,000.00
Elizabeth City, N. J.	1942-1962	4½	175,000.00	175,000.00
El Paso City, Texas	1942-1956	4½	125,000.00	125,000.00
Elyria City, Ohio	1943-1950	4¼	58,000.00	58,000.00
Erie City, Pa.	1936-1960	4½	460,000.00	460,000.00
Fort Worth City, Texas	1941-1954	4½	197,000.00	197,000.00
Grand Rapids City, Mich.	1944-1953	4½	280,000.00	280,000.00
Hamilton City, Ohio	1936-1952	5	209,000.00	209,000.00
Hamilton City School District, Ohio	1936-1939	4½	84,000.00	84,000.00
Hanover Township, Pa.	1936-1947	4½	168,000.00	168,000.00
Harrisburg City, Pa.	1936	4	14,000.00	13,440.00
Harrisburg City, Pa.	1936-1946	4¼	110,000.00	110,000.00
Harrisburg City School District, Pa.	1936	4	1,000.00	1,000.00
Hazleton City School District, Pa.	1936-1945	4½	69,000.00	69,000.00
Huntington City, W. Va.	1954	4½	41,000.00	41,000.00
Huntington City Ind. School District	1936-1938	4½	44,000.00	44,000.00
Irvington Town, N. J.	1942-1947	4¾	200,000.00	200,000.00
Irvington Town, N. J.	1942-1949	4½	120,000.00	120,000.00
Jacksonville City, Fla.	1938	5	200,000.00	200,000.00
Jersey City, N. J.	1936-1948	4½	579,000.00	579,000.00
Kearny Town, N. J.	1943-1955	4½	400,000.00	400,000.00
Knoxville City, Tenn.	1936-1967	4½	565,000.00	565,000.00
Knoxville City, Tenn.	1941-1944	4¾	35,000.00	35,000.00
Lakewood City, Ohio	1936-1954	4¼	57,000.00	57,000.00
Los Angeles City, Cal.	1936-1948	4½	600,000.00	600,000.00
Lower Merion Township School District, Pa.	1940	4½	15,000.00	15,000.00
Mahoning Valley Sanitary District, Ohio	1945-1949	4¼	91,000.00	91,000.00
Mahoning Valley Sanitary District, Ohio	1947-1948	4¾	100,000.00	100,000.00
McKeesport City, Pa.	1936-1939	4	30,000.00	30,000.00
Memphis City, Tenn.	1936-1951	4½	146,000.00	146,000.00
Memphis City, Tenn.	1945-1953	4¾	58,000.00	58,000.00
Memphis City School District, Tenn.	1937-1956	4½	267,000.00	267,000.00
Memphis City School District, Tenn.	1945-1954	4¾	42,000.00	42,000.00
Minneapolis City, Minn.	1936	4½	10,025.00	10,025.00
Minneapolis City, Minn.	1936-1937	4¼	129,325.00	128,884.60
Minneapolis City, Minn.	1937-1938	3½	120,000.00	120,000.00
Montclair Town, N. J.	1936-1951	4½	259,000.00	259,000.00
Morristown Town, N. J.	1940-1951	4½	240,000.00	240,000.00
Nashville City, Tenn.	1936-1948	5	150,000.00	150,000.00
Nashville City, Tenn.	1936-1953	4½	232,000.00	232,000.00
Newark City, N. J.	1938	4¼	130,000.00	130,000.00
Newark City, N. J.	1945-1954	4½	464,000.00	464,000.00
New Brunswick City, N. J.	1936-1968	4¼	118,000.00	118,000.00
New York City, N. Y.	1936-1937	4	427,000.00	427,000.00
New York City, N. Y.	1938-1941	3¾	405,000.00	405,000.00
New York City, N. Y.	1939-1972	4¼	1,700,000.00	1,700,000.00
New York City, N. Y.	1945-1959	4½	3,500,000.00	3,500,000.00
Northampton Borough School District, Pa.	1936-1956	4½	141,000.00	141,000.00
Oakland City, Cal.	1938-1966	4½	168,000.00	168,000.00
Oklahoma City, Okla.	1936	5	40,000.00	40,000.00
Oklahoma City, Okla.	1938-1941	4½	303,000.00	303,000.00
Oklahoma City School District, Okla.	1951	4½	39,000.00	39,000.00
Overpeck Township School District, N. J.	1936-1941	4½	78,000.00	78,000.00
Passaic City, N. J.	1941-1947	4½	185,000.00	185,000.00
Pawtucket City, R. I.	1942-1951	4¼	100,000.00	100,000.00
Peoria City, Ill.	1936-1943	4½	140,000.00	140,000.00
Philadelphia City, Pa.	1937-1947	4	10,042,500.00	9,541,472.50
Philadelphia City, Pa.	1948-1979	4½	4,336,000.00	4,336,000.00
Philadelphia City, Pa.	1952-1980	4¼	4,715,000.00	4,714,687.50
Philadelphia City School District, Pa.	1936-1937	5	47,000.00	47,000.00

REPORT OF THE AUDITORS OF THE PHILADELPHIA SAVING FUND SOCIETY FOR THE YEAR 1935—(Continued)

	Maturities	Rate	Par Value	As Charged
Philadelphia City School District, Pa.	1938	4	$10,000.00	$9,941 39
Philadelphia City School District, Pa.	1939-1947	4¼	1,021,000.00	1,021,000.00
Philadelphia City School District, Pa.	1943-1944	4½	60,000.00	60,000.00
Pittsburgh City School District, Pa.	1936-1939	4	65,000.00	65,000.00
Pittsburgh City School District, Pa.	1936-1939	4¼	220,000.00	212,970 00
Pittsburgh City School District, Pa.	1936-1940	4½	279,000.00	279,000.00
Pontiac City, Mich.	1964	3-4½	100,000.00	81,000.00
Portland City, Ore.	1944-1960	4½	222,000.00	222,000.00
Portsmouth City, Ohio	1936-1942	6	28,000.00	27,280.00
Portsmouth City, Ohio	1936-1943	4¼	70,000.00	69,807.50
Raleigh City, N. C.	1938-1939	4½	50,000.00	50,000.00
Richmond City, Va.	1940	4½	250,000.00	250,000.00
Ridgewood Township School District, N. J.	1936-1942	4½	105,000.00	105,000.00
Rockford Sanitary District, Ill.	1936-1947	4¼	17,000.00	16,926.25
San Antonio City Ind. School District, Texas	1940-1955	4¼	243,000.00	243,000.00
Sandusky City, Ohio	1936-1947	4½	36,000.00	36,000.00
Schenectady City, N. Y.	1939-1942	3[60]	78,000.00	77,902 50
Scranton City School District, Pa.	1937-1939	4	100,000.00	95,000.00
Scranton City School District, Pa.	1940-1952	4¼	637,000.00	637,000.00
Seattle City, Wash.	1936-1941	4½	250,000.00	250,000.00
Toledo City, Ohio	1936-1953	4½	94,000.00	94,000.00
Toledo City, Ohio	1941-1947	4½	3,000.00	3,030 00
Toledo City School District, Ohio	1936-1944	4½	220,000.00	220,000.00
Toledo City School District, Ohio	1942-1946	4¼	16,000.00	15,904.38
Toledo City School District, Ohio	1943-1946	5	60,000.00	60,000.00
Trenton City, N. J.	1941-1953	4½	558,000.00	558,000.00
Union City, N. J.	1936-1954	4½	250,000.00	250,000.00
Union City, N. J.	1940-1943	4¾	185,000.00	185,000.00
West New York Town, N. J.	1936-1940	4½	100,000.00	100,000.00
West Orange Town, N. J.	1936-1958	4½	161,000.00	161,000.00
Wilkinsburg Borough School District, Pa.	1936-1938	4	95,000.00	95,000.00
Wilkinsburg Borough School District, Pa.	1936-1940	4¼	22,000.00	22,000.00
Winston-Salem City, N. C.	1936-1961	4½	450,000.00	450,000.00
Winston-Salem City, N. C.	1959-1961	4¾	50,000.00	50,000.00
Woonsocket City, R. I.	1936-1964	4¼	217,000.00	215,991.63

RAILROAD LOANS

Allegheny Valley (Penna.)	1942	4	$2,004,000.00	$1,983,960.00
Atchison, Topeka & Santa Fe	1995	4	685,000.00	643,900 00
Baltimore & Ohio	1948	4	1,102,000.00	991,800.00
Baltimore & Ohio	1948	5	1,595,000.00	1,553,939.23
Canadian Pacific (Equipment Trust)	1937-1945	4½	1,370,000.00	1,370,000.00
Canadian Pacific (Equipment Trust)	1944	5	229,000.00	229,000.00
Catawissa (Reading)	1948	4	660,000.00	620,400.00
Central of Georgia (Macon & Northern Div.)	1946	5	126,000.00	27,377.50
Central of Georgia (Mobile Div.)	1946	5	150,000.00	36,375.00
Central of Georgia (Equipment Trust)	1936-1940	4½	75,000.00	67,500.00
Central Pacific (Southern Pacific)	1949	4	3,496,000.00	3,093,960.00
Central Pacific, Through Short Line (Southern Pacific)	1954	4	724,000.00	679,067 82
Chesapeake & Ohio (Richmond & Ally. Div. 2nd)	1989	4	155,000.00	143,693.05
Chesapeake & Ohio (Equipment Trust)	1936-1939	5	137,000.00	137,000 00
Chesapeake & Ohio (Equipment Trust)	1938-1944	4½	275,000.00	273,971 94
Chicago, Milwaukee & St. Paul (C. M. St. P. & P.)	1989	4	1,250,000.00	526,562.50
Chicago, Milwaukee & St. Paul (C. M. St. P. & P.)	1989	4½	600,000.00	276,000.00
Chicago & Northwestern (Equipment Trust)	1936	5	1,000.00	1,000.00
Chicago & Northwestern (Equipment Trust)	1936-1944	4½	189,000.00	183,531.64
Chicago, Rock Island & Pacific	1988	4	1,896,000.00	644,640.00
Chicago, Rock Island & Pacific (Equipment Trust)	1936-1938	5	48,000.00	43,200.00
Chicago, Rock Island & Pacific (Equipment Trust)	1936-1942	4½	1,259,000.00	1,133,100 00
Chicago Union Station Company (Series A)	1963	4½	1,826,000.00	1,789,480.00
Cincinnati Union Terminal Company (Series A)	2020	4½	2,207,000.00	2,207,000.00
Cleveland & Pittsburgh (Series A), (Penna.)	1942	4½	670,000.00	646,550.00
Cleveland & Pittsburgh (Series B), (Penna.)	1942	4½	235,000.00	221,135.00
Cleveland & Pittsburgh (Series A), (Penna.)	1977	4½	2,104,000.00	2,103,862.50
Cleveland Union Terminals Company (Series C)	1977	4½	1,960,000.00	1,783,600.00
Columbia & Port Deposit (Penna.)	1940	4	411,000.00	405,775.00
Columbus & Toledo—Hocking Valley—(Chesapeake & Ohio)	1955	4	679,000.00	658,630 00
Connecting (Penna.)	1951	4	2,597,000.00	2,467,150.00
Detroit River Tunnel—Detroit Terminal & Tunnel—(Michigan Central)	1961	4½	780,000.00	779,313.75
East Tennessee, Virginia & Georgia (Southern)	1956	5	491,000.00	459,465.59
Erie (Equipment Trust)	1936-1944	4½	610,000.00	601,086.89
Harrisburg, Portsmouth, Mt. Joy & Lancaster (Penna.)	1943	4	422,000.00	400,900.00
Indianapolis Union (Series A)	1980	4½	1,000,000.00	1,000,000.00
Kansas City Terminal	1960	4	2,000,000.00	1,860,000.00
Kentucky Central (Louisville & Nashville)	1987	4	775,000.00	713,286 95
Lehigh Coal & Navigation	1948	4	500,000.00	475,000.00
Lehigh Coal & Navigation (Series C)	1954	4½	647,000.00	642,891.66
Lehigh Valley	1948	4	1,361,000.00	1,197,680 00
Lehigh Valley	Annuity	4½	168,000.00	156,866.07
Lehigh Valley of New York (Lehigh Valley)	1940	4½	2,698,000.00	2,198,370.00
Nashville, Chattanooga & St. Louis (Atlantic Coast Line)	1978	4	606,000.00	424,200.00
New York Central (Equipment Trust)	1941-1945	4½	210,000.00	209,407.64
New York Connecting (Series A)	1953	4½	1,240,000.00	1,234,530.00
New York Connecting (Series B)	1953	5	261,000.00	261,000 00
New York & Erie (Erie)	1938	4½	3,844,000.00	3,639,696.81
New York & Erie (Erie)	1947	4	1,194,000.00	1,134,300.00
New York, Pennsylvania & Ohio (Erie)	1950	4¼	234,000.00	233,940.00
New York Short Line (Reading)	1957	4	95,000.00	91,707 50
Northern Central (Penna.)	1974	4½	528,000.00	522,285.00
Northern Pacific	1997	4	3,173,000.00	2,792,240.00
North Pennsylvania (Reading)	1953	3-3/10	2,127,000.00	1,807,950.00
Ohio Connecting (Penna.)	1943	4	884,000.00	839,800.00
Pennsylvania	1948	4	3,289,000.00	3,119,287 60
Pennsylvania	1960	4½	3,630,000.00	3,593,700.00
Pennsylvania (Equipment Trust)	1936-1939	5	230,000.00	230,000.00
Pennsylvania (Equipment Trust)	1936-1941	4½	663,000.00	656,017.00
Pennsylvania & New York Canal & R. R. (Lehigh Valley)	1939	4	516,000.00	459,240.00
Pennsylvania & New York Canal & R. R. (Lehigh Valley)	1939	4½	366,000.00	333,060.00
Pennsylvania & New York Canal & R. R. (Lehigh Valley)	1939	5	394,000.00	376,925.26
Pennsylvania, Ohio & Detroit (Penna.) (Series A)	1977	4½	517,000.00	465,300.00
Philadelphia, Baltimore & Washington (Penna.)	1943	4	2,761,000.00	2,733,390.00
Philadelphia & Reading (Reading)	1937	4	1,392,000.00	1,392,000.00
Philadelphia & Reading (Reading)	1943	4¼	563,000.00	563,000.00

REPORT OF THE AUDITORS OF THE PHILADELPHIA SAVING FUND SOCIETY FOR THE YEAR 1935—(Continued)

	Maturities	Rate	Par Value	As Charged
Philadelphia & Reading (Reading)	1947	4	$2,551,000.00	$2,525,490.00
Pittsburgh, Virginia & Charleston (Penna.)	1943	4	1,645,000.00	1,603,875.00
Reading Company (Series A)	1997	4½	1,189,000.00	1,093,880.00
Reading Company (Equipment Trust)	1941-1945	4½	575,000.00	574,687.50
St. Paul & Duluth (Northern Pacific)	1968	4	43,000.00	41,126.32
St. Paul, Minneapolis & Manitoba (Great Northern)	1943	5	1,857,000.00	1,838,430.00
St. Paul, Minneapolis & Manitoba—Montana Ext.—(Great Northern)	1937	4	3,000.00	2,532.50
Scioto Valley & New England (Norfolk & Western)	1989	4	360,000.00	342,260.00
Southern (Equipment Trust)	1936	5½	2,000.00	2,000.00
Southern (Equipment Trust)	1936-1938	5	53,000.00	53,000.00
Southern (Equipment Trust)	1936-1941	4½	379,000.00	370,084.92
Southern (Equipment Trust)	1937-1938	4	479,000.00	462,962.44
Union Pacific	1947	4	206,000.00	201,773.75
United New Jersey R. R. & Canal (Penna.)	1944	4	817,000.00	776,150.00
United New Jersey R. R. & Canal (Penna.)	1951	3½	55,000.00	55,000.00
Virginia Midland (Southern)	1936	5	456,000.00	434,868.60
Wabash	1939	5	193,000.00	154,400.00
Washington Terminal	1945	3½	200,000.00	174,701.23
Washington Terminal	1945	4	606,000.00	569,797.50
West Shore (New York Central)	2361	4	713,000.00	554,006.25
PUBLIC UTILITY AND MISCELLANEOUS LOANS				
Allentown-Bethlehem Gas Company	1965	3¾	$250,000.00	$250,000.00
Central Hudson Gas & Electric Corporation	1965	3½	1,000,000.00	1,000,000.00
Cincinnati Gas & Electric Company (Col. Gas & Elec.)	1968	4	1,300,000.00	1,249,312.50
Cleveland Electric Illuminating Company	1965	3¾	217,000.00	217,000.00
Commonwealth Edison Company	1981	4	2,360,000.00	2,227,425.00
Consolidated Gas, Electric Light & Power Co. of Baltimore	1965	3½	750,000.00	750,000.00
Consolidated Gas, Electric Light & Power Co. of Baltimore	1981	4	124,000.00	120,900.00
Consumers Power Company (Commonwealth & Sthn.)	1965	3½	500,000.00	495,000.00
Consumers Power Company (Commonwealth & Sthn.)	1965	3¾	500,000.00	500,000.00
Continental Passenger Rwy. Company	1959	4	280,000.00	168,000.00
Dayton Power & Light Company	1960	3½	175,000.00	174,125.00
Detroit Edison Company	1961	4½	175,000.00	173,281.25
Duquesne Light Company	1965	3½	1,750,000.00	1,750,000.00
Edison Electric Illuminating Company of Boston	1965	3½	1,250,000.00	1,250,000.00
Edison Electric Illuminating Company of Brooklyn (Brooklyn Edison Co.)	1939	4	10,000.00	10,000.00
Erie County Electric Company (United Gas Imp.)	1950	3½	400,000.00	400,000.00
Hallowell, J. Wallace, S. E. Cor. Walnut & Watts Sts., Phila.	1936	4½	300,000.00	300,000.00
Illinois Bell Telephone Company (Amer. Tel. & Tel.)	1970	½	600,000.00	600,000.00
Kansas City Power & Light Company (United Light & Power)	1961	4½	1,150,000.00	1,149,375.00
New England Telephone & Telegraph Co. (Amer. Tel. & Tel.)	1961	4½	239,000.00	238,792.81
New York & Queens Electric Light & Power Company	1965	3½	505,000.00	505,000.00
New York Gas & Electric Light, Heat & Power Company (New York Edison)	1949	4	195,000.00	192,837.50
Northern California Power Co. Cons. (Pac. Gas & Elec.)	1948	5	166,000.00	166,000.00
Packard Building (Series A)	1943	5	800,000.00	800,000.00
Pennsylvania Water & Power Company	1940	5	48,000.00	48,000.00
Philadelphia Electric Company (United Gas Imp.)	1971	4	2,000,000.00	1,865,000.00
Philadelphia & Reading Coal & Iron Company	1973	5	592,000.00	331,520.00
Public Service Elec. & Gas Company (Public Service Corp. of N. J.)	1971	4	805,000.00	752,675.00
Southern California Edison Co., Ltd.	1960	4	1,000,000.00	1,000,000.00
Southwestern Bell Telephone Company	1964	3½	830,000.00	830,000.00
United Electric Company of New Jersey (Public Service Corp. of N. J.)	1949	4	302,000.00	299,551.62
Wanamaker, John, Philadelphia	1949	5½	2,000,000.00	1,995,000.00
West Penn Power Company (American Water Works & Electric Company)	1961	4	1,320,000.00	1,276,965.00

	Par Value	As Charged
Public Utility & Miscellaneous Loans	$23,893,000.00	$23,035,810.68
Railroad Loans	83,259,000.00	76,383,449.91
Public Loans	152,940,079.83	152,667,293.22
	$260,092,079.83	$252,136,553.81

Public, Railroad and Public Utility and Miscellaneous Loans as Charged above		252,136,553.81
Bonds and Mortgages	$49,093,146.31	
Less Reserve	1,440,229.22	47,652,917.09
Ground Rents		7,500.00
Main Office, five Branches, 12th & Market Streets Office Building, and Real Estate for Society's use		3,544,009.25
Other Real Estate acquired and held for sale	$23,828,944.60	
Less Reserve	7,309,974.00	16,519,970.60
Suspense Account	1,140,321.95	
Less Reserve	820,000.00	320,321.95
Other Assets		118,756.35
Cash		25,382,890.96
		$350,682,920.01

LIABILITIES

Due to 521,729 Depositors		$328,407,915.09
Surplus or Contingent Fund		21,439,134.92
Ground Rents		835,870.00
		$350,682,920.01
Depositors' United States Loans	1,244,400.00	
United States Loans Depositors' Account		1,244,400.00

ONE HUNDRED AND SIXTY-FIRST SEMI-ANNUAL REPORT
OF THE DOLLAR SAVINGS BANK OF PITTSBURGH

THE DOLLAR SAVINGS BANK
338-344 Fourth Avenue, Pittsburgh, Pa.
Chartered 1855
December First
Nineteen Hundred Thirty-five

Statement, December 1, 1935

Assets

Cash in Banks and on Hand	$ 3,644,507.17
United States Government Bonds	9,745,574.46
First Mortgages on Real Estate	13,621,535.86
Bonds of Municipalities of State of Pennsylvania	15,930,871.21
Bonds of Railroads Chartered by State of Pennsylvania	6,664,092.66
Equipment Trust Bonds of Railroads Chartered by State of Pennsylvania	1,172,421.39
Bonds of Public Utilities Chartered by State of Pennsylvania	1,644,587.50
Bonds of Industrial Corporations Chartered by State of Pennsylvania	390,357.50
Collateral Loans	12,500.00
Loans to Depositors secured by their Pass Books	109,649.33
Bank Building and Lot	100,000.00
Real Estate	481,000.00
Real Estate (Sold under agreement)	23,990.26
Miscellaneous Assets	65,152.23
Total Assets	$53,606,239.57

Liabilities

Amount due Depositors December 1, 1935	$49,027,415.04
Miscellaneous Liabilities	947.58
Reserve	250,000.00
Reserve for Taxes	75,000.00
Surplus	4,252,876.95
Total Liabilities	$53,606,239.57

The undersigned Auditing Committee respectfully reports that they have examined the assets of the Bank and find them to correspond with the foregoing report.

WM. E. EVANS — FRANCIS B. NIMICK
C. HOLMES WOLFE — GEO. L. COLLORD
GEORGE P. RHODES — C. H. CURRY
J. W. CREE, JR. — A. C. POLLOCK
Auditing Committee.

Pittsburgh, Pa., December 17, 1935.

THE DOLLAR SAVINGS BANK

Organized in 1855, for the purpose of encouraging thrift and the habit of saving, is a mutual savings bank and is operated solely for the benefit of its depositors. There are no stockholders, the deposits and earnings belong to the depositor; therefore, after expenses of opration are paid and a suitable amount set aside for surplus, interest or dividends will be paid on deposits at as high a rate as good management and conservative policy will permit.

The Growth of the Dollar Savings Bank

From 1855 to 1935

Amount due depositors December 1st 1855	$ 7,627.23
Amount due depositors December 1st 1865	1,774,425.94
Amount due depositors December 1st 1875	4,185,326.35
Amount due depositors December 1st 1885	9,433,662.01
Amount due depositors December 1st 1895	14,871,537.53
Amount due depositors December 1st 1905	22,881,443.87
Amount due depositors December 1st 1915	33,866,689.01
Amount due depositors December 1st 1925	38,240,665.81
Amount due depositors December 1st 1935	49,027,415.04

Information for Depositors

Put Your Savings in a Savings Bank

Deposits may be made—

In the name of one person.

In trust for a minor. Under absolute control of Trustee during his or her lifetime. In event of Trustee's death, payable to beneficiary on attaining the age of 21 years.

In trust, payable to one or more beneficiaries after the death of the Trustee, or Trustees, without letters of administration.

In trust for Lodges, Societies, or Associations.

Joint ownership in the name of husband and wife payable to either or the survivor.

Depositors should notify the Bank promptly in case of loss of pass book.

Banking by Mail—

Accounts may be opened, deposits made and funds withdrawn by mail. The Pass Book must accompany every transaction and will be returned on the day it is received.

Loans to depositors on their pass books.

PRESIDENT
FRANCIS S. GUTHRIE

VICE-PRESIDENTS

CHAS. E. BEESON — ROBERT R. GORDON
HILL BURGWIN — FRANCIS B. NIMICK
DAVID F. COLLINGWOOD — HOWARD A. NOBLE
CHARLES H. CURRY — HENRY A. PHILLIPS
WILLIAM E. EVANS — ALFRED C. POLLOCK
WM. E. VON BONNHORST

TRUSTEES

J. JUDSON BROOKS, JR. — HENRY H. LATSHAW
CHARLES F. CHUBB — CHAS. L. McCUNE
GEORGE L. COLLORD — DAVID W. McNAUGHER
G. GREER COOLIDGE — H. LEE MASON, JR.
JAMES W. CREE, JR. — WILLIAM L. MONRO
JOHN C. DILWORTH — AUGUSTUS K. OLIVER
B. G. FOLLANSBEE — JAMES C. REA
WILLIAM FREW — GEORGE P. RHODES
FRANKLIN C. IRISH — ELMER S. STANIER
FRANCIS A. KEATING — C. HOLMES WOLFE

TREASURER — ASS'T SECY. AND ASS'T TREAS
WM. E. VON BONNHORST — HENRY H. LATSHAW

SECRETARY — SOLICITOR
ELMER S. STANIER — HILL BURGWIN

ASST. TO THE PRESIDENT
GEORGE B. OATES

LIST OF DEPOSITORS OF THE DOLLAR SAVINGS BANK OF PITTSBURGH, PA., WHO HAVE NOT MADE A DEPOSIT WITHIN TWO YEARS, AND WHOSE DIVIDENDS, WHICH HAVE NOT BEEN ENTERED UPON THEIR PASS BOOKS, AMOUNT TO AT LEAST FIVE DOLLARS.

This Statement is published annually in accordance with the Charter.

A

385755	Adams, Wm. L.	$1,178.87
385960	Alter, Geo. E.	150.81
387105	Arnold, Florence	439.44
389552	Armstrong, W. F.	18.24
408049	Ashton, Eliz. L.	174.34
409235	Armstrong, Magretta M.	35.80
410389	Abraham, W. S.	97.87
422272	Applegate, Eliza J.	587.85
74453	Adams, Esther E.	24.38
206385	Anglock, H. L.	601.53
323975	Aaron, Chas. J.	313.10
369453	Ayres, Robert	24.58
429941	Anderson, G. E.	196.63
430174	Armstrong, A. M.	174.48
430956	Alter, Marie	1,624.58
94883	Anderson, John M.	24.58
363051	Anderson, Wm S.	603.06
353596	Andia, Angelina	1,222.63
399002	Atkinson, Avis A.	61.26
285670	Axelson, Selma	366.51
302407	Adams, Frank N.	145.91
302562	Arnfeld, Maurice	209.40
305769	Albright, Jennie S.	73.95
315370	Armstrong, Reba	607.77
392741	Austin, Harriet E.	170.30
393163	Allen, Jesse H.	40.39
425262	Armor, Marie C.	168.46
428869	Adsit, Harry B.	74.11
289424	Anderson, Philip	25.21
238072	Abraham, Dora V.	672.62
343236	Alelimnas, Antonas	83.03
347968	Anderson, Rose L.	1,444.73
349756	Allison, Harry B.	16.15
407596	Atkinson, Cath.	38.54
414145	Adams, Wm. C.	35.01
414405	Adams, Frank E.	42.25
420566	Aalborg, H. K.	1,203.11
375448	Aiken, Audrey K.	149.23
242604	Addison, Mary F.	15.36

B

200906	Bowers, Geo.	$2,097.70
217982	Barry, Sarah	11.98
323767	Blank, Herman G.	11.53
333309	Boyle, Jos. R.	16.95
336456	Baker, Mary J.	1,970.14
362594	Butler, Nora	19.91
368306	Bell, Fred L.	17.34
382720	Barrett, Mary	199.93
382883	Barrow, Jannett	21.73
384867	Burgo, Jennie F.	41.49
386731	Bartley, Ethel	5,688.07
386775	Burke, Eleanor L.	143.37
386940	Baker, Alda V.	30.90
387295	Bagran, Mildred	429.62
389124	Brennan, Margaret	347.56
389170	Bergman, Fred	70.01
389351	Burton, Edw. P.	745.12
390355	Bills, Daniel	60.75
408037	Bauer, Flor. G.	200.00
409019	Blattner, Geo. P.	63.32
409143	Blocksidge, Geo. L.	71.06
409187	Bartholomae, A. M.	1,978.26

409490	Blessing, Bertha	$1,059.86
409668	Bruggeman, C. A.	115.57
409905	Banker, Chas. S.	305.14
409907	Boon, Albert T.	904.56
410297	Baker, Jane	40.93
410906	Brady, Della	60.67
422187	Birmingham, G. P.	351.21
423058	Barnes, Thomas	14,617.92
433138	Brackney, Margaret	318.40
388271	Boyd, Mary	313.18
74323	Blair, Elizabeth S.	51.82
109994	Brown, John A. S.	328.79
117491	Boyer, Rachel L.	118.35
124556	Berg, Maria	19.62
139070	Benham, Margt. L.	4,039.46
140528	Beatty, Sarah A.	3,327.74
146768	Brandis, Louisa	8.82
152015	Barclay, Jno., Jr.	139.62
158971	Boyle, Anna L.	33.10
161097	Barr, Alfred H.,	532.51
183294	Brothers, Wm. J.	1,178.74
194506	Beechey, Thos. A.	432.32
203568	Brannon, Helen T.	979.12
209540	Buechner, Eliza	294.21
211546	Binns, Edw. H.	388.78
323033	Brenneman, M. E.	173.92
324243	Bradley, Jos. M.	66.38
327651	Boon, John A.	886.39
328070	Beck, Ida	508.23
330853	Brady, Annie R.	3,288.79
335096	Brooks, Jas. B.	739.01
337571	Blair, Alex. C.	55.84
362316	Brenneman, Geo. E.	99.76
363686	Bowser, Carrie V.	186.24
364240	Brady, Mary F.	1,561.31
365063	Baxter, Hannah B.	165.34
366491	Besso, Lina	1,892.10
429306	Burnes, Alfred C.	280.16
430049	Bock, Wm. M., Jr.	151.66
430061	Barczak, Anna	436.12
430368	Berolzheimer, P.	1,089.36
430898	Brown, E. B.	537.78
353177	Bergland, M. D.	51.66
353634	Baughman, James	15.32
359942	Butkaite, Urzula	1,567.63
399227	Beardsley, Hannah	211.32
399664	Buehler, George E.	18.90
399888	Bloom, Margaret	312.93
400201	Boyle, Havey J.	26.39
431186	Bruner, Joseph	945.38
431312	Bihlman, Viola V.	538.39
432285	Bleakney, Betty J.	193.61
432355	Bates, Pearl J.	547.38
292398	Broadhead, M. E.	192.15
293415	Blattner, M. M.	253.33
293980	Borland, J. A.	1,088.78
294263	Bontempo, Tony	63.29
297880	Brady, Ellen B.	1,411.89
298041	Bailey, Nancy J.	470.38
308499	Burrows, Frank	3,124.90
312266	Busler, Wm. M.	96.92
312461	Burnell, Tulu L. T.	729.95
316984	Barnett, Cecelia	550.07
392941	Brake, Annie E.	251.48
393335	Bealafeld, J. E.	424.54
394779	Brehler, Martin	350.32
395160	Blocksidge, Rufus	92.23
395563	Ball, Gordin H.	1,437.03
397259	Betz, Kath. A.	37.20
411561	Bechler, Julia	98.05
411855	Boehm, Wendelin	565.02
412218	Brooks, Annie E	1,270.39
425092	Baus, John C.	1,093.80
425940	Bell, James P.	309.85
425955	Brueckner, E. G.	68.97
426770	Baker, Lawrence P.	128.84
426773	Baker, Agnes A.	951.72
426789	Butler, Katherine	1,703.93
426880	Blair, Grace C.	35.31
426768	Brown, Robert K.	216.96
426769	Brickl, Annie	419.41
402349	Butler, Abe	32.30
402854	Brennan, Anna P.	23.92
402583	Bornscheuer, C.	106.31
402598	Boggs, Ninian E.	991.05
403946	Bowman, Rebecca	23.09
403967	Bell, Florence H.	173.94
404660	Bender, August R.	78.07
404930	Burke, Mary E.	3,515.34
405246	Beremann, F. M.	2,204.55
300367	Bethke, Katie	21.25
300835	Brunton, Flora	16.38
304032	Burgess, Jennie	15.03
304500	Burgo, Vincent	1,664.67
395155	Boss, Fred R.	70.07
426037	Beam, Margt.	211.78
427795	Brown, Harry J.	888.19
222175	Bowstead, Bessie H.	22.91
232892	Bott, Louis P.	201.13
234893	Bloom, Geo.	215.96
239108	Boyd, Wesley	11.87
240551	Besser, Luella H.	88.27
241847	Barton, Hugh A.	867.20
247133	Best, Pauline G.	16.92
251282	Braun, Nannie S.	439.38
257278	Butterworth, S.	2,074.96
258653	Beck, William	219.75
261747	Borman, Chas. T.	28.88
265583	Bachrach, Henry	$977.04
269690	Bucher, Clara E.	104.12
371014	Bucher, Chas. J.	973.12
275578	Bulford, Harriet M.	45.49
342463	Breakirow, W. H.	23.52
344851	Beebe, Mary E.	72.19
345585	Burnside, Minnie	117.82
346242	Beck, Jos. A.	353.79
346519	Bertrilacchi, I.	26.06
347691	Bechtel, Wm. M.	35.74
350407	Buchert, Geo. F.	3,013.37
350480	Barks, Emma	68.42
406904	Bonn, Jno. H.	1,161.69
407819	Baldwin, Ida	20.13
413373	Baxmeier, E. M.	6,139.00
413834	Borelli, Annalena	485.93
414362	Bailey, Chas. E.	12,443.83
419044	Barabas, E. P.	2,396.59
420115	Bopp, Emma E.	1,816.72
371567	Barkley, M. L.	111.51
372423	Benney, G. A.	25.25
375115	Bjurstrom, C. F.	183.90
375769	Boyd, Jane	330.35
376963	Beckmann, Eliz.	1,110.53
378435	Brahm, Albert L.	95.04
378635	Boggs, Martha A.	743.77
378842	Brackmeyer, C. S.	1,373.39
378937	Bleichner, Annie	34.42
380642	Butz, Martha	163.18
415678	Black, Jno. F.	45.49
416260	Bretsnider, Jno. E.	1,182.06
407017	Barker, G. M. P.	19.72
416358	Best, Harry C.	205.95

C

385373	Caccavale, Wm.	$20.37
385777	Craib, Ellen McB.	1,081.85
389450	Cronin, Margaret T.	111.37
403174	Connors, Margaret	153.35
403503	Coyle, Christopher	147.21
403741	Crilley, Jane M.	3,538.37
410550	Clark, Helen M.	272.74
421932	Conley, Harley C.	5,454.93
422727	Conley, Mary B.	65.03
422749	Carson, D. L.	854.12
423938	Calloway, Nellie	234.96
433191	Christ, Henry H.	2,460.00
53840	Charlton, Maggie J.	174.20
76261	Cooper, Fred. M.	221.00
91482	Conner, Frank C.	107.97
112535	Clawson, Thos. S.	462.20
132574	Connelly, Katie	36.34
138543	Cashdollar, Mary M.	1,963.48
142816	Church, Wm. F.	26.37
159388	Cleland, Mary B.	80.27
168009	Croco, Isaac W.	614.27
179263	Craig, Geo. L.	34.81
191993	Cress, Robert S.	23.21
194446	Coughenour C. W.	9,675.31
200154	Coyle, Maggie T.	1,584.80
204855	Cohen, Jacob	1,860.98
211577	Case, Carrie	4,893.12
214888	Cassidy, Jane	352.41
330647	Calhoun, Jno. C.	1,433 08
330794	Clark, Marg't	48.37
361773	Cress, Blanche B. F.	127.70
365932	Clark, Mayme A.	40.48
366359	Collett, Mary E.	2,442.95
367691	Connolly, W. M.	5,401.85
370031	Conway, Cath.	46.84
417402	Crilley, Jean	95.77
430115	Cole, Eliz. F.	163 60
160189	Cleary, Grace	48.81
321894	Catz, Jacob	20 74
329556	Catz, Live	19.96
361012	Crowley, Cath.	17 60
367291	Crummer, P. J.	67 83
395837	Clinton, Maggie	556 05
421685	Cieslak, Mary J.	322 11
431595	Cepko, Jerome	225 37
282733	Cholinski, Mary F.	156 18
288388	Carpenter, Virginia	93.32
296291	Cook, Rosa L.	88.34
305018	Coleman, Tulie	3,853 81
305864	Coady, Thomas	1,442.85
317359	Cole, Henry E.	115.92
393104	Czarnieckl, F. W.	60.56
393476	Csuk, Anna	1,836.46
393556	Carey, Mary	100.62
396331	Claude, Anna	566.47
397920	Copeland, S. A.	319.49
411010	Cukrzynska, B.	245.05
411371	Cracnoff, Alek	394.62
412545	Chivers, Samson	1,079.91
412626	Carnahan, Clara H.	76.17
427332	Caste, Felix	4,483.22
427333	Caste, Tony	4,483.22
427419	Cochrane, Alice M.	1,098.12
427953	Commons, Ernest M.	206.71
428278	Curley, William J.	832.87
428614	Conboy, Anne C.	635.99
401436	Coleman, Leo D.	1,468.59
402277	Cain, Mary	71.50
404044	Calabrese, Ann V.	577.39
404875	Crilley, Agnes G.	7,258.06
404876	Crilley, Mary	5,359.91
226342	Cole, Wm. R.	6,447.52
233827	Costello, Nellie	183.61

233934	Connelly, S. Agnes	$60.24
234927	Croco, Isaac W.	131.42
246988	Clowse, Jno.	51.68
250329	Craine, Jos. Jr.	19.44
261431	Champion, Agnes S.	203.52
263467	Carson, Anna B.	2,674.15
267206	Crider, Georgia E.	508.10
342273	Campbell, Thos. H.	1,190.38
343736	Clifton, Gertrude	75.74
405442	Conboy, Wm.	316.41
407763	Cooper, Marg't R.	266.22
407835	Chaney, Harry G.	226.45
413485	Carson, Germaine	60.33
413522	Corbett, Anna E.	1,999.22
414966	Coyle, Jno.	780.16
419220	Conway, Jno.	3,012.83
378148	Clana, Arthur	140.30
378930	Chalmers, Anna Q.	32.30
380944	Chapman, Hubert W.	407.70
416219	Carlson, Ellen A.	715.36

D

385846	Denny, Margt. F.	$ 1,022.71
388373	Dean, Anna M.	327.89
408811	Davie, Marie E.	294.17
421504	Dougherty, L. M.	135.11
422330	Davidson, Wm J.	4,408.12
422409	Dauchey, Elva E.	997.81
424918	Doman, Ann	669.85
41706	Davison, Cath. A.	799.49
41714	Davison, G. M.	1,170.70
77151	Dickson, Edw.	4,154.82
159412	Devlin, Marie A.	89.97
164958	Donahoe, Wm.	19.23
194384	Durkin, Annie	6,911.67
208207	Dwyer, Mary	695.70
209832	Denny, Annie B.	2,805.77
215951	Duncan, Mary	3,267.77
361281	Doyle, Patrick E.	286.47
362151	Duda, Rose F.	93.18
368162	Davis, Ralph J.	170.14
370741	Drum, Sam. O	241.39
370890	Dickson, Vera	34.11
430309	Decker, Mary E.	925.17
157525	Dalzell, Susie L.	70.62
327291	Duda. Sam Co.	204.15
351084	Deni, George	241.70
354194	Drinstbeir, Geo.	232.34
355917	Delaney, Allye A.	44.08
357951	Ductor, Paul	15.35
360831	Dessell, Minnie L.	306.33
398645	Day, Hannah P.	166.17
400087	Dean, Anna T.	3,352.97
400744	Drake, Lida	113.40
282957	Davie, John	1,309.10
291598	Di Renna, Ang. M.	223.90
294800	Demutt, Julie	423.11
298796	Darrell, Theresa	2,557.55
302895	Ditzer, L. E.	3,740.10
307400	Devine, Margaret	42.65
314591	Davis, Nathan	79.30
391972	Dittrich, W.	170.83
394457	Deberson, Agnes	67.74
395123	Donnelly, J. A., Jr.	124.17
411120	Dorsey, H. D	117.29
411597	Davis, Margaret	59.23
426148	Davis, Jas. R.	2,375.28
427068	Davidson, E. M.	56.19
428547	Duquesne, U. Alumni	110.37
402480	Davis, Steve	629.18
403989	Dever, Martha C.	327.64
404731	Dempsey, Ora A.	98.17
393485	Duff, Fannie L.	468.17
393115	Dorman, Terris E.	17.78
222624	Donaldson, Thos. I.	33.00
233412	Denman, Gertrude	87.22
233429	Dible, Rebecca	193.52
241754	Donahue, Margt.	139.19
271820	Dwyer, Della	3,480.41
274800	Demain, Frank A.	501.28
278408	Doersch, Adam	540.24
342320	Darney, Daniel J.	1,017.33
344184	Danziger, Clara W.	140.58
407952	De Sipio, Augusta	397.45
413715	Delp, Walter Adam	463.83
414044	Derr, E. Robt.	29.83
419148	Dudt, Johanna C.	64.11
419231	Daryman, Agnes	1,583.32
419738	Drzewiecki, And.	971.93
420027	Dorenburg, P. L.	981.57
420886	Drake, Dan. R.	63.41
372013	Devlin, Mary	74.77
373374	Davis, Margt. J.	107.97
374684	Darr, Edith M.	212.34
374876	Duffy, Agnes	368.14
375703	Donnelly, Kath.	250.72
376618	Dodd, Nellie F.	16.05
378080	Douglas, Earl M.	49.27
415819	DeWall, Marie A.	26.99

E

388462	Ebert, Anna M.	$ 2,433.09
408717	Ehman, Frank E.	633.79
409861	Evans, Elizabeth B.	57.15
421892	Eskin, Fannie	565.22
422265	Edgar, Clara	2,353.57
422266	Edgar, Mary L.	3,524.54
423061	Eckert, Hannah	$1,154.38
162411	English, Lizzie D.	1,210.01
321453	Edmonds, James	89.54
340997	Eggert, L. M. J.	6,224.30
365794	Easton, W. Earl	68.83
417482	Elterich, Chas. F.	377.22
417870	Elmen, Joseph E.	1,355.36
363222	Epstein, Sarah	810.78
360606	Enright, Thomas	2,702.38
388013	Elzak, Frank	138.34
400562	Elmore, Daniel	49.93
432569	Emery, James A.	4,257.90
312748	Eastley, Carrie	641.61
412164	Elias, Andrew C.	145.88
428193	Evans, Helen M.	332.93
428250	Erb, Mollie	471.29
401129	Eyerman, A. P.	792.22
225536	Emanuel, Charlotte	806.82
257927	Elliott, Della	285.06
263203	Eckert, Katherine	140.83
280765	Ellwood, Jno. W.	136.75
343125	Evans, Esther H.	229.12
406716	Eastland, Marie C.	59.71
372040	Elpern, Harry B.	123.46

F

383208	Funk, Charlotte	$ 623.14
388825	Freil, Ellen	15.32
403363	Finney, Edith M.	145.39
408765	Forster, Walter H.	293.86
421597	Ferris, James M.	144.10
423095	Freeman, S. N. E.	221.94
424284	Fitzsimmons, J.	1,905.37
424413	Ford, Daisy	127.35
424746	Ferguson, Wm.	1,148.27
424818	Fohringer, M. B.	57.32
77104	Fanning, Wm. J	128.16
146216	Flaherty, Patrick	14.31
156226	Fleming, R. K.	19.91
201223	Fuehr, Lily	181.19
209930	Fritz, Blanche E.	493.78
215888	Ferguson, Lizzie	246.35
322139	Feeney, Annie	1,327.28
322605	Ferguson, S. J.	523.64
330702	Filbinger, Margt.	4,427.33
335826	Friedman, Anna	636.04
337282	Freeman, Margt.	973.61
339111	Fried, W. F.	47.55
362042	Forster, Edw. A.	162.68
362043	Forster, Louis C.	186.57
363022	Fath, Jno. V.	1,029.61
366773	Foster, Bella	3,714.87
367014	Fedock, S. W.	6,273.24
368129	Fite, Arabella S.	126.11
369293	Friedman, Ida	611.62
370087	Finger, Geo.	614.74
417455	Friedlander, G.	1,073.10
417711	Fagerstrom, F. V.	440.17
418929	Fleming, Georgia I.	1,295.39
196186	Fahey, Michael	15.86
332906	Fleming, Carrie	26.77
365259	Foley, Mary	15.78
363168	Fox, Mary E.	1,211.13
357203	Fitzpatrick, Cath.	158.15
359461	Fisch, Theodor	19.23
398172	Fisher, Hyman	16.52
398821	Fitzhenry, Stephen	120.95
400339	Fandel, Maria R.	3,781.98
431342	Fulton, John D.	369.74
431582	Fritsch, Clara A	471.68
431943	Fierst, Mercedes Y.	1,117.71
431959	Fierst, Mary L.	3,337.63
432093	Fennessy, Phoebe	535.70
397195	Flaherty, Sarah	56.45
280001	Finegold, Edward	89.64
283737	Flagg, Lucius C. S.	222.14
300519	Flagg, Lucius C.	549.55
317102	Fellman, Heinrich	1,292.15
318784	Foster, Dora	14,032.09
392803	Ford, Esther M.	110.14
393372	Fisher, Margt. M.	98.38
397105	Flynn, Thos. J.	28.14
411536	Fox, Wm. H.	3,129.79
411643	Feiertag, Frank	2,000.00
412267	Furrell, Perry	731.09
426511	Fairfield, Edm. J.	169.76
426711	Franklin B. & L. Assn. of Pgh.	220.91
409547	Fitzsimmons, A. M.	162.21
403748	Fitzsimmons, D. R.	3,653.72
404037	Flynn, Michael	186.61
392394	Freund, Lillie M.	38.73
394720	Fanning, Margt. J.	14.09
221051	Fry, Craig H.	18.90
226689	Franklin, Kate	3,669.33
347243	Furich, Martin	554.17
406371	Forrester, Sarah A.	137.75
406989	Fitzsimmons, J.	3,062.63
407216	Ferry, Kath. R.	225.39
407815	Frazer, Hazel M.	2,059.70
414015	Felix, Francis C	86.02
400471	Fisher, Sarah J.	561.68
373349	Foster, Sarah	15.62
375685	Feller, Nicholas	419.86
376650	Forbet, Katie	353.89
377296	Fierst, Helen A.	57.99
379033	Feeney, Bridget	248.79
415011	Fagerstrom, A. F.	1,565.93
416436	Flohr, Marguerite	698.58

G

16363	Grant, Margt. H.	$ 1,215.83
98[illegible]28	Gamwell, R. G.	28.14
[illegible]	Gillespie, Robt. A.	24.02
[illegible]	Glenn, Jos. E.	276.85
[illegible]	Gilleland, Bella J.	294.91
[illegible]	Greene, Fannie C.	53.98
[illegible]	Greene, Sarah F.	235.66
[illegible]	Gunderman, L. S.	3,264.50
[illegible]	Gaughan, B. T.	59.84
[illegible]	Green, Eliz. M.	114.43
[illegible]	Geib, Frances	339.37
[illegible]	Goldman, Minnie	1 170.26
[illegible]	Grabowski, V.	24.18
[illegible]	Grau, Eliza L.	65.06
[illegible]	Glaser, Chas. W.	113.92
[illegible]	Gruner, Stella	129.62
[illegible]	Gutman, L. M.	224.48
[illegible]	Goldblum, Myer	21.70
[illegible]	Gilmore, Jno. R.	63.63
[illegible]	Grau, Harry S.	66.53
[illegible]	Galbraith, Lizzie	15.60
[illegible]	George, Zale R.	27.04
[illegible]	Gray, Barbara	2,248.29
[illegible]	Gieber, Mary	874.71
[illegible]	Gibbons, John	560.89
[illegible]	Gallagher, Mary	427.36
[illegible]	Griffith, B. P.	77.66
[illegible]	Gentile, Rosie	84.29
410491	Gentle, Josephine	84.28
421563	Gorman, Jas. M.	110.24
424106	Gilson, Luella	453.41
356233	Gray, Eliza L.	82.23
359536	Griffith, E. A.	699.82
398760	Goldenson, Dora B.	97.61
400406	Grier, Mary	500.09
[illegible]	Gaughan, Sydney	39.02
[illegible]	Giovanelli, Mary	508.06
[illegible]	Griffin, James	197.04
402552	Gandet, Sara	72.68
285828	Greiner, Leona B.	503.20
289082	Gunselman, Anna	1,931.39
290253	Gudat, John	8,616.45
298999	Gross, Frank	1,379.71
300936	Gruber, Cath.	113.14
309364	Grove, Kath. E.	32.64
392114	Guest, Sidney	64.52
294389	Gray, Mary	365.14
412479	Goldfield, Peter	1,699.12
425388	Goldman, Sarah	1,174.59
425891	Greenwald, Lily R.	113.89
427011	Greisinger, Geo.	1,711.93
427297	Gedra, Peter	849.08
427943	Gallagher, Anna	557.84
428963	Goodman, Philip	610.12
[illegible]	Grimm, Clara J.	229.79
409012	Greves, Alice	45.14
[illegible]	Gamble, Maude A.	234.66
402911	Glynn, Martin N.	30.46
[illegible]	Goetz, Arthur F.	176.41
[illegible]	Gallagher, Sabina	60.56
[illegible]	Gies, Martha B.	68.17
[illegible]	Grogan, Annie	12.25
[illegible]	Gearing, Mary B.	47.41
[illegible]	Galbraith, Jas. R.	55.23
223347	Getty, Jas. C.	3,566.27
227022	Geyer, Clara	913.95
230911	Graham, E. K.	98.57
249028	Garrigan, Jos. E.	23.20
[illegible]	Goldberg, Harry	15.94
260473	Gilfillan, G. C.	30.70
268297	Greb, Julia A.	127.35
342030	Govan, Christina	144.96
343088	Gray, Eliza. L.	46.77
407106	Gosipit, Stella	1,218.93
413177	Greb, Anna	917.78
379003	Goodwin, V. M.	47.47
373054	Griffith, Evan C.	14.16
373076	Glassbrenner, Jno.	2,968.53
373292	Grubbs, A. M.	585.12
374042	Gallagher, R. J.	1,538.53
375210	Grow, Chas. O.	90.34
[illegible]	George, Chas. A.	28.34
[illegible]	Gilbert, Anna A.	1,303.82
378293	Goldstrom, A. F.	2,410.84
378811	Geer, Wm. E.	29.65
380097	Graham, Anna C.	257.46
380402	Gray, Wm. H.	22.28
415915	Graham, Elmer	139.16

H

22401	Herbster, Karl	$ 1,277.56
64296	Hanna, Willie	830.03
82764	Herron, Chas.	142.48
110383	Herron, Mary T.	652.81
111034	Hambright, R. K.	1,432.30
150529	Harmeier, Laura A.	401.70
154111	Harrison, Wm. O.	876.80
161725	Hervey, Tina C.	2,627.61
184035	Hunter, Sarah Jane	573.90
207145	Hite, M. Virginia	1,838.45
212612	Henninger, Henry	10,455.49
214332	Harshaw, Anna	809.02
215511	Hazlett, Maggie M.	1,680.93
323300	Hess, Minnie F.	254.79
335810	Hickey, Joseph	1,819.10
337846	Haggerty, Julia	$1,775.91
339734	Hogue, Clara	824.12
365130	Hornickel, Frank J.	3,315.63
368989	Hummel, Julia E.	201.54
369279	Hoffman, Ralph D.	49.22
369540	Hester, James	218.87
418561	Hagan, Mary A.	109.66
413863	Haidle, Olive	39.61
430308	Hunter, Mary M.	2,062.96
430745	Hanzelat, Augusat,	130.06
332324	Hagan, Ella McK.	15.88
336370	Heath, Frances A.	84.65
335054	Hodgson, Jos. W.	19.20
384479	Hook, David J.	439.52
384695	Hamilton, James C.	1,077.83
384456	Hughes, Helene	21.16
339103	Heckert, Albert A.	1,098.80
370953	Herlehy, Allan R.	30.12
403251	Hennessy, Mary A.	1,943.86
403495	Hertzler, Henry	3,739.19
409137	Hendel, Harold	116.33
409234	Hufnagel, Henry J.	3,753.91
409289	Harley, Marcus A.	109.48
409857	Halliley, Mary	46.17
410477	Hoffman, Tillie	736.29
410944	Hetrick, Lillian S.	539.94
421999	Hatting, Harry G.	3,063.31
422508	Henning, N. W.	1,364.96
423589	Hartman, Odessa J.	284.65
423881	Holroyd, Frank H.	1,731.95
351899	Hieber, Katherine C.	3,079.63
353287	Hamilton, G. H.	1,677.48
354197	Holland, Aime	1,184.77
358106	Hess, Renetta L.	411.27
360462	Hofmeister, W. P.	477.52
368291	Huchison, Mary E.	20.87
398709	Haley, Mary	2,636.30
289412	Haase, Louis T. G.	103.08
308029	Heinlein, Mary	512.46
312789	Haas, Josephine E.	2,104.76
319601	Husser, Robert	4,304.93
320524	Hartley, Alice McK.	676.05
393679	Holmes, Sarah G.	79.00
394428	Haworth, Marg. M.	551.83
397709	Holland, Mary	103.36
411254	Hergenroeder, W.	2,314.57
411763	Hesh, Annie	1,567.32
426821	Holmes, Carrie	101.29
428549	Hazlett, Maude M.	513.24
428661	Hemrich, John C.	158.86
428678	Heil, Kathryn M.	551.24
428902	Harper, Sarah	468.26
401021	Holzinger, Margaret	104.20
403362	Huber, William F.	31.29
403530	Heckler, Elizabeth	116.56
404086	Hudie, Emma S.	1,531.23
316605	Heesom, Walter D.	18.40
391469	Hazlett, Harry H.	15.11
397707	Hodgson, Ray W.	22.30
411524	Howells, Mary C.	357.28
427417	Henry, Mary P.	1,289.94
227683	Hill, Eula M.	2,668.16
228934	Henry, Essie May	36.44
234997	Hoffmann, Hortense	433.19
239059	Harrison, Donna	57.52
218273	Howell, Helen P.	206.20
251983	Hagen, Ellen	19.51
257763	Harper, Minnie	17.32
264877	Hild, Louise	888.62
275912	Harmon, Ruth E.	32.83
276460	Humphries, Ida M.	1,322.68
279968	Hill, Anna J.	15.19
345537	Hewitt, Wm. E.	266.60
348003	Hartley, J. Wilson	108.31
348316	Heyl, Bertha M.	132.13
349678	Hoover, Miles H.	127.35
403764	Haller, Alice D.	281.02
407119	Hillyard, Franklin P.	88.58
413405	Haig, Lena	3,008.92
414275	Helbling, Clara	599.53
414538	Hobaugh, Nellie M.	3,136.15
420261	Hahne, David	603.51
371703	Hook, Lydia H.	114.55
372142	Hendrickson, A.	14.72
373397	Hindman, T. F.	91.66
373664	Hill, Martha R.	13.32
374941	Humpstead, Wm.	31.28
376547	Hodgson, Flo. H.	63.22
378192	Hilscher, Ernest	202.72
379964	Hirschfield, Henry	103.68
380682	Hasley, A. Mary	93.08
415866	Hildebrand, S. E.	390.47
416466	Holzman, V. K.	54.63
416592	Heard, Eliz. A.	202.53
264418	Hanselman, Jennie	14.74

I

177808	Ivob, Mary	$13.20
180283	Irish, Alberta H.	790.33
358193	Iseman, Rebecca	654.51
317995	Inman, Kate	137.86
341233	Inhoff, Mary J.	785.82
407724	Irvine, Alta E.	973.62

J

382220	Jennings, Norah	$111.57
382281	Jordan, Wm.	1,279.84

385678	Jordan, Gertrude D.	$60.88
421321	Jackson, Bettie M.	5,075.67
423708	James, Susie F.	289.56
96467	Jackson, Annie	2,778.02
129825	Jonston, Agnes G.	19.92
138366	Jubb, Geo. S.	64.94
208107	Johnson, Edw. W.	1,613.59
322097	Junker, Maria	4,261.04
332091	Jennings, D. E.	79.65
335978	Johnston, Edwin A.	87.11
362140	Johnston, J. L.	835.78
418592	Jackson, Mary C.	2,866.20
113576	James, John, Jr.	12.93
351310	Jackson, Mary	672.44
292284	Jones, James W.	86.32
316997	Jockumsen, J. M.	131.27
391159	Jennings, Charles W.	607.69
394350	Jarratte, Myrtle	39.42
396199	Johnston, Mary E.	80.23
396791	James, Elizabeth	861.26
411177	Janikowski, Helen	89.01
426391	Jackson, Charles T.	337.34
428128	Jones, Marie B.	167.24
403302	Jack, S. L., Sr.	39.78
404649	Jackubov, John	40.75
291057	Jackson, Jno. W.	36.37
292546	Joyce, Mary	20.16
231994	Junker, Marie C.	287.14
233760	Johnston, Agnes C.	179.48
233897	Jones, Amos	7,178.50
233947	Jackson, Anna J.	298.37
239429	Jones, Retta H.	1,616.03
261269	Johnston, Lulu	219.75
279697	Johnson, Archer A.	536.70
345111	Junker, Jacob	21.37
407980	Johnston, Rose B.	1,410.15
414823	Jones, Jno. H.	261.78
419919	Joyce, Nora	1,096.83
420381	Jones, Geneva C.	401.29
420859	Joyce, Annie C.	115.98
371962	Johnston, La Forest	194.12
415374	Jackson, Edgar	655.29
416176	Jones, Floy C., Jr.	66.32

K

381088	Katzman, Jenny	$2,699.63
385178	Kanline, Margaret A.	106.85
386978	Kobacker, Morris	319.86
408931	Kenyon Wm. H.	228.54
409188	Kessler, Morris	352.78
409441	Kuhn, Thomas Ray	35.70
410712	Katzenmeyer, R.	1,445.71
423311	Kerr, Margaret	1,497.24
424908	Kirschner, Olive H.	549.40
116592	Kraus, Mary	2,953.13
134238	Kountz, Jos. L.	592.35
143365	Kenan, Ellen	425.91
157628	Keiser, Louise	95.01
194970	Kennedy, Anna B.	23.30
198508	Kleber, Fredericka	43.41
322587	King, Nellie	369.58
324428	Kubecker, Mary	275.54
327859	Kemp, Alex. B.	717.08
362914	Kilpatrick, Grace	303.02
367915	Kaylor, Jno. J.	13.84
370002	Keegan, Jno.	3,113.27
370320	King, Sarah M.	117.87
418754	Kirschner, Sarah A.	1,025.67
429175	Kendic, Anna B.	118.58
430700	Kiehl, August	277.93
269931	Kirk, Wm. Nesbit	26.49
323345	Kissock, Jos.	144.68
370249	Kraus, Jos. F. A.	19.44
351633	Kruvitz, Minnie	25.32
354504	Krimm, John C.	42.54
355958	Koerner, Clara C.	2,306.18
359129	King, Irene B.	1,919.77
399646	Klein, Hannah D.	338.80
399684	Klein, Gola	1,550.37
400124	Kelly, Mary A.	84.33
400229	Kuras, Anni	1,127.89
291117	Kearney, Bridget	549.40
301452	Kletter, Amanda	1,341.96
311682	Knowlson, Ellen J.	531.75
313541	Kalchthaler, M.	133.79
394055	Kessler, Emma A.	192.52
394662	Klippel, John L.	72.88
412256	Kaltenborn, L. J.	76.46
425349	Kilgore, Ellen C.	114.28
425618	Kohl Bertha	56.91
428576	Kenyou, Elsie H.	212.28
428667	King, Leroy L.	126.98
404065	Kaiserman, Rebecca	179.12
402590	Kammerer, M. M.	16.21
227570	King, Florence G.	1,995.18
232054	Keck, Will	182.92
235468	Kaplan, Jos A.	82.92
258534	Knobel, Margareta	170.14
262724	Kenna, Edw. J.	17.63
262743	Kelly, A. Holmes	147.97
264269	Kidd, Jesse A.	92.70
267798	Keller, Alfred	159.91
268242	Keady, Mary	14.44
277541	Kenaan, Mary A.	1,412.04
345587	Kentock, Wm.	39.92
413260	Kostman, Lillie	46.93
413973	Kramer, Etta	182.74
371467	Kirschner, Myrtle S.	832.57
374138	Kane, Michael	$20.51
377365	Kirkwood, Bertha J.	75.84
415823	Kuras, Mikolaj	616.25
415672	Kline, Raymond J.	40.81

L

382997	Larkin, J. W., Sr.	$201.32
385334	Locaitis, Anna	176.75
385850	Love, Kath. McB.	1,048.12
386683	Lutz, M. Catherine	74.16
387358	Lands, Carrie	33.00
388117	Ley, Flora	1,315.64
388532	Lowman, Anna R.	68.99
403632	Ludwig, Ella L.	679.51
410421	Leventon, Morris	493.64
421461	Loeb, Jessie K.	195.01
421621	Lytle, Mary I.	101.75
424181	Leasa, Ida May	57.50
433027	Logan, Renrick G.	169.32
104302	Lanahan, F. J.	136.33
164091	Langhorst, Sophie	147.24
186866	Lacock, Clara D.	599.41
187331	Lally, Augustan M.	211.16
322473	Leahy, Jos. M.	266.45
324175	Lackey, Leola E.	51.56
335352	LaFianza, G.	4,319.75
365252	Lyle, Eliz. T	127.28
370340	Lovett, Mary E.	535.72
370615	Laylander, E. V.	72.32
417006	Lieberman, B. R.	3,194.36
417086	Linz, Margaret	112.35
418034	Langerman, A. F.	506.66
418522	Lamont, Joseph	870.16
429445	La Velle, A. M.	92.85
430673	Lunz, Michael	543.10
200855	Loeffler, H. B. O.	204.74
351595	Littman, Bessie	72.13
356520	Lundy, Ella	17.40
357161	Lewis, J. DeH.	33.30
358809	Livingston, John	123.83
359939	Langhans, Eliza	165.52
432193	Loadman, V. E.	107.04
285812	Laughman, M. L.	230.68
291578	List, Walter C.	54.20
295287	Levitin, Minnie	551.85
296380	Lowers, Matilda	99.00
307299	Leheny, Patrick	1,065.79
312023	Langkamp, M. V.	4,093.21
391008	Lydick, Gussie	215.56
393600	Lydon, Mary	79.65
394101	Linhart, L. E.	165.26
395954	Lendl, Anna	2,692.04
396097	Levine, Ray L.	71.23
396613	Lisifka, John	1,033.67
397580	Lyoncz, Meri	1,101.36
411397	Leibel, Andrew	653.31
411469	Lieber, Rose S.	3,396.83
412651	Lehere, Elmer J.	3,819.55
425574	Liffert, George	109.86
425655	Link Stuart M.	1,139.44
427416	Lefkofsky, L. C.	571.58
428816	Levine, Ida	248.96
403433	Lang, Sarah	23.72
403716	Leonard, Alvin G.	159.05
404560	Lang, Frieda S.	352.43
405218	Lagnise, Mary	102.07
287256	Lanahan, Jos. A.	192.89
239798	Longmore, Mary	223.61
240502	Leitzell, Mary A.	318.42
251135	Lawler, Rose A.	786.55
254011	Longworthy, M. F.	2,784.73
264576	Loughrey, Jno. E.	120.30
264580	Luther, Alice	199.64
275195	Lewis, Harry J.	6,387.92
278153	Leventon, Frank	250.12
278631	Lee, Anna A.	22.43
341961	Lott, Eliz. J.	411.27
343299	Lechner, Anna M.	63.09
347193	Little, Jno. S.	121.81
406470	Levy, Eleazer I.	792.27
406657	Lippert, Viola V.	121.22
413468	Lutton, Chas. B.	232.90
413484	Lieberman, Abe	6,041.11
419228	Leahey, Agnes M.	2,142.35
419873	Liebschner, Amelia M. E.	1,009.54
420416	Lukis, Xanir	2,873.19
374120	Lott, Geo. B.	2,293.11
377701	Lenfestey, A. V.	16.18
378160	Lahman, W. H.	79.74
380197	Limegrover, J. E.	529.94
416171	Low Mary M.	696.17
416346	Laguese, Maria	1,015.01

M

381146	Mullin, Mary E.	$361.37
382019	Markey, Wm. E.	41.68
387945	Michie, David	2,602.28
388933	Moyer, Augusta C.	408.39
389095	Marks, Sarah A.	402.33
389769	Martin, Cora D.	42.18
408206	Madeja, John	3,267.45
408207	Madeja, John G.	732.58
408605	Moren, Ida	2,231.64
409510	Mauch, Elvira M.	93.15
409851	Martin, Ruth	207.29
421041	Maturi, Dom A.	213.26
423024	Matters, Marie A.	894.21
423244	Meinel, George	2,221.81

423586	Matters, Walter J.	$289.56
423625	Maude, Frances	180.20
424248	Mason, Walker, Jr.	575.34
424263	Marks, Jack	115.02
424527	Moore, Frances H.	1,511.39
424757	Machesney, H. A., Jr.	115.46
433057	Morris, Robt. V.	105.86
369386	Moore, Lottie F.	59.66
130741	Meade, Mary A.	461.72
137199	Manus, Sue	69.36
147660	Miller, Clara	27.32
150133	Mannion, John	359.62
172222	Maude, De Ette	180.21
176131	Mayer, Annie M.	42.95
179377	Macon, J. Conway	59.82
200816	Marshall, Geo. T.	18.13
201769	Monaghan, Mary	567.05
202830	Monaghan, Bridget	120.65
[illegible]	Morton, Frances	436.09
213192	Morgan, Albert	5,175.89
214201	Moody, Martha E.	1,727.13
321100	Mercer, Marj. B.	22.89
[illegible]	Mockus, Frank	63.78
[illegible]	Moore, Selma P.	709.62
337889	Murphy, Jerome J.	1,768.07
339772	Moxey, Arthur C.	660.20
339826	Macpherson, M.	424.54
340908	Moster, Margt. C.	1,412.15
361197	Mullen, Mary E.	812.02
363834	Moore, Clyde J.	279.05
[illegible]	Merchant, Margt.	93.82
367283	Miller, Harry J.	172.12
367409	Miller, Luella P.	124.65
[illegible]	Merry, Sarah	366.27
368941	Meighan, Mary	4,471.86
369338	Morsaint, G. J.	281.74
370891	Malloy, Della	128.69
417825	Mortimer, E. I.	1,257.83
417997	Murphy, Amber K.	26.03
418870	Musgrave, John	1,456.68
430036	Mervis, Fannie	2,439.73
[illegible]	Miller, Sara M.	844.05
[illegible]	Murray, Mary	155.07
357928	Munn, Silas A.	23.13
359229	Meenan, Mary F.	46.38
360097	Mahoney, Thos. F.	970.01
393880	Meyer, Louis R.	31.35
400721	Markley, Harry	516.70
431520	Merchant, J. E.	220.07
[illegible]	Miller, Jos. W.	122.91
432456	Mohan, Philomena	1,369.52
291049	Montgomery, A. D.	355.81
299020	Mahoney, Patrick	126.63
[illegible]	Markey, Ella	328.53
305826	Murciszoch, G.	2,742.92
311164	Moore, Kath. R.	1,045.02
311702	Moster, Maria	6,078.68
311969	Marx, Christina	362.47
316386	Mahoney, Mary C.	112.78
318870	Mitchell, Geo. H.	40.70
320500	MacMillan, A. F.	343.14
391514	Myers, Selma	316.79
[illegible]	Malloy, Della	128.69
394228	Myers, Ang. L.	1,419.72
394851	Maussner, C. A.	50.16
[illegible]	Mallinger, Harry	24.92
395984	Mack, Annie E.	733.90
397576	Maierhofer, Martha	45.93
411395	Mahovics, Annie	8,904.69
411675	Manning, Julia H.	138.62
412325	Martin, Lena	1,708.56
425438	Mannella, A. M.	126.60
425453	Marshall, Anna	228.61
425635	Monahan, Bridget	2,205.40
425641	Maloney, Imogene	223.44
426079	Meredith, Esther C.	56.74
[illegible]	Miller, Edith A.	225.59
427663	Mahaney, Stella	5,585.71
428103	Mundt, Helena	161.23
[illegible]	Murray, Jas. D.	226.13
402296	Moran, Frank	7,902.09
[illegible]	Moran, Lida C.	7,965.26
[illegible]	Morris, Ivan I.	107.24
[illegible]	Mastrione, Angelo	561.31
[illegible]	Mavon, Anna V.	437.42
[illegible]	Miller, Anna C.	711.84
[illegible]	Muse, T. C., Jr.	35.07
[illegible]	Mitchell, L. Clara	12.38
[illegible]	Marshall, J. W.	12.75
[illegible]	Mulert, Carl J.	16.20
[illegible]	Murphy, Jerry	1,786.49
[illegible]	Muessner, Christ A.	37.67
[illegible]	Mayer, Mary A.	190.60
[illegible]	Miller, Waldo P.	1,578.65
[illegible]	Morris, Jno. R.	1,915.25
[illegible]	Meadwell, Ellen	2,644.46
[illegible]	Martin, Jennie	2,498.03
[illegible]	MacCloskey, S. M.	4,169.46
[illegible]	Moss, Mary Ashton	63.44
[illegible]	Machen, Jno. W.	72.51
[illegible]	Mercer, Geo. N.	255.29
[illegible]	Munster, Anna C.	121.37
[illegible]	Morewsky, Alex.	1,291.42
[illegible]	Martin, Chas. E.	107.72
[illegible]	Murphy, Norah	143.40
[illegible]	Meakin, F. I. M.	124.65
[illegible]	Murphy, Jno.	63.04
[illegible]	Miller, Anna C.	41.40
419720	Mierzwa, E. R.	$2,430.23
419762	Marshall, Thos. D.	189.81
420299	Moore, Jno. H., Jr.	158.40
420588	Martin, Loetia R.	370.41
375035	Mendoza, Celia H.	112.44
375982	Miller, Chas.	33.56
379155	Mothersole, Nettie	30.08
380775	Mossey, Jas. L.	4,431.72
416382	Martin, M. A	136.60

Mc

66592	McClure, C. C.	$28.66
91287	McIntyre, John	3,451.16
112325	McElroy, Annie G.	22.33
117048	McGonigle, Peter	289.09
123938	McAllister, Sarah A.	312.21
135894	McClelland, R. P.	722.35
144232	McCaleb, Effie	1,416.72
157934	McNair, Sara B.	545.39
157992	McAdams, Nina L.	115.46
189214	McCarthy, Katie F.	486.60
209326	McNamee, Catharine	952.68
212864	McElheny, Sara F.	92.85
214575	McQuade, Jos. R.	22.44
327381	McGuire, Bryan	423.28
336164	McGonigal, Eliz.	623.12
338360	McDowell, Miles J.	90.93
339650	McKinney, A. K.	307.58
361919	McIntyre, Ella M.	8,013.24
365095	McMahon, Daniel P.	194.29
366807	MacMillan, Alice F.	53.03
368336	McEwen, Mary A.	166.01
369192	McMahon, Thos. C.	80.81
417950	McNary, Annetta	117.27
429053	McDonough, T. F.	278.88
382156	McKee, Jennie	1,002.55
384977	McCabe, Annie	724.35
385308	McIver, Ernest D.	199.73
385787	McColligan, May F.	314.51
386283	McDonnell, Mary	151.75
388315	McCoy, Norman T.	130.74
390250	McLaughlin, Pearl	22.17
408240	McConnell, John W.	49.31
422862	McQuillan, Jacob D.	214.99
424176	McGinnis, Eulalia J.	115.02
352463	McWilliams, Cliff F.	37.97
352813	McKee, Mary C.	641.84
356513	McLaughlin, Annie	921.52
358373	McLafferty, Alice	96.36
359736	McClintock, N. G.	2,231.91
398589	McCabe, John A.	3,989.31
400673	McColligan, J. R.	326.28
282936	McLaughlin, F. W.	23.28
298042	McKenna, Mary A.	8,804.48
303333	McDermott, C. A.	117.49
304951	McPike, Mary C.	92.07
313681	McConnon, Annie	1,295.16
318791	McNamara, Mary	162.21
318824	McCullough, Cath.	65.48
411112	McCardell, H. B.	54.28
425199	McKee, R. Dickson	228.61
425447	McCormich, F. R.	165.74
428535	McKelvy, Earl R.	76.14
428942	McEwen, Emily M.	109.86
404907	McCreary, Julian L.	77.30
405736	McMahon, Louis H.	275.64
405774	McCauley, Alice L.	908.26
295324	McCluskey, Jennie	6,606.27
394224	McCarty, Emma R.	17.80
402154	McCorkle, Grace R.	22.67
222746	McGinley, Jos.	28.23
235575	McGlenn, Alma R.	439.68
238001	McGibbeny, Eliz.	11.36
252681	McDonald, M. F. W.	66.83
258720	McClory, Lizzie	42.83
273108	McMillen, Rob't L.	2,670.77
274529	McCoy, Clarence P.	189.49
341455	McGuire, Patrick	1,623.63
341947	McEldowney, B.	998.66
345695	McGill, D. F., Exr.	452.24
346137	McClintock, H. E.	179.12
413424	McNally, Anna M.	45.49
419493	McNamee, Patrick A.	29.18
419704	McNeill, Dorothy A.	692.01
420160	McIntyre, Sam'l S.	300.94
420706	McNamara, Thos. J.	83.21
420860	McIlhattan, Kath S.	45.15
372345	McGuire, Susan	43.86
374288	McHugh, Cecilia D.	390.14
379876	McGinley, Margaret	318.01
380330	McCracken, Ray O.	590.87
415135	McIlveen, Maria	75.72
415624	McCallen, Margaret	680.78
416147	McGivern, Jennie	51.09
416913	McGuire, Mary	2,143.60

N

409185	Neary, John F.	$721.44
422794	Norsess, Leo Paul	715.65
76309	Neale, J. B., Jr.	175.32
189042	Nordheim, Edw.	3,037.53
212949	Nickel, Emma C.	113.99
417041	Nelson, Charlotte F.	35.67
418587	Nicholson, Mary M.	758.35
429920	Niederreiter, M.	607.62
430224	Nebel, Andrew J.	78.12
309932	Newby, Elizabeth	1,830.50
396631	Newbauer, Anna	211.79

412553	Newart, John W.	$1,326.11
412997	Nykiel, Jan	337.66
392733	Nixon, Lily L.	38.59
252248	Neal, S. Forrester	1,890.06
420931	Neely, J. Emmett	279.92
373558	Nicholson, Clarine	409.72
378518	Nevins, Jas.	9.01

O

384466	O'Malley, Mary	$1,079.91
384863	O'Reilly, Thos. D.	20.75
408687	O'Brien, Thomas	114.82
410339	Overman, Pearl E.	19.65
423400	O'Brien, Lecetta	58.03
205728	O'Connor, M. H.	160.79
208795	O'Donnell, Margt. J.	125.07
208850	O'Leary, Annie	5,449.04
326140	Oelschlager, Rosie	3,479.38
334667	Osborne, S. M.	141.64
339552	Oslowski, M. D	587.55
361830	O'Donnell, Jas. F.	53.86
364307	O'Keefe, Catherine	350.58
366110	Osburn, Nora B.	38.64
417392	Orsi, Luigi	643.95
418991	Ober Marie	419.84
429374	O'Connell, Loretta	112.04
430764	O'Donnell, Kath.	91.27
356220	Osborne, Boodie	16.38
400820	Ortinberg, Herman	17.29
431535	Overdorff, Daniel	4,203.34
298540	O'Malley, John T.	570.85
299940	Ogden, Mary	970.04
303678	Orbin, Anna M.	1,096.85
425180	O'Brien, Margt.	797.12
425837	O'Connor, Nora	554.66
403193	Oxford, Charles	3,995.74
405229	Owens, Howard G.	457.37
277536	O'Connor, Mary A.	224.35
346773	O'Donnell, M. A.	21.03
413643	O'Neill, Rose	48.67
419030	O'Toole, Fisties	2,466.52
419166	O'Donnell, Cath.	2,262.08
420187	O'Donnell, Bridget	2,262.07
376827	Orient, Michael, Jr.	87.14
377346	Obitz, Jno. E., Jr.	9.46
377782	Orbin, Mary E.	26.58
380687	O'Leary, Dennis P.	183.69
416264	Osburn, Anna E.	132.73

P

354885	Perrett, Albert	$19.32
355463	Petterson, Anna	4,311.14
359038	Pemberton, Anna B.	52.46
359746	Price, Katherine	368.31
360266	Pritchard, Eva M.	412.34
360494	Park, Annie	3,775.47
399182	Peetz, Emma Emilia	2,132.81
400993	Pecinkas, Jonas	83.56
381686	Patterson, Marg. J.	333.84
388887	Potter, Marie W.	1,037.09
408269	Pittler, Rosa	945.14
408949	Petvini, Marya	1,303.88
410441	Puttorak, Agnes	4,019.46
421187	Parcola, Katie	500.15
422073	Phillips, G. Albert	260.29
422185	Pemberton, M. Alice	116.31
423649	Pollitt, Annie M.	6,947.63
423722	Payne, Benjamin	691.30
424453	Paley, Bessie R.	345.23
104786	Perry, Dora	5,007.04
114205	Patterson, Jno. A. B.	82.97
170000	Pidgeon, Jane	281.98
388198	Powers, Frank I.	581.97
340326	Patterson, May H.	559.99
362294	Phelos, Hilda	449.98
363570	Parker, Bella M.	5,568.57
417312	Postreich, Bernard	197.76
418907	Pasky, Chem	250.65
418970	Pfarr, Otto J.	74.67
203073	Pryor, Will	158.44
311780	Patterson, C. A.	221.77
213900	Penwell, W. D.	359.74
395731	Paulus, John, Jr.	961.73
396379	Palmer, Samuel R.	120.43
411941	Pollitt, Anna V.	9,261.45
412194	Pfarr, Albert W.	34.04
412847	Powell, Edward H.	26.79
425258	Posteraro, Cath. A.	239.26
426903	Peffer, John C.	115.74
428092	Prenovitz, J.	434.33
427417	Henry, Mary Phillips	1,289.94
307144	Puhl, Katheern	329.98
229998	Page, Arthur E.	42.64
246853	Powers, Elizabeth	17.99
265158	Phillips, Elizabeth I.	144.18
346035	Patanko, Maria	237.85
271379	Plender, Martha B.	28.93
346158	Porter, Rob't J.	62.07
346167	Pryor, Harry M.	74.82
346374	Phillippi, Isaac N.	92.08
413581	Patrick, Michael	1,750.83
414985	Pettit, Albert W.	23.79
376749	Powell, Wm., Sr.	419.90
377203	Patterson, Albert H.	62.39

Q

383369	Quinn, Pierce J.	$17.99
388773	Quino, Rose	6,031.97
419954	Quinn, Emma B.	1,663.70

R

64554	Royce, Chas. N.	$25.29
164526	Richmond, F. G.	43.25
218824	Rodgers, Eliz. B. C.	1,492.31
220059	Ready, Carrie W.	2,119.85
324642	Rush, Lucinda	138.27
333009	Richardson, Reine V.	741.55
364894	Rawski, Jan.	111.71
365447	Raskauskas, M. A.	34.20
370024	Reid Anna	99.99
370414	Raeside, Margaret	90.07
429602	Rankin, Sarah C.	258.04
429689	Rector, Ada	164.78
430479	Rupp, Katie	108.58
386886	Remoh, Harry L.	14.78
409381	Reckley, Mary T.	151.80
410125	Rectanus, Harry W.	879.05
421075	Rigg, Rebecca R.	135.86
421849	Reynolds, Martin J.	227.56
424322	Rosenshine, Goldie	575.34
424998	Read, Sarah A.	161.98
389053	Ralston, Ethel R.	253.53
352637	Rabinawitz, Dora	151.15
355002	Rittman, Floyd L.	33.88
355943	Roncaglione, M.	4,436.31
393290	Rice, Gertrude E.	130.43
399107	Roberts, Annie	682.63
389424	Ramsey, Julia	441.97
431741	Rohm, Mildred S.	254.64
432121	Ruettgers, B. V.	1,070.62
432559	Reed, Harry T.	539.94
432812	Rankin, Minnie B.	1,061.36
281796	Riggis, Edwin H.	81.56
288565	Rhey, Margaret A.	93.10
294859	Rhine, Mary C.	70.07
311930	Richards, Elizabeth	863.97
315956	Rothschild, Sara	144.27
392034	Renison, George S.	788.24
392881	Renison, J. Wilmer	970.72
393408	Riddell, George W.	142.75
395719	Richenbach, K. P.	6,914.78
397752	Reichhold, Ralph G.	71.99
412843	Rosenberg, Sam	188.76
425022	Riggs, Elizabeth C.	619.90
425489	Radbord, Lena	227.85
426529	Rose J. Bernd	108.39
426816	Roderick, Morvith C.	50.70
427357	Robinson, Roy M.	332.77
401993	Richey, Agnes	7,489.25
402001	Ricker, Charles J.	146.34
402617	Rosenthal, T. E.	571.58
405558	Rippl, Elsie	1,090.78
405919	Rittork, Lizabeta	2,208.58
392033	Renison, Clara J.	331.18
244215	Rodgers, Helena	20.47
252025	Roberts, Flora	1,234.63
343634	Regine, Sam.	39.26
344071	Rusen, Mary J.	877.85
345189	Remaley, Jane	106.49
346299	Rote, Simon E.	813.82
349072	Robertson, Alice M.	15.35
406854	Rak, Peter	728.80
407680	Ross, Mary E.	1,554.83
413187	Regan, Mary	3,402.88
413280	Richey, Chas. L.	40.14
413618	Readal, Thos. M.	42.25
413853	Roth, Martha W.	1,837.65
419074	Rodenlser, Arthur S.	2,284.15
419481	Rehak, Jno.	496.42
419739	Ruch, Coelna A.	324.80
373758	Reilly, Jno.	211.65
375181	Reichert, B. E. L.	25.94
375754	Rostowski, Franz	450.64
415326	Riggs, Margaret T.	698.26

S

53657	Schnasse, L.	$1,079.91
128640	Smith, Sadie	474.99
134655	Sprott, Jas. R.	88.70
135048	Shoslin, Sadie	227.36
143575	Sullivan, Katie	56.84
153872	Snyder, Bernhard	357.35
163309	Sutter, Geo. S.	668.33
166765	Schull, Mary	2,250.41
174674	Schafe, Adam	8,631.85
178651	Smith, Annie	654.73
192223	Standard, Jane H.	675.09
198657	Sinsel, Anne J.	346.57
208399	Schmidtchen, K.	7,387.44
214191	Smith, Emma	1,091.84
215051	Sigh, Mary	2,826.96
325075	Spain, Nick	1,055.52
328038	Steinmark, S. O.	1,097.11
334356	Szimanski, K.	793.48
334720	Stewart, Anna D.	36.66
334974	Stewart, Carita M.	155.62
337285	Sindorf, Eliz. McC.	3,509.38
338873	Stone, Wm. L.	35.17
361343	Shepler, Elsie B.	1,527.74
362211	Smith, Cath. W.	66.15
365180	Sinderman, Nathan	19.67
365908	Sohl, Mary	1,531.91
366702	Sigal, Joseph	608.06
366716	Strobeck, Maggie	253.51
367181	Salvia, Leonardo	72.94
368335	Sigal, Frank	3,751.14
370200	Schade, Christ	1,120.73
381145	Saunders, M. E.	56.33

382361	Slater, Johanna F.	$357.42
383153	Schessler, Cath. G.	21.90
383576	Stoernell, Jos. A.	735.14
383926	Speer, Est. of Eliza J.	598.31
384003	Shea, Mary	2,065.82
384355	Steele, Lydia H.	885.44
384764	Schmidt, Kath.	129.28
384773	Stotler, Walter R.	2,809.78
385012	Santman, Harry	18.36
385060	Schwartz, Libbie	3,036.73
385963	Steffantak, A. P.	55.11
386094	Sekula, Andy	45.12
388165	Schoenrich, E. L.	196.66
388968	Sigal, Lena	156.69
389542	Shidle, Geter C.	304.10
409819	Swartz, Caroline	107.97
410028	Stetter, Mary C.	221.20
410285	Straube, Freda	103.57
410453	Singer, Myer W.	234.82
410464	Smith, Rose	1,285.54
421206	Stearns, Max	1,518.48
422224	Schmitt, Helen C.	710.40
423192	Steele, Chester D.	462.29
423277	Schaefer, Ruth L.	805.56
424460	Stragand, Cecelia	4,957.68
424464	Stome, Jacob	575.34
424781	Short, Bessie V.	117.20
370618	Shoop, Harvey	3,912.41
370843	Stewart, Hannah	13.35
417293	Smith, Bridget	981.81
417531	Shields, Gert. M.	755.92
418501	Smiley, Irene G.	7,569.04
418921	Snyder, J. Buell	30.77
429666	Stadler, Wm. J.	123.97
430289	Schumacher, Wm.	108.91
430396	Smalley, Lydia J.	660.20
430765	Schneider, Lizzie	1,086.20
420776	Seubert, Marcella	178.71
98602	Stuart, Alice J.	15.29
351175	Sussman, Walter	35.66
352633	Steuer, Clara A.	2,536.23
354696	Scott, James K.	316.19
354904	Stephens, H. E.	824.16
355903	Schaefer, Henry H.	254.38
357169	Sekerka, Martin	394.44
357714	Seltzer, Nathan	46.08
358307	Silverman, Abraham	38.44
358882	Shible, James W.	328.19
359771	Snowden, E. R.	913.99
398203	Sterling, Eliz. W.	90.55
399652	Snyder, Park McK.	72.21
399976	Steinmuller, A. M.	3,069.76
421598	Schwer, M. T.	81.83
421602	Slattery, May B.	107.66
431784	Smith, Laura A.	5,368.72
431985	Swindell, E. C.	2,373.42
281283	Schwemer, Frances	5,373.60
291078	Swan, Kate M.	534.61
309927	Sullivan, Agnes	3,185.19
306019	Stauffer, S. E.	1,641.49
306421	Suter, Margaret	6,531.51
306743	Schnaufer, Edw.	2,018.39
309629	Semple, David	114.28
312645	Stephens, Wm. G.	251.75
313759	Shankan, Rachel,	167.46
391665	Smith, R. T.	207.23
392298	Schuring, Mary A.	115.83
392337	Smith, Kate	53.33
392425	Simons, Lulu	1,650.04
393379	Shapiro, Frank	548.40
393579	Shook, Irene M.	91.30
394435	Sauers, John	233.34
394774	Schmidt, Martha	26.60
395307	Stewart, Eliz. E.	3,033.94
397075	Szczypiorski, A.	2,227.17
396351	Schutte, Bernice B.	153.76
397936	Siebert, Eliz. S.	62.06
411130	Schuring, C. W.	571.58
411939	Schuler, Philip J.	92.53
412229	Swartz, Lena	1,555.35
412258	Smith, Estie	39.41
426611	Simpson, Eliz. N.	195.37
426620	Sullivan, Miriam E.	50.05
427752	Schafer, L. Pearl	111.68
428153	Schmid, Anna Mae	301.22
428703	Sheean, Marie	165.13
428786	Schmitz, Eliz. A.	796.73
428809	Stanier, H. N.	898.86
395614	Strothers, Herbert	74.22
401796	Schleppner, Mary	1,170.27
402130	Schmoker, Marie	389.85
403776	Sugermann, Marie	105.54
404122	Smith, Lillie M.	153.92
405453	Stack, Edward	624.19
405647	Smith, Florence	88.02
410649	Steel, Jno B	14.29
410687	Simon, Sam	45.95
410741	Sell, Sara E	2,695.08
233066	Steel, Margaret	1,472.52
236704	Smith, [illegible] B.	1,959.75
236[illegible]	[illegible] Jno.	331.77
348[illegible]	Scanlon, Richard	7,297.58
348[illegible]	[illegible] Harry L	237.38
348[illegible]	[illegible] Henry J	168.80
348[illegible]	[illegible] Jos. F	37.14
268119	Stemmer, Pearl	39.21
2[illegible]	[illegible] Leo	121.87
276003	Stewart, Etta M.	615.74
344012	Stone, Jennie S.	$47.54
347325	Snyder, May	72.54
348408	Sweeney, Catherine	18.10
348040	Sandler, Ray E.	2,513.54
349464	Strothers, Emma	124.04
349540	Seip, Mary R.	294.28
350068	Suttin, Harry	49.47
403832	Schade, Jacob J.	321.70
403843	Simpson, R. W.	36.24
403993	Schultz, Jennie L.	374.81
407805	Schwalm, Bridget	154.68
413064	Smith, Fred	108.70
413634	Scheiber, Louise	1,912.71
414313	Sufferin, Lizzie	1,338.46
414635	Swidersky, K.	973.53
414713	Sheff, Mary	2,773.89
419580	Sacks, Wm.	121.81
419382	Sleeman, Earl C.	291.22
420287	Schwarz, R. W.	945.91
420516	Schmerer, Anna	576.07
371070	Shakarian, H. D.	345.70
371185	Schleigh, Geo. H.	73.82
371423	Steenson, Samuel	1,010.65
371855	Stone, Samuel	36.87
374085	Schneider, H. E.	129.86
375669	Smith, W. Allen	202.58
375852	Shook, Irene	78.12
376837	Schreiber, Herbert	41.16
377860	Smith, Alfred F.	26.04
378007	Shaffer, Bertha L.	1,229.98
379180	Stanion, Geo. H.	120.26
380166	Smith, Mary E.	1,019.38
415833	Scarem, Jno.	2,731.33
416411	Stewart, Grace I.	3,455.52
416504	Simon, May	613.85
416604	Smith, Nellie	604.50

T

387815	Then, Michael A.	$108.33
408679	Trudel, Louis	724.45
423962	Tarullo, Donato	255.99
423993	Tobias, Ida S.	47.76
46228	Theis, Matilda	107.83
169754	Tidball, Sam R.	599.68
212920	Thompson, R. H.	501.50
326918	Toole, Nellie	217.42
334872	Tindall, Edith C.	1,034.66
335501	Turner, Lettie C.	239.99
363892	Thompson, Annie B.	64.53
368610	Turner, Ernest J.	197.77
354316	Tambellini, G.	720.80
354729	Texter, John	6,821.65
431486	Taylor, Eliz. J.	218.47
431690	Tambellini, Jos.	107.36
392739	Tehe, Mike	1,739.31
394896	Turich, Josephine	699.77
411197	Tindall, Thos. J.	603.91
412029	Tick, Bernard	288.19
412607	Titzel, A. C. R.	135.77
426752	Thome, Mary E.	1,128.23
427909	Todd, Wm. McM.	311.21
428631	Thompson, J. H.	91.32
428958	Tropf, Ferdinand	8,790.65
401851	Titmus, Albert M.	89.87
403256	Thompson, H. S.	160.61
405710	Tyson, Lillian	450.69
426062	Theobald, Violet F.	94.89
284781	Traynor, Rose	2,303.86
226028	Thomas, Susie	71.56
238563	Turner, Lillian	937.04
247607	Tench, Margt. L.	169.64
275443	Thomas, Wm.	26.00
279438	Tcomer, Kath. K.	71.48
345981	Trust, Edw.	149.70
346616	Till, Jane R.	299.48
347159	Taylor, Mary J.	417.38
419532	Trakolfer, Maria	434.07
420571	Taylor, Bessie M.	510.56
420580	Thomas, Rosie	5,830.43
374617	Thomas, L. P.	17.03
375671	Tinker, Sara	105.40
376401	Troy, Margt. F.	1,439.97

U

402264	Underwood, Veronica	$27.53
305287	Underwood, Chas.	46.85
340273	Urling, Geo A.	30.63
336175	Underwood, H. M.	19.58
382319	Utrecht, Julius	2,034.94
228179	Underwood, S. J.	1,241.66
407187	Uptegraff, S. C.	172.27

V

393659	Volbrecht, W. J.	$181.94
397630	Vayda, Eugenie C.	130.13
384978	Vogel, Michael	1,567.35
328498	Vetter, Edw. J.	70.89
430460	Vernarsky, Mary	706.03
233340	Vincus, Pavil	12,945.21
348036	Vance, Jas. H.	19.65
406335	Volkert, Emma E.	107.97

W

384200	Waugh, John T.	$2,741.39
384545	Weber, Herman	3,219.25
385159	Wangeman, V. M.	12.15
387141	Waterman, Evalyn	46.77

390114	Welthause, Mayme	$62.17
410182	Wilson, Edw. W.	111.32
410325	Waterman, Olive P.	166.31
410616	Williams, Clar. C.	50.94
421010	Waite, John	88.24
421886	Weiss, Grace B.	114.67
423212	Williamson, Jas. I.	87.11
424380	White, Rose G.	431.49
424656	Wood, Helen E.	402.36
107947	Wheeler, Maggie	2,083.46
120584	Walton, Mina L.	950.02
123842	Woodhead, S. A.	1,533.38
183266	Wilson, Ada S.	2,424.37
193133	Westman, Eliz.	385.22
208026	Wakefield, Jas. A.	279.65
211762	Weir, Myra	1,243.66
213842	Waugaman, E. F.	2,608.77
217817	Wilcox, Hallie E.	1,406.44
321107	Wilbur, Sam P.	199.49
323912	Wilson, Margt.	2,656.01
325916	Wilson, Nellie M.	87.06
331773	Wuori, Sophie	236.61
333946	Wilt, Agnes	61.88
334431	Warnock, Velma S.	172.47
336364	Welfer, Annie H.	75.50
339332	Ward, Wm. H. B.	127.12
361405	Wehrle, Viola M.	580.17
367079	Weibel, Jno. T.	19.92
367276	Widlocher, Otto	53.52
369552	Woods, Jessie L.	1,646.51
417632	Walpert, Sadie M.	967.16
418327	Watson, Margt. T.	262.67
429635	Whitemore, A. F.	120.48
430472	Williams, Helen M.	71.64
367593	Woomer, S. C.	537.64
352839	Wagner, George A.	4.398.84
354159	Wilson, Nellie M.	112.67
354917	Walsh, John J.	66.88
398231	Wolz, George	160.05
400035	Wochele, Carrie M.	2,506.17
431220	Williams, Henry	84.98
432179	Weiland, Wm. J.	87.90
299945	Walker, Jane	64.72
300071	Waugaman, Margt.	1,702.76
312175	Walton, Frank	147.35
316223	Williams, A. F.	126.82
392659	Williams, Alvin J.	178.20
392864	Warmbt, Bruno	34.43
393754	Wilson, Margt.	93.81
394473	Williams, Mary M.	44.96
396442	Weller, Justine C.	24.37
411463	Williams, Margt. S.	119.24
412459	Weinman, O. B.	135.04
412898	Werner, Hilda H.	1.274.03
412935	Wagner, Mary J.	218.75
425563	Ward, Sarah	9.925.90
425679	Weil, Abraham	91.05
427129	Wucherer, Bertha	$84 94
427848	Watkins, Mary E.	93.90
428247	Woods, Anna E.	665.49
401408	Wilson, Geo. C.	1.165.62
402119	White, Mary	1.221.62
403003	Whitaker, H. E.	263.26
404672	Watkins, Gert. A.	53.45
404810	Wirs, Emilie	215.96
405625	Walsh, Mary	1,081.15
405722	Wroblenski, S.	51.78
307839	Wolfe, Emma J.	15.52
238240	Wiley, Emma D.	201.99
238251	Wagner, Emma G.	162.60
239228	Welsh, Thos. A.	1.077.02
248875	Winklevass, Robt.	124.11
254045	Wightman, Nan	37.30
265196	Waddy, Julia	573.59
273205	Woods, Emma B.	468.47
276658	Wilkinson, Wm.	325.70
279146	Wirth, Geo.	111.74
349609	Walker, Jos.	16.04
407132	Wagner, Henry	2.122.72
407959	Walter, Mathilda	215.96
414117	Wiatrak, Mary	136.34
419003	Wittman, F. J. L.	249.62
419250	Wolfendale, W. H.	91.41
420047	Watkins, Robt. S.	605.51
420595	Weber, Chas.	415.94
420786	Wilson, D. Paul	1.319.06
371866	Whitman, Bella	253.26
376240	Williams, Alvin J.	473.81
416046	Wenzel, Kath. C.	8.023.14
416047	Welch, Cora A.	140.08

Y

333708	Young, Jno. H.	$1.666.68
424402	Young, Henrietta C.	115.02
319717	Young, Stella A.	371.46
391577	Youden, George S.	55.11
221850	Yeager, Katharina	545.57
233486	Yeuell, Anna L.	1,098.80

Z

423590	Zehfuss, Helena	$237.58
424205	Ziegler, Conrad	636.17
433107	Ziringer, V. E. H.	529.36
214463	Zimmerly, Martha	484.17
432004	Zellers, Irene	4.552.09
426813	Zimmerman, Chas.	112.78
527049	Zydel, Alphonse	115.63
426341	Zacharias, Eliz. J.	340.69
407882	Zelicoff, Ida	2,122.72
413097	Zaborowski, D.	77.49
420110	Zinn, Mary J.	484.40
373301	Zincawics, Joe	148.15
377842	Zogg, Alma O.	1,415.99

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ALFRED COOPER
A. MATLACK STACKHOUSE

JOSEPH K. COSTELLO, General Manager
WALTER S. ANDERSON, Treasurer

COUNSEL
JAMES C. CRUMLISH T. HARRY ROWLAND
MODJESKI, MASTERS AND CASE, INC., Engineers

MONTHLY VEHICULAR TRAFFIC

Period	Total Vehicles	Total Receipts	Pleasure Cars & Light Trucks	Buses	Trucks (Heavy)	Horse Drawn Vehicles	Horse & Rider	Led Animals	Special Permits	Motor Cycles	Average Vehicles Monthly	Average Vehicles Daily	Average Receipts Monthly	Average Receipts Daily	Average Sunday & Holiday Traffic	Distributed Funds New Jersey	Penna.	Phila.	Total
1927	8,593,201	$2,435,784.40	7,270,703	1,181,183	111,460	1369	102	79	3722	24,583	716,100	23,543	$202,982.03	$6,673.38	33,981	$1,046,960.95	$523,480.47	$523,480.47	$2,093,921.89
1928	9,725,470	2,827,786.83	8,246,002	1,297,533	151,583	454	96	30	565	29,207	810,456	26,572	235,648.50	7,726.19	38,096	1,224,598.40	612,299.21	612,299.21	2,449,196.82
1929	11,615,609	3,331,754.46	10,096,414	1,313,737	170,126	391	69	8	1611	33,253	967,967	31,824	277,648.43	9,128.16	45,194	1,466,629.14	733,314.56	733,314.56	2,933,258.26
1930	12,235,359	3,517,730.64	10,578,206	1,484,443	189,704	115	59	5	4414	28,413	1,023,780	33,658	293,144.22	9,637.62	44,768	1,508,566.57	754,283.27	754,283.27	3,017,133.11
1931	12,308,225	3,479,337.93	10,770,393	1,278,879	225,977	31	22	1	5006	27,916	1,025,685	33,721	289,986.48	9,533.80	44,226	1,524,490.61	762,245.30	762,245.30	3,048,981.21
1932	10,804,557	3,091,576.91	9,355,635	1,179,259	235,057	13	8	0	6561	27,774	900,379	29,520	257,631.40	8,446.93	38,011	1,310,112.54	655,056.27	655,056.27	2,620,225.08
1933	9,886,705	2,820,018.71	8,569,299	1,032,038	250,455	22	2	2	8909	25,448	823,892	27,087	235,001.56	7,726.08	35,598	946,968.46	266,971.23	271,236.57	885,176.26
1934	9,981,615	2,846,116.26	8,613,090	1,035,955	284,143	16	0	0	17164	31,249	831,801	27,347	237,176.36	7,797.58	35,604				
1935	10,156,929	2,899,563.25	8,735,223	1,049,409	320,099	11	2	0	19512	32,673	846,410	27,824	241,630.27	7,944.00	36,452				

TRAFFIC, RECEIPTS, AND EXPENSES

Month	1926 Vehicles	1926 Receipts	1926 Expenses	1927 Vehicles	1927 Receipts	1927 Expenses	1928 Vehicles	1928 Receipts	1928 Expenses	1929 Vehicles	1929 Receipts	1929 Expenses	1930 Vehicles	1930 Receipts	1930 Expenses
Jan.				466,918	$148,165.38	$27,223.07	581,945	$178,184.17	$31,076.14	691,827	$207,812.83	$31,538.35	792,291	$229,672.30	$32,272.39
Feb.				447,374	109,100.34	30,238.57	555,696	170,286.61	34,370.68	657,126	191,785.23	29,052.90	757,647	221,585.92	33,531.88
Mar.	Traffic, Receipts and Expenses			586,441	155,743.32	28,929.78	657,294	195,838.42	31,428.52	850,894	237,825.60	37,629.98	921,732	282,816.79	40,255.69
Apr.				654,243	173,375.38	27,149.44	728,163	215,041.37	29,751.49	858,784	247,119.39	33,308.07	970,596	283,134.72	40,117.85
May	Delaware River Bridge			771,344	210,816.96	25,818.29	829,841	235,846.43	32,406.28	1,002,573	281,460.01	33,979.39	1,105,698	319,006.35	41,563.36
June				783,223	222,513.82	14,849.19	871,082	257,264.55	28,623.81	1,126,167	328,222.53	31,052.03	1,163,455	320,237.06	36,309.72
July	328,647	$226,532.97	$18,988.70	975,551	264,948.49	26,878.44	1,063,159	294,327.21	33,633.08	1,268,929	353,982.78	37,290.47	1,272,827	370,521.67	48,450.44
Aug.	804,165	219,729.09	28,567.85	924,836	265,357.32	28,633.61	1,044,519	299,711.61	32,947.86	1,299,433	355,751.66	38,795.01	1,308,101	358,519.43	44,659.67
Sept.	730,711	178,512.94	21,689.89	865,760	248,796.87	39,549.02	942,270	260,823.69	29,568.11	1,104,067	306,127.55	30,292.52	1,129,713	310,755.63	39,941.53
Oct.	655,078	184,233.31	30,524.96	776,505	227,107.03	25,937.63	881,472	257,370.39	29,079.68	985,086	280,407.38	30,762.16	1,020,625	287,963.13	42,919.13
Nov.	610,291	172,266.75	27,092.46	693,836	210,995.04	29,566.76	790,455	228,438.98	30,247.69	911,888	262,221.55	32,445.28	940,368	266,670.84	49,818.23
Dec.	508,782	128,833.32	31,245.61	647,120	198,864.45	41,854.79	779,514	234,653.40	35,456.67	858,835	279,017.45	32,354.99	902,306	266,846.60	50,757.64
Totals	4,137,674	1,110,108.38	158,109.47	8,593,201	2,435,784.40	346,678.59	9,725,470	2,827,786.83	378,590.01	11,615,609	3,331,754.46	398,496.20	12,285,359	3,517,730.64	500,597.53
Net Receipts		$946,682.83			$2,093,921.89			$2,449,196.82			$2,933,258.26			$3,017,133.11	

Month	1931 Vehicles	1931 Receipts	1931 Expenses	1932 Vehicles	1932 Receipts	1932 Expenses	1933 Vehicles	1933 Receipts	1933 Expenses	1934 Vehicles	1934 Receipts	1934 Expenses	1935 Vehicles	1935 Receipts	1935 Expenses
Jan.	829,442	$237,708.20	$42,951.90	820,468	$250,486.00	$34,244.08	685,372	$188,938.59	$34,950.88	662,380	$186,220.00	$33,508.17	592,650	$169,865.25	$46,115.28
Feb.	776,165	226,331.88	33,936.75	779,370	214,084.61	31,123.64	589,811	164,238.98	32,386.53	487,606	142,425.85	31,940.77	563,194	161,285.55	35,047.91
Mar.	901,208	265,696.60	40,195.00	814,395	249,608.94	34,287.21	690,043	215,762.65	34,754.00	669,341	185,054.10	33,639.48	763,757	208,870.85	35,624.52
Apr.	990,065	262,422.18	33,728.00	866,749	234,520.85	33,583.10	793,465	215,625.00	34,704.98	790,844	241,834.09	40,767.05	806,000	247,899.14	34,012.79
May	1,112,646	321,942.37	33,911.98	978,457	268,234.28	36,473.22	855,472	258,649.75	32,740.80	869,626	236,545.80	38,020.74	882,327	240,838.20	35,011.07
June	1,136,598	339,727.46	33,170.30	967,446	294,010.31	39,386.03	924,690	260,706.74	31,367.37	932,743	284,546.37	36,250.60	960,277	260,525.67	34,957.14
July	1,275,304	335,980.72	35,864.41	1,124,653	297,976.45	48,622.12	1,056,431	283,077.01	35,346.06	1,116,016	299,246.68	33,539.93	1,117,485	330,143.50	33,931.04
Aug.	1,270,803	364,670.00	40,802.97	1,101,001	301,033.15	48,119.61	1,042,936	280,430.75	37,691.60	1,116,991	300,955.12	42,019.39	1,132,430	305,000.35	36,181.98
Sept.	1,128,313	301,962.45	31,795.34	987,062	296,377.72	54,119.22	928,938	278,563.75	29,723.43	913,476	248,340.10	32,723.08	941,261	257,544.50	38,017.52
Oct.	1,035,436	305,104.54	33,053.03	867,986	238,797.05	34,882.40	841,983	232,151.46	40,525.60	839,029	258,335.70	33,573.13	853,237	260,129.20	40,358.25
Nov.	940,634	259,053.40	37,224.76	767,317	239,476.64	42,990.19	758,983	207,839.30	40,513.66	797,395	220,515.65	33,432.58	786,152	218,650.74	36,839.10
Dec.	911,606	258,738.13	34,222.28	729,653	206,920.41	33,520.96	703,581	229,034.73	33,306.55	786,168	242,096.80	39,997.71	751,159	238,760.30	34,989.99
Totals	12,303,225	3,479,337.93	430,356.72	10,804,557	3,091,576.91	471,351.83	9,886,705	2,820,018.71	418,516.46	9,981,615	2,846,116.26	429,412.63	10,156,929	2,899,563.25	441,146.59
Net Receipts		$3,048,981.21			$2,620,225.08			$2,401,502.25			$2,416,703.63			$2,458,416.66	

ANNUAL REPORT OF THE DELAWARE RIVER JOINT COMMISSION OF PENNSYLVANIA AND NEW JERSEY

To the Honorable: The Legislatures of the Commonwealth of Pennsylvania and the State of New Jersey and the Council of the City of Philadelphia.

In 1935 Delaware River Bridge traffic increased by 1.75% and gross receipts by 1.87%. All classes of traffic, excepting horse-drawn vehicles, showed a gain. Maximum daily traffic was 61,161 on August 18th and minimum, 8,289 on January 24th. The daily average for the year was 27,824.

Comparative figures since the opening of the Delaware River Bridge on July 1, 1926 are as follows:

Year	Traffic	Gross Receipts	Expenses	Net Receipts
1935	10,156,929	$2,899,563.25	$441,146.59	$2,458,416.66
1934	9,981,615	2,846,116.26	429,412.63	2,416,703.63
1933	9,886,705	2,820,018.71	418,516.46	2,401,502.25
1932	10,804,557	3,091,576.91	471,351.83	2,620,225.08
1931	12,308,225	3,479,337.93	430,856.72	3,048,981.21
1930	12,285,359	3,517,730.64	500,597.53	3,017,133.11
1929	11,615,609	3,331,754.46	398,496.20	2,933,258.26
1928	9,725,470	2,827,786.83	378,590.01	2,449,196.82
1927	8,593,201	2,435,784.40	346,678.59	2,093,921.89
1926 (½ year) ..	4,137,674	1,110,108.38	158,109.47	946,682.83

Details of traffic and receipts are shown in chart and tabular forms in this report.

Part of the increase in expenses in 1935 was due to items of construction cost of the high-speed rail transit project which were met out of toll funds. During the year, work was prosecuted vigorously on the project and, at the close, there was every indication that the line which extends the subway system of Philadelphia into Camden at a cost of $10,000,000 would be opened in the spring of 1936. Details of progress are given in the appended reports of the engineers.

The High-Speed Line is approximately two and one-half miles long from Eighth and Race Streets, Philadelphia to its terminus alongside the Broadway Station of the Pennsylvania-Reading Seashore Lines in Camden. Stations are provided at Broadway and opposite the City Hall in Camden; and in Philadelphia at Franklin Square in addition to the previously-built station at Eighth and Market Streets. The City of Philadelphia built the Eighth Street subway several years ago as part of the Broad Street-Locust Street subway system. Passengers on the bridge line will alight at Eighth and Market Streets but the City of Philadelphia plans during 1936 to electrify the Eighth Street subway south of Market Street and the Locust Street extension to Eighteenth Street. These subway portions were built before the construction of the bridge line was begun but have not yet been equipped.

The cost of the bridge line to the Commission will be, approximately, $8,000,000 with an additional $2,000,000 defrayed by the Federal Emergency Administration of Public Works.

The line has been leased to the Philadelphia Rapid Transit Company and the Commission will receive two and one-half cents for each passenger carried thereon. The fare will be ten cents with free transfers to the North and South Broad Street subways. The Philadelphia Rapid Transit Company has agreed to give free transfers from the bridge line to the Market Street subway until such time as the Locust Street subway is put into operation to enable passengers to reach the central business section of Philadelphia.

PROGRESS OF HIGH-SPEED LINE

Our engineers, Modjeski, Masters and Case, Inc., report to the Commission upon the status of the High-Speed project as follows:

The line is designed for the operation of multiple unit electrically operated trains and extends from the connection with the Eighth Street Subway at Race Street in Philadelphia diagonally across Franklin Square in two tubes to the substructure of the Delaware River Bridge approach and thence across the bridge in the two outside locations provided in the original bridge construction. On the Camden side the tracks converge downward below the surface of the ground under the bridge approach structure and turn southward into Fifth Street as a two track subway. At Federal Street the subway swings on a long curve towards the east to a location parallel and adjacent to the tracks of the Pennsylvania-Reading Railroad and terminates about 70 ft. west of Sixth Street. Beyond this point is a continuing passageway at the street level to Haddon Avenue.

To maintain vehicular traffic cut off by the construction of the High Speed Line, underpasses have been constructed in Fifth Street, Philadelphia, between Cherry Street and Callowhill Street approximately 1450 ft. in length and in Fourth Street, Camden, between Main Street and Linden Street approximately 650 ft. in length. An additional short underpass for pedestrians has been constructed on the west side of Fourth Street, Camden, below the bridge. The temporary Philadelphia underpass in Fifth Street which crossed the new tracks at grade has been abandoned, filled, and paved over.

Three passenger stations have been provided, each with platforms 550 ft. long, one in Philadelphia located in Franklin Square and two in Camden, one in Fifth Street opposite the City Hall and the other at the easterly terminus of the line at Broadway, adjacent to the Pennsylvania Railroad Station. Lighting fixtures, signs, toilet facilities, ticket booths, fences and similar facilities are being installed and the stations will be turned over to the operating company completely equipped for operation. The upper floors of the Broadway Station are at the street level and are connected by means of a moving stairway with the station platform below in addition to the usual fixed stairways, and by a covered passageway with Sixth Street and Haddon Avenue. The City Hall and Franklin Square subway stations are entirely below the street level. Numerous stairways or passages afford convenient access to and from the streets at all stations. At the southeast corner of Seventh and Race Streets, Philadelphia, and at the Plaza Club Hotel in Camden, entrance and exit stairways have been provided in the existing buildings under special agreements with their owners.

The track of the High Speed Line consists of 100-pound A.S.C.E. rail laid to standard gauge of 4 ft. 8½ in. and 150-pound top running contact rail on porcelain insulators with protection boards, laid on creosoted yellow pine ties. The track over the bridge is provided with emergency guard rails throughout. In the subway the ties are short blocks beneath each rail and are either embedded in concrete or bolted to the top flanges of steel channels embedded in concrete. The channel construction was adopted at curves and special work with the object of holding the track rigidly in place and providing a convenient method of replacement of ties. Across the bridge the ties on the approaches are of standard length, laid in ballast on a concrete slab constructed under a preliminary contract completed in 1934. Over the suspended span regular bridge construction is employed consisting of 8 in. x 9¾ in. ties bolted to the steel frame work provided in the original bridge construction. Longitudinal guard timbers bolted to the ties are provided over the suspended span. Tracks for storage of 12 cars are provided beneath the Camden approach of the Delaware River Bridge between Third and Fourth Streets.

Signaling and Interlocking Equipment is of the electro-pneumatic type similar to that in the Broad Street Subway. An innovation consists in the installation of air lines of bronze tubing.

Electric power for the operation of the High Speed Line is provided through two substations, one in Philadelphia below the bridge at Front Street and one in Camden at Fourth and Birch Streets, as set forth in the report of the Electrical Engineer.

Twenty-six steel passenger cars of a modified stream line construction and having a seating capacity of 67 passengers are under construction.

Under an agreement between the Commission and the Pennsylvania Railroad, the railroad company has cooperated in the subway construction at the Broadway Station by temporarily discontinuing its northerly track and removing its pole line interfering with the subway construction and placing the cables below ground.

ALL CONTRACTS LET

The financial status of all contracts for construction and equipment of the project at the end of 1935 is as follows:

HIGH-SPEED TRANSIT PROJECT CONSTRUCTION ACCOUNT DECEMBER 31, 1935

Contract	Amount of Contract and Extra Work	Amount Earned	Amount Paid	10% Retained
1. Builders, Inc.	$ 998,394.15	$1,000,853.83	$ 890,768.46	$100,085.37
Extra Work	26,697.61	26,697.61	24,027.84	2,669.77
Totals—Contract No. 1	1,025,091.76	1,027,551.44	914,796.30	102,755.14
2. Marcus Contracting Co., Inc.	1,373,999.06	1,287,874.61	1,159,087.14	128,787.47
Extra Work	16,661.24	16,661.24	14,995.12	1,666.12
Totals—Contract No. 2	1,390,660.30	1,304,535.85	1,174,082.26	130,453.59
3. Triest Contracting Corp.	957,694.00	963,292.25	866,963.03	96,329.22
Extra Work	13,447.52	13,447.52	12,102.76	1,344.76
Totals—Contract No. 3	971,141.52	976,739.77	879,065.79	97,673.98
4. Turner Construction Co.	73,615.04	73,615.04	73,615.04	Completed
Extra Work	326.40	326.40	326.40	$3,292.96
Totals—Contract No. 4	73,941.44	73,941.44	73,941.44	Under Bid
5. Allis-Chalmers Mfg Co.	393,965.00	134,624.00	121,161.60	13,462.40
6. E. R. Morehouse Co., Inc	735,481.45	701,380.53	631,242.47	70,138.06
Extra Work	3,771.25	3,771.25	3,394.13	377.12
Totals—Contract No. 6	739,252.70	705,151.78	634,636.60	70,515.18
7A. Turner Construction Co.	75,520.20	74,502.09	67,051.88	7,450.21
Extra Work	1,330.76	1,330.76	1,197.68	133.08
Totals—Contract No. 7A.	76,850.96	75,832.85	68,249.56	7,583.29
7C. Turner Construction Co.	65,929.05	64,837.96	58,354.17	6,483.79
Extra Work	627.43	627.43	564.68	62.75
Totals—Contract No. 7C.	66,556.48	65,465.39	58,918.85	6,546.54
8. The J. G. Brill Co.	1,365,865.00	166,075.00	149,467.50	16,607.50
9. W. V. Pangborne & Co., Inc.	318,346.21	56,049.46	50,444.51	5,604.95
10A. Union Switch & Signal Co.	589,970.00	106,010.98	95,409.88	10,601.10
11. Ralph S. Herzog	179,518.00	49,515.18	44,563.66	4,951.52
12. Riggs Distler & Co., Inc.	54,700.99	10,972.33	9,875.10	1,097.23
13. W. M. Anderson Co.	20,219.94			
14. Westinghouse Electric Elevator Co.	26,950.00	6,959.16	6,263.24	695.92
15. Kaufman Construction Co.	47,320.00			
Totals—Contracts	$7,277,488.09	$4,696,562.42	$4,224,267.68	$462,294.74
Totals—Extra Work	62,862.21	62,862.21	56,608.61	6,253.60
Grand Totals	7,340,350.30	4,759,424.63	4,280,876.29	468,548.34

During 1935 the Commission sold 4,000 par value bonds for $4,301,580 to finance the project. The Commission received a free grant of $326,010.03 from the Federal Emergency Administration of Public Works under the Loan and Grant Agreement of May 4, 1934. Requisitions for additional funds, due as part of the Grant, were under consideration at Washington at the end of the year.

BONDS SOLD TO PUBLIC

The Commission's policy of selling blocks of its bonds as funds are needed resulted in a marked saving in interest costs during construction. The favorable financial position of the Commission, as shown in the Balance Sheet appended to this report, was, undoubtedly, one of the chief factors in obtaining premiums from the banking syndicates which purchased its bonds in competitive bidding after advertising. The Commission elected to dispose of its bonds to the public rather than to the Federal Emergency Administration of Public Works because of the greater premium to be obtained. During 1935, sales of Commission bonds were made as follows:

Date	Amount Sold	Price	Amount Received	Purchaser
January 18	$2,000,000	@ 108.279	$2,165,580	Graham, Parsons and Company
October 20	$2,000,000	@ 106.8	$2,136,000	Yarnall and Company
Total—	$4,000,000		$4,301,580	

Thirty-four arrests were made on the bridge in 1935; ten fires were extinguished; one fatal traffic accident occurred and a workman employed by a contractor on the transit project died from injuries as a result of falling from the bridge.

The Delaware River Joint Commission takes this opportunity of inviting the Legislatures of Pennsylvania and New Jersey and the Council of the City of Philadelphia to inspect the bridge and to go into the details of operation at any time.

Respectfully submitted.

THE DELAWARE RIVER JOINT COMMISSION

GEORGE H. EARLE, Chairman	JOHN B. KATES, Vice-Chairman
J. HAMPTON MOORE	FRANK L. SUPLEE
CHARLES A. WATERS	I. NORWOOD GRISCOM
FRANK E. BALDWIN	LUCIUS E. HIRES
THOMAS B. SMITH	ARTHUR C. KING
RICHARD WEGLEIN	BARTON F. SHARP
WILLIAM H. FOLWELL	ALFRED COOPER
J. WILLISON SMITH	A. MATLACK STACKHOUSE

JOSEPH K. COSTELLO, General Manager

December 31, 1935.

DISTRIBUTION OF VEHICULAR TRAFFIC
ACROSS THE DELAWARE RIVER
(Among Ferries and Bridges Within 10 Miles of the Delaware River Bridge, for the Year 1935)

Month	Ferry Vehicles		Tacony-Palmyra Bridge	Total Vehicles other than the Delaware River Bridge	Delaware River Bridge	Total Cross River Traffic	Tacony-Palmyra Bridge Share of Traffic	Delaware River Bridge Share of Traffic
	Penn. R. R.	Phila. & Reading						
January	50,448	67,805	56,002	174,255	593,650	767,905	7.29%	77.31%
February	49,668	64,444	54,560	168,672	563,194	731,866	7.45	76.95
March	59,647	85,743	91,452	236,842	763,757	1,000,599	9.13	76.33
April	62,537	95,821	103,816	262,174	806,000	1,068,174	9.72	75.45
May	67,411	109,104	127,978	304,493	882,327	1,186,820	10.79	74.35
June	70,050	118,095	164,427	352,572	960,277	1,312,849	12.52	73.14
July	82,866	144,354	219,188	446,408	1,117,485	1,563,893	14.01	71.45
August	91,178	148,030	223,940	463,148	1,132,430	1,595,578	14.03	70.97
September	77,676	124,007	155,860	357,543	941,261	1,298,804	12.00	72.47
October	76,579	113,859	106,879	297,317	853,237	1,150,554	9.29	74.15
November	67,347	94,970	86,969	249,286	786,152	1,035,438	8.35	75.92
December	61,801	86,255	79,835	227,891	757,159	985,050	8.10	76.86
Totals—1935	817,208	1,252,487	1,470,906	3,540,601	10,156,929	13,697,530	10.73	74.15
Totals—1934	769,423	1,261,372	1,399,843	3,430,638	9,981,615	13,412,253	10.43	74.42
% Change	+6.21	−0.70	+5.07	+3.20	+1.75	+2.12	—	—

APPENDICES

APPENDIX "A"

Report of Modjeski, Masters and Case, Inc., Engineers.

December 31, 1935.

The Delaware River Joint Commission:
Camden, N. J.

Gentlemen:

We transmit herewith a report of the work accomplished on the High Speed Rail Transit Line during 1935 and the status of the work at the present time. The report by the Electrical Engineer of the source and distribution of power for operation and the electrical features is given in Appendix "B".

Nine contracts, Nos. 7-C to 15 inclusive, for the finish and equipment of the High Speed Line aggregating $2,668,819.19 have been awarded during the year, completing the work of placing the entire project under contract. Including seven contracts awarded in 1934 the aggregate of the sixteen contracts comprising the entire work is $7,277,480.09.

Contract No. 1 for subway construction in Philadelphia and Contracts 7-A and 7-C for the construction of the substation buildings were completed this year. Contract No. 6 for trackwork and contact rail is substantially completed and Contracts 2 and 3 for subway conostruction in Camden are nearing completion. Contract No. 4 for the construction of concrete decks on the bridge approaches was completed in 1934. The remaining nine contracts for finish and equipment, except Contract No. 15 for which the order to proceed has not yet been issued are actively in progress. At the end of the year the project as a whole is approximately 80 per cent completed.

During the greater portion of the year 102 Commission engineers and inspectors have been employed on the work, the number now being reduced to 87. The number of Contractors' men employed directly on the work has averaged 725, the maximum being 1175. At the end of the year the force was reduced to about 400.

Due to the participation by the United States Government in the financing of the work, it has been prosecuted as Public Works Administration Project No. 1293 and has been subject to Government regulations and inspection throughout.

The various contracts for the construction and equipment of the High Speed Line Project are as follows:

Contract No.	For	Awarded to	Date of Award	
1	Phila. Subway and Underpass	Builders, Inc.	1-26-34	$998,394.15
2	Trackways Underpasses and Subway—Camden	The Marcus Contg. Co., Inc.	4-13-34	1,373,999.06
3	Subway South of Federal St.—Camden	Triest Contg. Corp.	6- 8-34	957,694.00
4	Concrete Decks on Bridge	Turner Constr. Co.	8-17-34	73,615.04
5	Equipment for Substations	Allis-Chalmers Mfg. Co.	8-17-34	393,965.00
6	Trackwork and Contact Rail	E. R. Morehouse Co., Inc.	10-19-34	735,481.45
7-A	Phila. Substation Building	Turner Constr. Co.	11-16-34	75,520.20
7-C	Camden Substation Building	Turner Constr. Co.	1-18-35	65,929.05
8	Steel Passenger Cars	The J. G. Brill Co.	3-23-35	1,365,865.00
9	Substation Equipment, Bonding and Cables	W. V. Pangborne & Co., Inc.	6- 7-35	318,346.21
10-A	Signaling and Interlocking	Union Switch & Signal Co.	5-31-35	589,970.00
11	Station Finish and Control Equipment	Ralph S. Herzog	3-23-35	179,518.00
12	Subway Lighting	Riggs Distler & Co.	7-19-35	54,700.99
13	Pumps, Plumbing, Sewage Ejectors and Heating	W. M. Anderson Co.	8-16-35	20,219.94
14	Moving Stairway	Westinghouse Electric Elevator Co.	7-19-35	26,950.00
15	Miscellaneous Equipment and Work	Kaufman Constr. Co.	12-20-35	47,320.00
		Total		$7,277,488.09

Detailed Report of Construction

The following is a record of the construction work accomplished during the year:

CONTRACT NO. 1—SUBWAY IN PHILADELPHIA FROM EIGHTH AND RACE STREETS TO SIXTH STREET AND AN UNDERPASS IN FIFTH STREET

Contractor .....Builders, Inc.
Date of Contract .....February 9, 1934
Bids Opened .....January 15, 1934
Aggregate of Bid $998,394.15
Notice to Proceed Issued .....February 9, 1934
Work of Contract Completed .....August 29, 1935

Contract No. 1 comprising the subway and underpass construction in Philadelphia which was approximately 80 per cent complete at the beginning of 1935 was completed August 29, 1935.

The work during the past year has been concerned largely with the completion of the Fifth Street underpass which was opened to traffic on May 28, 1935, the filling and repaving of the old underpass, the physical connection with the Eighth Street Subway, and the restoration of surface conditions. The Seventh Street Extension has been completed and the car tracks laid, Race Street has been widened on the north side between Eighth Street and Franklin Street, and the surface of other streets disturbed by the construction has been repaved. Franklin Square has been temporarily resurfaced, the fountain replaced, and the walks relaid, but the landscaping of this square and of the open plots resulting from the demolition of buildings over the subway to the west and the replacement of trees in Franklin Square has been deferred until a later date.

CONTRACT NO. 2—CONSTRUCTION OF TRACKWAYS ALONG THE DELAWARE RIVER BRIDGE APPROACH FROM WEST TO THIRD STREET TO FIFTH STREET AND A SUBWAY IN FIFTH STREET FROM THE BRIDGE APPROACH TO FEDERAL STREET: ALSO A VEHICULAR AND A PEDESTRIAN UNDERPASS IN FOURTH STREET.

Contractor .....The Marcus Contracting Co., Inc.
Date of Contract .....April 16, 1934
Bids Opened .....April 6, 1934
Aggregate of Bid $1,373,999.06
Notice to Proceed Issued .....May 2, 1934
Contract now approximately .....97% completed

Contract No. 2 for that portion of the High-Speed Line north of Federal Street, including the City Hall Station and the underpasses in Fourth Street, was 60 per cent completed at the beginning of the year and is now nearly finished. The work remaining to be done consists of backfilling and paving portions of Fifth Street at the southerly end of the contract and putting the finishing touches on the work in general.

The Contractor's operations during the year have covered all branches of the construction, including the completion of the difficult work of underpinning and supporting the substructure of the Delaware River Bridge approach, the completion of the Fourth Street underpasses, opened for vehicular travel September 23, 1935 and for pedestrians September 25, 1935, the widening and paving of Fourth Street and the underpass approaches at Linden Street, and the restoration of surface conditions. New granite curbs have been set and cement sidewalks laid along the line of the subway and underpass and permanent asphalt roadway paving on concrete base, laid in Fourth Street. A temporary bituminous macadam pavement on four inches of broken stone is being laid over the backfill above the subway in Fifth Street.

CONTRACT NO. 3—SUBWAY IN CAMDEN FROM FIFTH AND FEDERAL STREETS TO THE VICINITY OF HADDON AVENUE AND CARMAN STREET

Contractor .....Triest Contracting Corporation
Date of Contract .....June 8, 1934
Bids Opened .....June 1, 1934
Aggregate of Bid $957,694.00
Notice to Proceed Issued .....June 22, 1934
Contract now approximately .....98% completed

Contract No. 3 comprising the construction of the subway and its connecting passages between Federal Street and Haddon Avenue, which was 30 per cent completed at the beginning of the year is now substantially completed. The unfinished work consists of laying sheet asphalt in Hudson Street and Taylors Avenue and laying certain small areas of cement sidewalk paving, and minor items of finish to the structure.

The work on Contract No. 3 during the year has been principally concerned with the construction of the Broadway station and its approaches. The design of this station differs from the conventional type of the other stations in that the station control areas above the loading and unloading platforms are at the street level and are housed by steel and concrete structures located on both sides of Broadway. The south wall of these structures support the railroad embankment. A moving stairway between the platform and street levels is being installed under Contract No. 14. The work includes construction of a covered passage from the station to within about 50 ft. of Sixth Street and from Sixth Street to Haddon Avenue. Heated quarters for the employees of the operating company are provided at the east end of the station.

CONTRACT NO. 4—CONCRETE DECK AND TRACKWAYS ON BRIDGE

Contractor .....Turner Construction Co.
Date of Contract .....August 22, 1934
Bids Opened .....August 10, 1934
Aggregate of Bid $77,234.40
Notice to Proceed Issued .....September 12, 1934
Work Completed .....December 18, 1934

CONTRACT NO. 5—FURNISHING AND ERECTING MERCURY-ARC POWER RECTIFIER EQUIPMENT, TRANSFORMERS, AND SWITCH GEAR IN PHILADELPHIA AND CAMDEN SUBSTATIONS

Contractor .....Allis-Chalmers Mfg. Co.
Date of Contract .....August 21, 1934
Bids Opened .....August 10, 1934
Aggregate of Bid $393,965.00
Notice of Proceed Issued .....September 15, 1934
Contract now approximately .....75% completed
Details in Appendix "B"

CONTRACT NO. 6—TRACKWORK AND CONTACT RAIL

Contractor .....E. R. Morehouse Co., Inc.
Date of Contract .....October 22, 1934
Bids Opened .....October 12, 1934
Aggregate of Bid $737,481.45
Notice to Proceed Issued .....November 5, 1934
Contract now approximately .....99% completed

Contract No. 6 covers the furnishing and installing of the trackwork and contact rail required for the operation of the High Speed Line including the storage yard; also installations of metallic tubing for cables and steel electrical chambers, footwalks, gratings, pipe railings and similar equipment on the bridge and approach structures.

At the beginning of the year track materials were beginning to arrive on the work; the contract is now substantially completed.

The trackwork is similar to that adopted as standard in the City-owned Philadelphia subways.

An interesting innovation consists of the use of GEO type tie plates used throughout the work which are accurately fitted to the ties by gauge in the shop and provide means for the subsequent placing of the running rail on rubber pads in accurate alignment. The rail is fastened to the tie plates by means of clips, thus providing for replacements with a minimum damage to the ties. This construction eliminates the necessity for anti-creepers. Expansion joints of a new and effective design have been installed in the rail of both tracks at the bridge towers.

CONTRACT NO. 7-A—PHILADELPHIA SUBSTATION BUILDING

Contractor .....Turner Construction Co.
Date of Contract .....November 20, 1934
Bids Opened .....November 9, 1934
Aggregate of Bid $75,520.20
Notice to Proceed Issued .....December 12, 1934
Contract now approximately .....100% completed

Contract No. 7-A which was awarded near the close of 1934 has been substantially completed and the electric power equipment it is designed to house is being installed. The building is approximately 74 ft. by 53 ft. in size and of attractive architectural appearance, constructed of brick with granite base and limestone trim. It is located underneath the structure of the Delaware River Bridge on Front Street north of Race Street and as a protection against a possible fire on the bridge structure is provided with a copper roof.

CONTRACT NO. 7-C—CAMDEN SUBSTATION BUILDING

Contractor .....Turner Construction Co.
Date of Contract .....January 22, 1935
Bids Opened .....January 11, 1935
Aggregate of Bid $65,929.05
Notice to Proceed Issued .....February 15, 1935
Contract now approximately .....100% completed

The substation building in Camden was first designed as a limestone structure to resemble the Administration Building and was located in the open plot of land on the south side of Linden Street at the south Marginal Road. Bids were received on November 9, 1934 for constructing this building under Contract No. 7-B, the low bidder being Builders, Inc. and the price $105,220.15. All bids were rejected and the building was redesigned as a brick structure with granite base and limestone trim approximately 83 ft. by 53 ft. in size to occupy the plot of land on the east side of Fourth Street between Birch Street and the north Marginal Road. Bids for the construction of the substation on the revised design under Contract No. 7-C were received on January 11, 1935. Work was started on this building shortly thereafter and it is now completed and electrical apparatus and conduits are being installed. The work of Contract No. 7-C includes plumbing, ventilators, and hand-operated chain hoist but no electrical equipment.

CONTRACT NO. 8—STEEL PASSENGER CARS

Contractor .....The J. G. Brill Company
Date of Contract .....March 25, 1935
Bids Opened .....March 15, 1935
Aggregate of Bid $1,365,865.00
Notice to Proceed Issued .....April 11, 1935
Contract now approximately .....40% completed

Contract No. 8 covers the construction of 26 steel passenger cars for the operation of the High Speed Line, and two additional trucks and some replacement parts. One sample car is nearing completion, and the construction of the others is progressing rapidly.

The cars have a modified stream line outline at the ends and seating arrangement for 67 passengers. Some reduction in weight was made by the use of high-strength rust-resisting steel.

CONTRACT NO. 9—SUBSTATION CONTROL EQUIPMENT AND POWER DISTRIBUTION SYSTEM

Contractor .....W. V. Pangborne and Co., Inc.
Date of Contract .....June 7, 1935
Bids Opened .....May 31, 1935
Aggregate of Bid $318,346.21
Notice to Proceed Issued .....July 13, 1935
Contract now approximately .....35% completed
Details in Appendix "B"

CONTRACT NO. 10-A—BLOCK SIGNALING AND INTERLOCKING EQUIPMENT

Contractor .....Union Switch and Signal Co.
Date of Contract .....June 3, 1935
Bids Opened .....May 17, 1935
Aggregate of Bid $589,970.00
Notice to Proceed Issued .....June 19, 1935
Contract now approximately .....60% completed
Details in Appendix "B"

Contract No. 10 for Block Signaling and Interlocking Equipment was advertised and one bid received from the Union Switch and Signal Company in the amount of $593,430 on March 15, 1935. This single bid was rejected and the Contract was readvertised as Contract 10-A giving the bidders the privilege of bidding on either an electric or electro-pneumatic system or a combination of the two, except that installations in the Eighth Street Supway were required to be electro-pneumatic in operation to operate with the existing signaling and interlocking equipment with which it connected. Bids were received from the Union Switch and Signal Company in the amount of $583,600 for combined electro-pneumatic and electric system in which an air line across the Delaware River Bridge was not required, and in the amount of $589,970 for an electro-pneumatic system which included an air line available for the operation of tools on the bridge. The General Railway Signal Company submitted a bid of $628,406. The electro-pneumatic type of equipment was requested by the Philadelphia Rapid Transit Company on account of the air line over the bridge and its many advantages in facilitating connection with the existing signal systems in the Philadelphia subways and the bid of the Union Switch and Signal Company for an electro-pneumatic system was accepted by the Commission and was awarded on May 31, 1935 as Contract 10-A.

CONTRACT NO 11—STATION FINISH AND CONTROL EQUIPMENT

Contractor .....Ralph S. Herzog
Date of Contract .....March 22, 1935
Bids Opened .....March 15, 1935
Aggregate of Bid $179,518.00
Notice to Proceed Issued .....April 11, 1935
Contract now approximately .....40% completed

Contract No. 11 covers furnishing and installing the station finish, tile work and control equipment for the three subway stations and the construction of a small brick maintenance building underneath the approach spans of the Delaware River Bridge at the car storage yard near Third Street, Camden. The station finish comprises tile work; granite masonry around stairway openings in Franklin Square, Philadelphia and cast-iron enclosures around other stairways; grilles and fencing; copper covered, hollow metal and tubular steel doors; bronze sign fixtures, scuppers, and copper louvers; marble work for toilet rooms; passimeters, turnstiles, ticket booths, and other operating equipment.

The wall finish consists of a terra cotta backing and vitrified wall tile at the Franklin Square Station in Philadelphia and the City Hall Station in Camden, and faience tile at the Broadway Station, with granolithic base and cement plastering respectively below and above the tile wainscot except that no granolithic base is required at Broadway Station. The work is nearing completion in the Franklin Square Station. The contract as a whole is 40 per cent completed.

CONTRACT NO. 12—SUBWAY LIGHTING

Contractor.....Riggs Distler and Co., Inc.
Date of Contract.....July 20, 1935
Bids Opened.....July 12, 1935
Aggregate of Bid.....$54,700.99
Notice to Proceed Issued.....August 8, 1935
Contract now approximately .....40% completed
(Details in Appendix "B")

CONTRACT NO. 13—PUMPS, PLUMBING, SEWAGE EJECTORS AND HEATING

Contractor.....W. M. Anderson Co.
Date of Contract.....August 17, 1935
Bids Opened .....August 9, 1935
Aggregate of Bid $20,219.94
Notice to Proceed Issued.....September 10, 1935
Contract now approximately.....25% completed

Contract No. 13 covers installing one electrically operated, centrifugal, vertical pump unit in the pump room of the Eighth Street Subway to comply with the requirements of the agreement with the City of Philadelphia, and two similar units in the pump room at City Hall Station, Camden; also plumbing fixtures in the toilet and porters' rooms at the three subway stations; three duplex and one single pneumatically operated sewage ejector units at these stations; a hot water heating system for the operating headquarters, and toilet rooms at the Broadway Station.

CONTRACT NO. 14—MOVING STAIRWAY FOR BROADWAY STATION

Contractor .....Westinghouse Electric Elevator Co.
Date of Contract .....July 22, 1935
Bids Opened .....July 12, 1935
Aggregate of Bid $26,950.00
Notice to Proceed Issued .....August 8, 1935
Contract now approximately .....50% completed

Contract No. 14 covers the furnishing and installing of a reversible type moving stairway having a maximum load capacity of 8,000 persons per hour, a width of 4 feet between balustrades and a speed of 90 feet per minute. The moving stairway is being installed installed in the space provided for it between the platform and street levels of the Broadway Station. The step units and balustrading are composed of polished black micarta with polished stainless steel trim and presents an attractive appearance. At the present date work is suspended waiting for electric power for test operation.

CONTRACT NO. 15—MISCELLANEOUS EQUIPMENT AND WORK

Contractor ..... Kaufman Construction Co.
Date of Contract .....December 23, 1935
Bids Opened .....December 13, 1935
Aggregate of Bid $47,320.00
Notice to Proceed Not Yet Issued

Contract No. 15, a clean up contract in preparation for the operation of the High Speed Line covers the following items:

(a) Furnishing 160 lots of furniture, testing apparatus and operating equipment for distribution over the High Speed Line where required.

(b) Furnishing certain track replacement parts of frogs and switches, and expansion joints, to permit immediate installation in emergencies and thus insure continuity of operation.

(c) Furnishing and installing at the site of the project signs, doors, miscellaneous iron work in the subway; installing iron fences at the Philadelphia Substation; cutting holes for manhole frames and covers on the Delaware River Bridge footwalk; and other miscellaneous items of work.

The contract was signed December 23, 1935 but has not yet been approved by Federal Administration of Public Works and notice to proceed has not been issued.

Conclusion

All of the work required for the completion of the High Speed Line has been placed under contract and seven contracts have been either entirely or substantially completed. The main subway construction contracts being now virtually completed, the way is open for the rapid finishing of the remaining equipment contracts by the time the cars are delivered early in 1936.

Respectfully submitted,

MODJESKI, MASTERS AND CASE, INC.
By M. B. Case

Appendix "B"

REPORT OF ELECTRICAL ENGINEER

December 31, 1935

The Delaware River Joint Commission,
Camden, N. J.

Gentlemen:

Six major electrical or mechanical contracts, five of which were prepared, issued and awarded during the current year, are now actively carried forward as part of the high-speed rail transit project. In addition to the above, a considerable amount of electrical and mechanical work is included in several of the structural contracts. The aggregate of this work is in excess of $1,500,000.

In general, manufacturing, erection and installation have progressed satisfactorily. The presernt status of the work is well advanced on all contracts as shown below.

Features and Problems

The direct current power distribution system had to follow closely that of Broad Street Subway on account of the inter-connection of the lines, but special study had to be made on account of problems introduced by the considerable expansion, contraction and vibration on the bridge structure.

Rectifiers and metal-clad switchgear are used in the sub-stations for rectifying and switching the current as these types are the most desirable equipment available and have proved extremely satisfactory on the more recent subway developments in Philadelphia.

A diversity of primary power is provided through two independent sources each of a high degree of reliability. There are two sub-stations each supplied with power over duplicate cables from one source. There is a tie line between sub-stations so that either may be supplied from the other. This arrangement gives maximum flexibility and reliability of service and, though it assured continuity of operation, introduced a very complex problem due to the differential in power characteristics between the Pennsylvania and New Jersey power system.

Each of the utility companies which are to furnish power for the operation of the line stipulated that the use of the tie cable made mandatory that provisions be made to prevent the possible tying of the two systems together. This might occur through the tie line or through either of the four distribution cables, each of which is to be supplied from either sub-station, unless proper precautions were taken. Conferences were held with the engineers of the utility and operating companies. The limitations each wished to impose were duly considered and a system of electrical remote interlocking was developed which is now acceptable to all concerned. Such system has been adopted and the auxiliary devices on the various switchgear units augmented or modified to meet the imposed conditions. There are twenty-six units of switchgear and the system of interlocking makes it impossible to close any unit, either manually or electrically, if such closing would inter-connect the two utility systems but at the same time permits all normal operations to be performed.

A feature worthy of note was the adoption of non-ferrous thin wall tube system across the bridge for cable raceways and signal air lines. The gross weight of these tubes is about 100,000 pounds or about one-third the weight of corresponding ferrous pipes ordinarily used. This desirable reduction in weight was obtained coincident with what is believed to be a more reliable installation and at a cost comparable with that involved in the use of ferrous metal.

All operations in the Philadelphia sub-station will be normally controlled from the Camden sub-station over four wires of the size ordinarily used for a telephone. Numerous circuit breakers at remote locations are also controlled from this station over similar wires. Telephones are to be located at many points along the lines as are fire alarm stations and loud speakers for train dispatching. The wires for these many functions have a special rubber insulation and are combined into a single special trunk cable with branches as required. The total conductor-feet in the cable exceeds one million or over two hundred miles.

Power for lights and miscellaneous equipment in each passenger station is supplied over two cables, each of which may be fed from sub-station. Automatic equipment in each station transfers the various circuits to the live source and thus assures continuity of service. Similar provisions are being installed to maintain signal service.

Provisions have been made for future developments. Space is provided in each sub-station for a 50 per cent increase of capacity over the initial. The power distribution system will readily lend itself to any normal extension of the line, particularly in the Camden area.

CONTRACT DATA AND STATUS OF THE WORK

Contracts involving electrical or mechanical work are as follows:

Contract Number	For	Awarded to	Date of Award	Amount of Contract
5	Rectifier and switchgear	Allis-Chalmers Manufacturing Co.	8-17-34	$393,965.00
9	Sub-station control and power distribution system	W. V. Pangborne and Company, Inc.	6- 7-35	318,346.21
10-A	Block signaling and interlocking equipment	Union Switch and Signal Company	5-31-35	589,970.00
12	Subway lighting	Riggs-Distler and Company, Inc.	7- 9-35	54,700.99
13	Pumps, plumbing, sewage ejectors and heating	William M. Anderson Company	8-13-35	20,219.24
14	Moving Stairway	Westinghouse Electric Elevator Company	7-19-35	26,950.00

In addition to the above major electrical and mechanical contracts, a considerable amount of similar work has been done as part of various construction contracts as follows:

Contract No. 1: Installation of concealed conduit and fittings in the subway and passenger station area, construction of an underground duct system and lighting and pumping facilities for the Fifth Street Underpass.

Contract No. 2: Installation of concealed conduit and fittings in the subway and passenger station area, installation of high-voltage feeder line from the Camden anchorage to the Fourth Street transformer room, installation of lighting and pumping facilities for the underpass and installation of an underground duct system. Under this contract the several electrical services now furnishing power for various locations in the Camden area are being combined and supplied from present service to the Camden anchorage via a high-voltage cable to the transformer room at Fourth Street and then distributed to the various locations. This permits all power required for bridge operation in the Camden area to be obtained at more favorable rates and effects a very appreciable annual saving.

Contract No. 3: Installation of concealed conduit and fittings in the subway and passenger station areas and construction of an underground duct system.

Contract No. 6: Installation of a metallic tube system across the bridge and on approaches for the support and protection of cables and installation of the contact or third rail system.

Contracts Nos. 7-A and 7-C: Studies and equipment layouts were made to obtain buildings best adapted for the desired arrangement of equipment. Ventilation, dissipation of excess heat, and suitable illumination were considered and definite provisions made to obtain desired results. Detail plans were made for under-floor ducts, a concealed conduit system, and equipment foundations.

Contract No. 8: Motive, control and other electrical equipment on the cars, Specifications covering these items were prepared. Plans and diagrams have been checked. Engineering tests have been made and witnessed and inspection of construction maintained. Most of the motive and control equipment have been tested and delivered to the car builder.

Contract No. 11: Electrical equipment of the maintenance building.

Major Electrical and Mechanical Contracts

Contract No. 5: This contract was awarded to the Allis-Chalmers Manufacturing Company and covers transforming, rectifying and switchgear equipment required for the two sub-stations. Work of design and manufacture was started in the latter part of 1934 based on mutual agreement pertaining to reduction in rupturing capacity of certain switchgear units. This agreement was disapproved by the Federal Emergency Administration of Public Works in March, 1935, and the contractor was so advised and contract reverted to original requirements. Notwithstanding this delay of over eight months, the work has progressed so as to keep pace with related work on other contracts. Manufacture and testing are nearly complete. Delivery to the Camden sub-station is complete and erection work well under way. Delivery to Philadelphia sub-station is 50 per cent. complete and erection started. The contract as a whole is approximately 70 per cent. complete.

Contract No. 9: This contract was awarded to W. V. Pangborne and Company, Incorporated, and includes sub-station switching and control equipment, supervisory control equipment, complete cable plant, track bonding, completion of contact rail system, remote controlled circuit breaker equipment, signal transformer equipment, underground ducts and other work.

Manufacture of sub-station equipment is being rushed and many items are being installed. The manufacture and testing of cable is nearly complete and installation started. The work on this contract is closely co-related with that of Contract No. 5, each being somewhat dependent upon the other. In connection with the track bonding, coincident with other work under this contact, difficulties were encountered which required a supplemental contract being prepared. This will provide for the use of compressed and expanded types rather than welded type bonds. The work as a whole is about 35 per cent. complete.

Contract No. 10-A: This contract was awarded to Union Switch and Signal Company and covers interlocking and block signaling equipment for the line. Certain of the interlocking devices are controlled from distant points by a system of Centralized Traffic Control. This system, over a group of three control wires, permits the sending of coded electrical impulses from a central station to switching and interlocking devices which perform the desired operation and return a signal to the central station showing that the operation has been performed. This makes it unnecessary to keep switch and signal men at the remote points. Mention has been made of using thin wall non-ferrous tubes for signal air lines. These tubes are joined together by a novel coupling or fitting which permits the tube to expand and at the same time maintain an air-tight joint.

Manufacturing of all equipment is nearing completion. Construction work has been under way for several months and is progressing satisfactorily. The final completion of the work will be dependent upon availability of power for testing and adjustment. The entire work is now 60 per cent. complete.

Contract No. 12: This contract was awarded to Riggs Distler and Company and covers the transformers, switchboards, panelboards, wiring and fixtures required for the lighting and auxiliary power required for the subway and passenger stations.

Considerable study was made of the illumination requirements particularly of passenger stations and a departure made from the usual metallic type of lighting fixture so that in many locations, refractory glass types are being installed. Switchboards are all "dead front" safety type provided with the most modern type of equipment. Certain major items have been designed, manufactured and delivered and others are in process of manufacture. Installation work has been in progress for three months and is progressing satisfactorily. The entire work is 40 per cent. completed.

Contract No. 14: Awarded to the Westinghouse Electric Elevator Company and covers furnishing a moving stairway or escalator in the Broadway Station. Manufacture is practically complete. Installation work has proceeded as far as practicable until power is available for operation and adjustment. The entire work is now approximately 50 per cent. complete.

Conclusion

The electrical and mechanical work of the entire project is progressing in a satisfactory manner.

The close relationship between the work of the several electrical contracts requires careful co-ordination. This is being done so as to expedite the work. Some adjustments in completion schedules will however be necessary.

Respectfully submitted,

LOUIS T. KLAUDER,
Electrical Engineer.

APPENDIX "C"

Financial Summary 1935

Receipts:		
Toll and rental receipts		$2,892,959.10
Interest received on bank balances		6.469 11
Miscellaneous		291.93
		$2,899,720.14
Less:		
Federal Reserve Bank corrections of Camden Safe Deposit and Trust Company's cash	$102.40	
Ticket refunds	54.40	
		156.89
Gross Operating Income		$2.899.563.25
Expenses: (operating)		
Salaries	$337,952.43	
Equipment	11,949.17	
Supplies	9,291.77	
Repairs	12,505.94	
Miscellaneous (including light and heat)	50,603.45	
Insurance (All Risk)	16,666.68	
Insurance (Employes)	1,326.19	
	$440,295.63	
(Non-operating):		
New construction and relocations	$576.56	
Miscellaneous	274.40	
	850.96	
Total Expenses		$441,146.59
		$2.458,416.66
Interest on bonds accrued Jan. 1, 1935 to Dec. 31, 1935		1.313,745.83
Net Operating Income		$1.144,670.83
Non-Operating Income:		
Sinking Fund net—less net premium paid	$797.50	24,465.01
Surplus Fund net—less net premium paid	5,841.58	25,382.50
Net Income		$1,194,518.34

(Use and Occupancy insurance ($624.96) not a reasonable expense of operation, per P. W. A.)

ASSETS

		Totals	Bridge Operation	High-Speed Transit Project
Cash in Banks		$ 2,107,611.82	$ 720,746.88	$ 1,386,864.94
Accounts Collectible		205.14	205.14	
Sinking Fund: Investments in The Delaware River Joint Commission, Philadelphia-Camden Bridge Bonds at Par: (cost) 1936's...$141,000; 1937's... 93,000; 1938's... 75,000; 1939's... 74,000; 1940's... 75,000	$ 458,000.00			
Investment in 80 Home Owners' Loan Corporation 3's—1952—44 at Par (cost $80,797.50)	80,000.00			
Cash	1,915.64			
Interest on Investments Accrued	6,888.34			
Bond Surplus Fund:		546,803.98	546,803.98	
Investments in 1,525 Home Owners' Loan Corporation 3's—1952—44 at Par (cost $1,530,841.58)	1,525,000.00			
Cash				
Interest on Investments Accrued	7,625.00			
		1,532,625.00	1,532,625.00	
Cash on deposit with the Fiscal Agent for Bond Interest Coupons, Per Contra		2,911.25	2,911.25	
Cash Payment to The High Speed Transit Project for Retirement of Funded Debt, Per Contra		49,000.00	49,000.00	
Prepaid Insurance Premiums Unexpired		22,335.12	22,335.12	
Investments in Physical Property:				
Bridge	$33,205,994.82			
Cost to date of the High-Speed Transit Project:				
Toll Funds Expended in the Project:				
Easement—City of Philadelphia ...$ 582,300.08				
Preliminary Design ... 14,951.85				
Relocation of Public Utilities Structures ... 46,112.29				
Miscellaneous Expenses ... 11,025.69				
Interest during Construction ... 258,773.89	913,163.80			
P. W. A. Allotted Funds Expended in the Project:				
Construction ...$4,759,505.79				
Philadelphia Land ... 743,765.16				
Camden Land ... 401,652.62				
Deposited with N. J. Supreme Court Re: Land Claim ... 15,403.00				
Office Engineering and Field Expense ... 605,497.35				
Legal Expense ... 90.55	6,525,914.47			
		$40,645,073.09	$34,119,158.62	$ 6,525,914.47
Unexpended Balance of Amount made available by P. W. A. for The High-Speed Transit Project: Loan and Grant		5,852,633.87		5,852,633.87
		$50,759,199.27	$36,993,785.99	$13,765,413.28

(Appropriations available for development—$500,000)

LIABILITIES

		Totals	Bridge Operation	High-Speed Transit Project
Funded Debt: 4¼ per cent. Serial Bonds Maturing 1935-73: Total authorized	$41,000,000.00			
Unissued ($3,342,000 reserved for The High-Speed Transit Project)	3,380,000.00			
Total Issued ...	$37,620,000.00			
Less Redeemed ...	200,000.00	$37,420,000.00	$30,811,000.00	$ 6,609,000.00
Interest on Funded Debt Accrued		530,116.67	530,116.67	
Unpaid BoBnd Interest Coupons, Per Contra		2,911.25	2,911.25	
Amount withheld from Contract Estimates payable: (Builders Inc. Contract No. 1)		10,000.00		10,000.00
Retained Amount due Contractors		468,548.34		468,548.34
Tolls Income Applied in Retirement of The High-Speed Transit Project Funded Debt, Per Contra		49,000.00		49,000.00
Uncollected Balance of Amount Pledged by P. W. A. for the High-Speed Transit Project:				
Total Loan Funds Available ...$10,000,000.00				
Requisition and Paid ... 7,090,411.43	$ 2,909,588.57			
Total Estimated Grant ...$ 1,900,000.00				
Less: Requisitioned (30%) ...$1,447,672.25				
Less: Retained (5%) ...$241,278.71				
Unpaid (25%) ... 862,573.90 1,103,852.61				
Requisition Paid ... 343,819 64	1,556,180.36			
		4,465,768.93		4,465,768.93
High-Speed Transit Project Reserves:				
For Land Settlements	$ 96,058.78			
For Construction	1,259,797 36			
For Engineering and Field Expense	29,268.41			
Unclassified (Loan Funds)	1,740.39			
		1,386,864.94		1,386,864.94

Sinking and Reserve Funds:				
Reserve required to meet Bonded Debt at Maturity		$ 400,000.00		
Reserve for Bond Surplus Fund		1,454,806.61		
			$1,854,806.61	$1,854,806.61
Surplus:				
Capital Surplus provided through Construction of The High-Speed Transit Project:				
U. S. Government Grant	$ 343,819.64			
Premium on Bonds Sold to Finance The High-Speed Transit Project	428,090.32			
Interest Received on The High-Speed Transit Project Bank Balances	4,321.11			
		$ 776,231.07		
Balance of Surplus Accumulated through Bridge Operation from July 1, 1931 to December 31, 1935		3,794,951.46	4,571,182.53	3,794,951.46 776,231.07
			$50,759,199.27	$36,993,785.99 $13,765,413.28

REPORT OF THE LEGISLATIVE COMMITTEE APPOINTED TO INVESTIGATE THE GILBERTON MINE DISASTER PURSUANT TO RESOLUTION NO. 42

To the Honorable House of Representatives of the General Assembly of the Commonwealth of Pennsylvania:

Your Committee appointed pursuant to Resolution No. 42, of the House of Representatives of the Sessions of 1935-37 has the honor to submit the following as its report.

Resolution No. 42 of the House of Representatives of the General Assembly of the Commonwealth of Pennsylvania was introduced on February 6, 1935, by the Honorable John J. Downey, Schuylkill County, reported from the Committee on Mines and Mining on February 13, 1935, and adopted by the House. Subsequent thereto, the following Representatives were named to serve on the Committee: Joseph P. Bradley, Northumberland, Secretary; John F. Stank, Northumberland; Daniel C. Linderman, Schuylkill; J. Noble Hirsch, Schuylkill; John J. Downey, Schuylkill, Chairman.

In pursuance to the aforementioned resolution, the Committee held a series of hearings in the offices of the Gilberton Colliery, Gilberton, Pennsylvania, at which time officers of the Gilberton Colliery and the Philadelphia and Reading Coal and Iron Company testified. A hearing was also held at Richardson's Hall, Mahanoy Plane, Pennsylvania, where 13 present and former employes of the Gilberton Colliery testified. The members of the Committee made several trips to the colliery for the purpose of investigating what repairs were being made after the disaster.

The specific assignment given the Committee is expressed in the Resolution of the House of Representatives hereinbefore referred to, and is stated as follows:

"Whereas, A terrible mine disaster happened on the morning of January twenty-first between the hours of nine and ten o'clock at Gilberton in Schuylkill County which resulted in the loss of many lives therefore be it

Resolved, That the Committee on Mines and Mining of the House of Representatives shall have power to fully investigate the mine disaster referred to in the preamble hereof to determine the cause thereof whether said disaster was due to negligence of any person or company or failure on the part of the laws of this Commonwealth to make ample provision to safe-guard the lives of persons employed in the anthracite coal mines and what provision if any shall be made to correct such laws.

Resolved, That the Committee on Mines and Mining shall make a report of its findings to the House of Representatives as early as possible.

Resolved, That the said Committee shall have power to issue subpoenas under the hand and seal of its chairman requesting and commanding any person or persons to appear before them and to answer such questions touching matters properly being inquired into by the committee and to produce such books papers records and documents as the committee may deem necessary. Such subpoenas may be served upon any person and shall have the force and effect of subpoenas issued out of the courts of this Commonwealth. Each member of said committee shall have power to administer oaths and affirmations to witnesses appearing before the committee. Any person who shall wilfully neglect or refuse to testify before said committee or to produce any books papers records or documents shall be subject to the penalties provided by the laws of the Commonwealth in such cases.

The Committee, before stating its conclusions as directed by the aforesaid Resolution, deems it advisable to state the history of the tragic subject of this inquiry and to discuss briefly the testimony given by certain material witnesses.

On the morning of January 21, 1935, an explosion occurred in the Gilberton Mine, at Gilberton, Pennsylvania, in which 13 men were killed, 84 men injured, and a total of 190 men treated.

The Colliery was owned and operated by the Philadelphia and Reading Coal and Iron Company.

Due to the horrible and untimely death of these men, speculation was rife as to its cause. Charges of violations of the "State Mining Laws" were openly made by survivors and other employes of the mines, and denials equally as emphatic were made by company officials. Several investigations were made as to the cause, but your Legislative Committee desires to state that it has absolutely ignored all other investigations and bases its conclusion on facts that were produced before it.

On April 12, 1935, your Committee met Mr. J. R. Sharp, General Manager, Mr. William E. Jones, Superintendent, and Mr. R. E. Kirk, Safety Inspector, at the offices of the company at the Gilberton Colliery. No testimony was elicited from any of these three witnesses, which shed any light on the cause of the explosion. One significant fact developed from the testimony of Superintendent Jones, and that was that a seven (7) foot fan which had not been in operation for over six months prior to the accident was started within three hours after the accident. The explanation given by the officials was that it must have been accidentally turned on by some employe.

On Friday, May 17, 1935, your Committee held a hearing at Richardson's Hall, Mahanoy Plane, Pennsylvania, at which time they examined 13, present and former, employes at this colliery. While the present employes were very reticent to discuss the probable cause of the explosion, due to a fear on their part of reprisals by the company officials in dismissing them from their employment, yet the testimony of each and every one showed very clearly a ruthless disregard for compliance with the State Mining Laws. Considerable evidence was given, not only in connection with the accident of January 21, 1935, but also of another accident in which, one, Hinkle, was killed a week before.

William Caton, an employe of four or five years standing testified that the ventilation was all wrong and that during his period of service there were frequent changes of foremen, inside foremen, fire bosses and assistants due to the fact, "sometimes the fellows would say the hell with it, I don't like this, get afraid and quit."

Daniel Reismiller, told of frequent violations of the mining laws by using what is known as a "Shake-shot."

George Jacusky, who was mining at this colliery at that time testified that it was necessary to take the hose off the jack-hammer and blow air around the breast.

Vernon Morgan, a former employe, who claims he was let out (and glad of it, "he said,") for refusing to sign daily reports as requested by the Superintendent, for the reason that he did not wish to assume the responsibility of an accident gave the Committee a very detailed account of conditions in this colliery. He told how the airways were in bad condition and how he tried to listen to the Mine Inspector but that the Superintendent told him he knew what had to be done. There was no control of the return ventilation. When asked by the Committee whether a lamp belonging to one of the dead miners with its bottom off could have been done by the miner himself and thus cause the explosion, he replied "that you cannot take the bottom off the lamp, that the condition of the lamp was the result of the explosion and not the cause of it."

Thomas McDonald, stated he was employed at the time of the accident, that he heard a shot fired and immediately after shouts

of the men, yelling of an explosion. The dangerous condition of the mines immediately prior to the accident and for some months previous were explained and testified to by all the witnesses. It was shown that there were frequent changes made in the personnel of the bosses due, according to the miners, to the fact that the subbosses refused to jeopardize the safety and lives of their men under them, on account of the dangerous working conditions. The dangerous conditions were called to the attention of the company officials, but seemingly without any effect. It has also been agreed between your Committee and the Company Officials that no repairs were to be made until this investigation was completed, yet the company disregarded this understanding and made a number of material changes and repairs immediately after the hearing at which the miners gave their testimony.

Your Committee visited the mines after the testimony had been concluded and issued a statement to the Company that having found everything to be then in good condition, that your Committee did not want to stand in the way of beginning operations at once, provided the permission and sanction of Mine Inspector Quigley, were secured.

CONCLUSION

The Committee, after due and calm deliberation of all the facts, and taking into consideration the interest of each and every witness, can only come to one conclusion, and that is: That the Gilberton Disaster of January 21, 1935, was due to a flagrant violation of the "State Mining Laws" on the part of the Philadelphia & Reading Coal & Iron Co., operators of the Colliery

The immediate cause of the explosion is limited to that of one survivor. Proper air conditions were not maintained; illegal mining in getting coal out with shake-shots was the rule instead of the exception; men were taken to the barn and other places of safety by the bosses while this wild-cat mining was in progress. Complaints made to the company officials and instructions given them by the State Mine Inspector were unheeded.

From all the material testimony, your Committee can come to no other conclusion than:

That the Philadelphia and Reading Coal and Iron Company, through the acts of certain of its officials, whereby they violated different sections of the Ventilating Acts, are therefore, responsible for the accident.

And, had the operating company worked this colliery, not only on the day of this accident but for months previous in strict accordance with the State Mining Laws, this tragedy would have been averted.

JOSEPH P. BRADLEY, Secretary
JOHN F. STANK
J. NOBLE HIRSCH
JOHN J. DOWNEY, Chairman

May 5, 1936.

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PRELIMINARY REPORT OF JOINT LEGISLATIVE COMMITTEE TO INVESTIGATE PUBLIC RELIEF IN PENNSYLVANIA.

ERRATUM

Note: Where the reference "your committee" or "committee" or phraseology construed to mean expression of the committee, appears in this report,—excepting the resolution—it shall be construed to mean only those who have subscribed their names, which appear on page 1686.

The references appear on pages 1681, 1681, 1681, 1682, 1682-3, 1683, 1684, 1684, 1685, 1685, 1685, 1690, 1694, 1695, 1695, 1700, 1701, 1703, 1704, 1705, 1705, 1706, 1709, 1719, 1727.

Commonwealth of Pennsylvania

Legislative Committee to Investigate Public Relief in Pennsylvania

House Concurrent Resolution No. 110, Session of 1935

Room 30, Main State Capitol Building

Harrisburg, Pennsylvania

Members of the Senate

CHARLES H. EALY
THEODORE LANE BEAN
WILLIAM B. RODGERS

Members of the House

WILLIAM J. EROE, JR.
JOSEPH DAVID BURKE
MILES HORST

MILES HORST, Chairman
WILLIAM B. RODGERS, Vice-Chairman
JOHN H. FERTIG, Counsel
J. R. HEILMAN, Secretary

May 5, 1936.

To the Honorable Members of the Senate and House of Representatives of the State of Pennsylvania.

Gentlemen:

We have the honor to submit a report of the activities, findings and recommendations of your Committee appointed to investigate unemployment relief in Pennsylvania from September, 1932, in accordance with House Resolution No. 110, Session of 1935.

We are indebted to certain Departments, Boards and Bureaus for their cooperation, and wish to express our thanks to the following:

Auditor General's Department.
State Treasurer's Department.
Department of Welfare.
State Emergency Relief Board.
Dauphin County Poor Board.
Community Chests and Councils, Inc.
Works Progress Administration.
Public Works Administration.
Director of Emergency Conservation Work, Washington, D. C.—C. C. C.
Statistician, Department of Internal Affairs.
Executive Secretary, Pennsylvania Hospitals, Philadelphia, Pa.
Pennsylvania School of Social Work.

We also acknowledge the willing cooperation of officials of numerous poor districts and the many individuals whom we have contacted.

Respectfully submitted,

MILES HORST,
Chairman.

MH:G.

FOREWORD

The Joint Legislative Committee to investigate Public Relief in Pennsylvania has proceeded in full sympathy with the fundamental purpose of relief legislation—namely, that Government aid should be extended to every worthy individual, or family, in distress as a result of involuntary unemployment.

The Committee believes that Government aid must be continued until those now idle through no fault of their own can find work.

Gigantic sums of money and heavy burdens of taxation will be required, and the Committee believes that consideration for both the unemployed and the taxpayer demands the highest economy and efficiency in the administration of relief work.

Every penny of relief money wastefully expended is lost to those needy people for whom it was intended; every penny so spent becomes an unnecessary burden to the people who pay the taxes.

The primary objective of this Committee has been to find ways of placing a larger proportion of funds appropriated for relief into the hands of the unemployed for whom it is intended.

If too much money is spent for administration, if relief benefits are granted to the undeserving—or used for purposes of political reward—the men, women and children who need it most are robbed and the public is defrauded.

The scope of the Committee has been state-wide and all agencies engaged in the administration of public relief were studied. The period covered in the investigation is from the inception of the Pennsylvania Relief System in September, 1932 to May 31, 1935, although statistics in several of the reports include the latter months of 1935 and the early months of 1936.

Lack of time and money have prevented the completion of certain phases of the investigation. Various accounts should be audited; the legal status of blind relief should be determined; hospitalization should be studied to conclusion; and the investigation of irregular practices should be continued.

The Committee proposes to complete a study of the various phases of the investigation set forth in the following report if funds are made available for such investigation, at the Special Session of the General Assembly called for May 4, 1936.

SUMMARY OF THE REPORT OF THE JOINT LEGISLATIVE COMMITTEE TO INVESTIGATE PUBLIC RELIEF

The Joint Legislative Committee, as the result of its investigations and studies, is endeavoring in this report to bring as clearly and forcibly as possible to the attention of the members of the General Assembly and the people of the Commonwealth:

1. The vast scope of the present relief problem.
2. The staggering sums of money expended during the last forty-three months.
3. The mass of our population which is affected by State and Federal relief programs;
4. The serious financial situation which confronts the Commonwealth if the current relief program is to be contained without the assistance of Federal funds for Direct Relief.

The Committee believes that one of the following policies should be definitely established by the General Assembly:

1. Shall the Commonwealth continue to maintain the standards of relief which have been built up under the State Emergency Relief Board while Federal moneys were available for direct relief, or,
2. Shall the Commonwealth insist that, in so far as the expenditure of its appropriations is concerned, the limitations clearly set forth by the Supreme Court in its decision on the Talbot Act be observed in Administration?

The Supreme Court, in the case of Commonwealth v. Liveright, 308 P. A. 35, construing the Talbot Act, said:

"It is the duty of every citizen, particularly public officials, * * * entrusted with furnishing this relief, to see that it is not given to those not entitled to receive it, * * * The purpose of the State's relief is to furnish maintenance to poor persons, including those who through enforced unemployment, have no means of support and not to those who have such means."

Pennsylvania's Share of Relief

Total expenditures from Federal, State and local moneys for Direct Relief, Work Relief and Auxiliary Relief Programs within the State from September 1, 1932 to April 1, 1936 are $778,278,087.23. This sum represents an amount approximately five times greater than the total income credited to the General Fund for the biennial period ending May 31, 1935.

TREND IN STATE REVENUES. During the fiscal biennium ended May 31, 1935, the revenues of the Commonwealth from normal sources decreased $21,226,271.22 as compared to the biennium ended May 31, 1933, which biennium in turn showed a decrease of $21,627,565.75 as compared to the period ended May 31, 1931. A decrease in General Fund revenues of $42,853,836.93 in the two prior biennial periods.

STATE DEBT. Since November 1, 1933, an increase has been authorized in the State debt of $85,000,000.00, of which $50,000,000.00 was for Soldiers' Bonus, $25,000,000.00 to provide revenue for current expenses and $10,000,000.00 to acquire intra-state toll bridges. The debts incurred for Soldiers' Bonus and for current expenses became a charge against the General Fund. The interest and sinking fund charges for these bonds issues for the present biennium is $13,950,000.00.

STATE EMERGENCY RELIEF BOARD. The total expenditures for emergency relief from September 1, 1932 to May 31, 1935, the end of the last fiscal period, a period of 33 months, were $319,737,533.64. This total is in agreement with the records of the Auditor General and the State Treasurer.

These total disbursements were paid from the following sources:

State Funds	$75,974,752.93
Federal Funds	$243,762,780.71

AVERAGE GRANT TO CASES INCREASES STEADILY. The increased cost of relief is shown in the following schedule of average grants to individual cases:

During the month of October, 1933—a normal month—the average relief grant per case is shown as $17.31.

During the month of October, 1934, this average relief grant per case had increased to $26,06.

During the month of October, 1935, this average relief grant had increased to the sum of $34.53 per case.

AUDIT OF RELIEF FUNDS URGED. The Committee believes that all relief accounts and records should be audited and says "the Emergency Relief System has developed to such proportions that your Committee feels that investigation and auditing forces assigned to this system are inadequate to reduce the prevalent inconsistencies."

EFFECT UPON OTHER GOVERNMENTAL FUNCTIONS. The demands of relief upon the funds which might otherwise have been available for governmental functions, has prevented the Commonwealth from increasing appropriations to various departments. Increased forms of revenue which have reached the State Treasury have been used on relief programs.

The extent to which expenditures in the Department of Education and the Welfare Department have remained constant while general State expenditures have increased is shown in the report as follows:

EDUCATION. During the biennium ended May 31, 1933, the Department of Education spent 23.74 per cent of the total expendtures of the State. For the period ended May 31, 1935, the expenditure was 11.65 per cent of the total. This represents a reduction of 12.57 per cent during the biennium.

WELFARE. During the biennium ended May 31, 1933, the expenditures of the Department of Welfare were 9.81 per cent of the total for the State. During the biennial period ending May 31, 1935, the expenditures were 4.95 per cent of the total. This represents a reduction of 4.85 per cent within a period of two years.

The reasons for much of the criticism which is now directed against conditions in State Hospitals and Penal Institutions may be traced to the use of funds for relief purposes which otherwise might have been available for properly conditioning and maintaining these Institutions.

It should be pointed out here that the principal factor in the inability of the State to alleviate the burden of School taxation on local real estate is the great need for relief funds within the Commonwealth.

ASSISTANCE TO VETERANS. The sum of $517,000.00 was allocated by the S. E. R. B. to the State Veterans' Commission for the relief of the needy veterans. Veterans desiring assistance apply through their service officers of the local posts who in turn make application through committees.

The Committee is unable to find any difference between the case of a veteran and that of any class of citizen. Moreover, the Committee finds that the mechanics of relief are set up in such a manner that the veteran would receive relief more speedily and more efficiently if applied for and disbursed through the regular channels.

EXCESSIVE EXPENDITURES. During the period covered by the report, the S. E. R. B. expended $10,096,294.45 for clothing. In the opinion of the Committee, this amount is excessively high "when it is considered that organized charities and local welfare chests have provided this same item."

The report continues:

"From the average number of cases on relief, it appears that an amount in excess of $30.00 per case was paid out

for clothing over a period of 13 months. This issuance of this item was at the discretion of the local welfare worker. Our survey disclosed that considerable dissatisfaction existed among the recipients. Claims were made that favoritism was shown in the issuance of these articles.

"During our survey in Area 7 for a period of two months, five employees were required to prepare, handle and distribute 6,302 packages consisting mostly of towels, pillow cases and sheets. The salary of these employees during the period was $1,277.43. Automobile expense was $220.55 for a recorded mileage of 4411 miles. The average cost of these package deliveries was 24 cents per package."

BUREAU OF HOMELESS AND TRANSIENT. The total expenditures for this service within the period covered by the report was $3,301,412.07. An average of 13,265 individuals were cared for daily.

The rules of the Transient Bureau prescribed that only interstate travelers could be accommodated. However, numerous instances wherein individuals living in Pennsylvania registered under an alias, gave their residence in another State, and were admitted to the quarters of the Transient Bureau.

INVESTIGATION OF TRANSIENT CAMP AT MOUNT GRETNA. Pursuant to a request of the Auditor General, an investigation was made of the transient camp at Mount Gretna. The period covered in the investigation was from October 23, 1933 to March 31, 1934.

The investigation disclosed that traffic in merchandise between clients of the camp and others was conducted with the community adjacent to the camp. Search warrants were issued and merchandise approximating $400.00 in value was recovered.

Excerpts from the report follow:

"Records were so poorly kept that they were worthless for the purpose of our investigation.

"The morale of the camp was low, and it appeared that the clients ruled the camp.

"The handling of food supplies was promiscuous and without control. It was possible to steal and trade surplus requirements for each day, as the cooks were custodians of the food. Apparently there was nothing done to check this practice. We found that at no time were food issued based upon requirements.

"There was an absence of discipline and regulations within the camp. Transients trafficked in liquor. There were drunken brawls, and the community was unsafe for women and children.

"It was common knowledge throughout the camp that transients stole both food and clothing. This report to the camp commandant failed to receive any consideration and no attempt was made to check this nefarious practice.

"Officials and employes used their personal cars in the transaction of transient camp business. They received mileage at the established State rate of five cents per mile, and in addition to this regular compensation, they used the gasoline and oil from the transient camp for their personal cars.

"We found no organized work program in effect at Mount Gretna. There appeared to have been minor programs during the winter, such as wood cutting, but this was done because the men required the fuel to keep themselves warm.

"The officer in charge was quite generous with the supplies and stores of the camp and repaid personal obligations by giving supplies to his debtors."

The cost per individual cared for by the Transient Bureau is shown in the report to have been $12.50 per month.

During the same period covered by this investigation, the County Emergency Relief Board in the same community was paying to American citizens the sum of $2.25 per month for their bare subsistence.

HIGH ADMINISTRATIVE COST. The Committee shows that $173,277.33 was spent for direct relief in the Emergency Education Work Relief Program of the Department of Public Instruction, of which sum $46,821.71 was spent for administration.

The report says:

"We invite your attention particularly to the excessive cost of administration which is 27 per cent. of the total amount expended."

SALARIES AND EXPENSES. Salaries and expenses of the S. E. R. B. soared steadily from May 31, 1933 to May 31, 1935. The weekly payroll on the former date was $49,063.51. On May 31, 1935, this figure had climbed to a weekly payroll of $272,649.31.

On September 1, 1932, the percentage cost of administration in the S. E. R. B. was one per cent. of the total expenditure of funds while the cost per case was 7c. On May 1, 1935, the percentage cost of administration was 8.9 per cent of the total expenditure, while the cost per case was $4.92. The personnel and the expenditures of the State Emergency Relief Board increased rapidly from its inception up to July, 1935. Since that date there has been a material decrease in both personnel and expenditures as shown by the following tables:

Personnel		Administration Expenses	
June, 1933	2761	$200,893.03	Monthly
January, 1934	3674	296,817.61	
June, 1934	8674	590,924.45	
January, 1935	11240	235,967.17	Weekly
July, 1935	14521	322,558.56	
January, 1936	8294	189,092.64	
February, 1936	7734	179,677.52	

Those in charge of the administration of the S. E. R. B. account for these variations for the following reasons:

1. That at the inception of the S. E. R. B. and for some time thereafter, local administration costs were in certain communities assumed and paid for locally.

2. That each new service which was assumed as the relief program was continued, such as the furnishing of clothing, payment of rents and utility services, care of transients, etc., necessitated additional personnel. The decrease since July, 1935, is accounted for largely by the reduced number of cases due to P. W. A., W. P. A., and direct payments to recipients in lieu of food orders.

The contention is also made that a large personnel is justified in order to make thorough investigations which tend to decrease the relief load.

Another factor increased costs of administration. Methods of procedure were constantly changed by Federal agencies. Instances have been ascertained where methods of procedure were actually voided by replacement methods before they became effective.

Employes were constantly shifted from one position to another with consequent loss of efficiency.

Intricate systems and red tape in administration increase costs and retard operations. If the present administration costs are maintained on a case load of 200,000,

approximately $6,228,802.00 will be necessary for administration alone, for the next eight months.

The report points out that the S. E. R. B. appears to be overorganized and systematized to a degree that retards the very operation of the system itself.

LOANS TO FARMERS FOR REHABILITATION PURPOSES. The purpose of this program was to aid farmers who were on relief by soliciting their requirements for crops and to lend them money to buy seeds and necessary farming equipment. A judgment note was taken and recorded. It appears that the cost of administration of this program was 43 per cent. of the total amount of money expended.

A report on Case 2750 shows that $600.00 was loaned to a farmer living on premises assessed for $3,300.00, on which a mortgage of $3,500.00 was in existence. The loan was intended to encourage farm production which included the raising of wheat. Farmers in the immediate neighborhood were being paid for not raising wheat.

RECOVERY OF FUNDS FRAUDULENTLY RECEIVED. During the period from June 24, 1935 to March 31, 1936, the S. E. R. B. recovered $234,528.49 in funds which had been fraudulently received by clients who had work in private industry or who concealed their assets.

The Committee is of the opinion that an investigation of all cases of "chiseling" reported to the investigators would reveal the possibility of greater recovery of funds than shown above.

SURVEY REVEALS POLITICS IN RELIEF. The administration and distribution of direct relief have been relatively free from politics, due in large measure to the high character of the men chosen as Executive Director of the S. E. R. B.

The same cannot be said of the services and agencies which have supervised work relief. There is abundant evidence that in some communities work is provided for those only who secure the backing of political leaders; that workers are importuned by those in authority to contribute in some form or another for political purposes, and that job holders are told to vote right or suffer the consequences. The Committee considers the injection of politics into the relief system as a lamentable condition. The report says:

"We have evidence that many of the State's unfortunates have been intimidated and compelled to register their political affiliations with the administration now in control and our files disclose evidence to show that those who refused to do so were either discharged from the rolls or from the projects on which they were employed.

"We have evidence in our files that applicants for jobs must have the backing of political party leaders. We have evidence that when requests for employables are made from the relief rolls for 50 persons, a list of 100 names is submitted to the political leader who selects 50 loyal followers.

"We have evidence in our files to show that these unfortunates in relief have been compelled to take from their meagre earnings and purchase tickets for political dinners. If they refused, they jeopardized their jobs. We have statements in our files to show that men supporting families and barely existing on their earnings were dismissed because they could not afford to buy these tickets.

"We have evidence in our files to show that employes of local W. P. A. offices have gone to the County Commissioner's office and scrutinized the registration rolls to determine the political affiliation of relief program employes.

"We have evidence in our files to show that relief program employes, during the general election campaign of November 1935, were threatened with loss of their jobs unless they voted a ticket favorable to the administration.

FLAGRANT CASES OF ABUSE. The report cites flagrant cases of the abuse of the relief privilege in Pennsylvania during the early days of the program. Two paragraphs follow:

"We have in our files affidavits from five individuals who were employed by a citizen associated with the administration of public relief to do personal work for them on a farm, and who received as their compensation—relief orders. We have evidence of further abuse and misuse of relief orders by other persons closely associated with the administration of relief wherein persons not entitled to relief had their grocery bills paid by relief orders. These rregularities were committed by apparently outstanding citizens of the community.

"A brick company in western Pennsylvania manipulated the relief orders as an offset against back wages. We have affidavits in our files stating that men having wages due them from the brick company were given relief and other concessions so that they would not press their claims against the brick company. Certain officials of the brick company were closely associated with the local relief board."

Three other cases studied by the investigators tend to show the attitude of citizens toward relief and the desire of individuals to prefer the benefits of relief to the rigors of labor. The report says:

"These three cases have been regularly employed in a coal mine and earned wages sufficient to support their families. When relief came, they picked up their tools and walked out. The operator of the mine stated that he had offered these men work, but they flatly refused to return to their jobs, as they preferred to be on relief."

The report shows that an employe of the Commonwealth serving as an officer on Capitol Hill was placed on the State payroll on April 17, 1935, but continued to receive the regular relief grant from the State Emergency Relief Board until May 18, 1935.

BUDGETARY DEFICIENCY PLAN OF THE S. E. R. B. The report presents a digest of the Budgetary Deficiency Plan of the S. E. R. B. One paragraph is significant:

"There was a noticeable increase in the total expenditures following the institution of the Budgetary Deficiency Plan."

COMPLAINT. Attention is called to the complaint of the farm organizations that farmers experience extreme difficulty in employing labor during this period of "surplus labor." The report contains a petition from the State Council of Farm Organizations requesting action by the Relief Board to relieve this condition.

DISCRIMINATION. A detailed study of the report of the Joint Legislative Committee to Investigate Public Relief in Pennsylvania reveals clearly that the entire program has gone far beyond the original concept of the responsibility of the Commonwealth for the poor and indigent within its borders.

Influences of the Federal Government and the use of Federal funds have created two visible standards of relief administration in Pennsylvania today.

The one standard is exemplified by the Poor Boards of the various counties who provide shelter, food and clothing for the unemployables of their districts. The other

standard is that set by the S. E. R. B. and allied agencies which administer relief to the employables of the State.

It would appear to the Committee that this discrimination of standards of relief between unemployables and employables is manifestly unjust.

LAX INVESTIGATIONS. There is an apparent weakness in the investigation of cases. Many investigators lack the practical qualifications and judgment necessary to ascertain the correct facts, to measure the needs of a family, and to prevent "chiseling." Certain educational qualifications are given undue importance over practical experience and sound judgment.

DUPLICATION OF RELIEF HAS COST STATE $10,000,000.00 It is a provision of the W. P. A. that persons must be on relief rolls before they can become eligible to a position with W. P. A. When these employables are placed on the W. P. A. rolls, the S. E. R. B. is directed to continue relief until their first check is received from the W. P. A.

The investigation discloses that this practice has resulted in a duplication of relief aid because no effort has been made by the W. P. A. to deduct the sum received from the S. E. R. B. during the interim between the date of employment and the receipt of the first W. P. A. pay check. It is estimated that this duplication has cost the Commonwealth of Pennsylvania $10,000,000.00 in relief funds because restitution of that sum was not made to the S. E. R. B.

AUTOMOBILES AND HOME-OWNERS ON RELIEF. The investigators for the Committee studied 834 automobile questionnaires returned by recipients of relief. It was noted that 164 admitted ownership of cars and 1935 licenses; three owned licenses for both a truck and a passenger car; one owned two cars with licenses; and four owned motorcycles with licenses. This survey indicated that one out of every five families on relief during the period covered by this investigation owned and operated automobiles.

In a survey of 225 cases, 60 were home owners. Of this number of homes, 42 were encumbered by mortgages and 18 were unencumbered.

Actual cases in this survey are included in the report.

INVESTIGATIONS INCOMPLETE — FURTHER INVESTIGATION PROPOSED. More than $103,000,000.00 was transferred to the S. E. R. B. Disbursing Officer, a large portion of this money having been transferred as "Advancements." It is our intention to make a detailed audit of the cash transactions of the Disbursing Officer.

WORKMEN'S COMPENSATION ACCOUNT. More than $400,000.00 has been expended for the insurance of employes. It is proposed to investigate and audit this report.

MOTHERS' ASSISTANCE FUND. Approximately $11,999,999.00 has been expended for this form of relief. The Committee should investigate this Fund to determine the worthiness of certain cases of persons now receiving assistance as well as the eligibility of certain rejections.

OLD AGE ASSISTANCE. Approximately $2,000,000.00 has been expended for this form of relief since the enactment of the measure in 1934. The Committee proposes an exhaustive investigation into this form of relief which presents an opportunity for fraud

BLIND PENSIONS. Approximately $1,000,000.00 has been expended for assistance to the blind since the enactment of the measure in 1935.

The Committee quotes an excerpt from Act 220—1935 P. L. 621, Section 4:

"Every blind person who is not at the date of making application an inmate of any prison, jail, insane asylum or any public reform or correctional institution, shall be entitled to receive from the Commonwealth a pension of $30.00 per month. No person shall be denied a pension because of the fact that he or she is not a citizen of the United States. In the event that any Act of Congress providing Federal aid toward pensions for the blind requires the recipients to be citizens, no such Federal aid moneys shall be expended in the payment of pensions to non-citizens, but such persons shall receive pensions out of moneys appropriated by this Commonwealth."

In light of the foregoing legal status the Committee proposes a thorough investigation of this form of relief.

HOSPITALIZATION. The State appropriated approximately $35,000,000.00 to State-aided and State-owned hospitals during the two-year period ending May 31, 1935. This sum is intended to assist in the care and treatment of indigent patients. An additional sum of approximately $5,000,000.00 is shown as an expenditure by the Relief Board for medical treatment.

The Committee believes that an investigation should be made of this entire question of "Hospitalization." A definite program should be determined upon for sharing this charity burden now imposed upon the hospitals with the relief system.

Considerable overlapping of this form of charity is apparent. Hospitals repeatedly include in their budget request to local charity organizations an item to offset this care of indigent persons.

TYPES OF RECIPIENTS. Having approximately 600,000 individuals on relief, or approximately 6% of the total population, the committee is endeavoring to determine upon a classification of these individuals, having in mind the requirements set forth in the Constitution of Pennsylvania and the Act creating the relief system.

FRAUD AND JUGGLING. In the course of the investigation numerous instances of fraud and juggling have been disclosed, but lack of time has compelled the Committee to discontinue further investigations. It is recommended that this important investigational study be continued.

FOOD MARKETS. The Committee has had no opportunity to investigate the operation of food markets which were established and then discontinued. There does not appear to have been any audit or investigation of this phase of relief. The Committee feels that a thorough investigation should be made as to the accounting methods employed for the purchase and sales of commodities in these markets.

MISCELLANEOUS COLLECTIONS. The S. E. R. B. accounts for approximately $400,000.00 received from various sources. Recently money has been recovered from those who fraudulently received assistance and has been credited to an account known as "Restitutions."

An excess of $200,000.00 is rejected in this account. Approximately $200,000.00 additional is shown as re-

ceived from miscellaneous sources. The Committee feels that if $400,000.00 has been recovered there is a possibility that a much larger sum could be recovered and this important phase of relief should be studied thoroughly.

RECOMMENDATIONS OF THE JOINT COMMITTEE

1. STANDARDS TO MEASURE ASSISTANCE. Since the Federal Government has withdrawn from the field of direct relief, and this must in the future be provided from State moneys raised by additional taxation imposed on a people laready overburdened with Federal, State and local taxes, the Joint Committee recommends that the present system of standardized relief, revolving around the idea of granting sufficient assistance to make up an arbitrary budget deficiency, be discontinued, or materially changed. The Committee recommends that each family be viewed as an individual case and its needs determined in accordance with the needs of law, taking into consideration the place of residence, cost of living in the community, former standards of living of a family, past history as to vagrancy, place of settlement, opportunity for self-employment, and available seasonal employment, particularly in rural communities during summer months. Attention is here called to the complaint of farm organizations that farmers have extreme difficulty in employing labor during this period of surplus labor.

The Committee believes that employables receiving assistance must be impressed with their individual responsibility to use every effort to support themselves and their families, wholly or partially, and that family responsibility and morale must not be broken down.

The Joint Committee is of the opinion that the law should establish a maximum average for all cases of relief.

2. ELIGIBILITY FOR ASSISTANCE. The Joint Committee calls attention to the legal duty of those in charge of administration to adhere strictly, in the distribution of unemployment relief, to the rules of law laid down by the Supreme Court in its decision on the first Talbot law.

Unemployment relief is poor relief, nothing more, nothing less. The minute the historical definition of poor persons is broken through, the administration of the law enters the forbidden field of charity and becomes illegal.

The Supreme Court was careful to point out that if moneys were granted to those not entitled to poor relief or those who refused to work, recovery should be had from those responsible for the illegal administration.

Consequently, income, property, real and personal, the willingness to work, the legal responsibility of relatives must be taken into consideration. Relief must not be granted to non-residents of the State. These should be removed to their place of settlement.

Where owners of real estate must be assisted, it is the duty of the agency granting assistance to recover the amount advanced, and this may be done by taking liens against the real estate. Automobiles are property and should be taken into consideration.

The Joint Committee is not endeavoring to lay down arbitrary rules but simply pointing out a legal duty.

3. WORK RELIEF. The Committee believes that no work relief projects be undertaken from State appropriations for unemployment relief, except in those cases where the Legislature specifically appropriates money for a particular project. All such subjects should be constructed only by contract let to the lowest responsible bidder.

4. COUNTY ASSISTANCE BOARDS. The Joint Committee is of the opinion that all forms of public assistance should be coordinated to avoid the granting of overlapping assistance and to lessen the cost of administration. We now find one agency administering poor relief, another unemployment relief and still another Mothers, Aged and Blind Assistance. Each of these is designed to assist some class of unfortunates. The Committee recommends that County Assistance Boards be created at the Special Session, which shall be given jurisdiction over (a) aid to dependent children (formerly Mothers' Assistance); (b) assistance to the aged; (c) assistance to the blind, and (d) unemployment relief. In this manner a unified administration will be attained.

The Committee recommends that such boards be appointed by the County Commissioners. The County furnishes some of the money for aid to dependent children and administration costs for assistance to the aged. The Committee is of the opinion that appointment by the County Commissioners is necessary to avoid serious constitutional difficulties.

The County Assistance Boards should be empowered to pass upon policies to be followed, but the actual administration should be placed in an executive director in each county, to be appointed by the County Assistance Board, with the approval of the President Judge of the Court of Common Pleas of said County. These Boards should also appoint the personnel required and should be limited in their administration expenses. Part of the costs of administration should be paid by the respective counties and this proportion should be increased gradually as the counties may be able to bear the expense until the whole cost of administration be carried locally.

The State administration of all of these services should be unified in the Department of Welfare. The Department of Welfare should supervise the allocation of relief moneys monthly to the County Boards. Responsibility for administration should rest with the County Boards, subject to the standards established by law.

MILES HORST, Chairman (SIGNED)
CHARLES H. EALY (SIGNED)
THEO. LANE BEAN (SIGNED)

AUTHORITY FOR INVESTIGATION

THE GENERAL ASSEMBLY OF PENNSYLVANIA

FILE OF THE HOUSE OF REPRESENTATIVES

RESOLUTION No. 110

MR. HORST, IN PLACE, APRIL 1, 1935

MR. CORDIER, JUDICIARY SPECIAL, APRIL 2, 1935

In the House of Representatives, April 1, 1935.

Whereas, A number of investigating committees have been created by the House of Representatives to investigate the affairs of local relief boards in particular counties and

Whereas, It is apparent from the widespread dissatisfaction that some inherent defect exists in the present system of relief distribution and that enormous sums of public money are being expended and are requested for the next fiscal biennium when no taxpayer appears to be assured that such expenditures are actually needed and

Whereas, Taxpayers are demanding that the light of publicity be thrown upon the whole system of distributing public relief and that some system be devised to cull from the list of recipients of relief those who are unworthy those who abuse the aid extended to them and those who

paint false pictures of economic conditions in order to fasten a dole system foreign to American traditions on the body politic and

Whereas, The system of investigating relief distribution in particular localities while beneficial to the locally affected fails to approach the task of placing relief upon a sound Statewide business basis whereby red tape may be eliminated and those actually in need aided in a manner suitable to an American citizen therefore be it

Resolved (if the Senate concur), That the Speaker of the House of Representatives and the President Pro Tempore of the Senate shall each appoint three members of their respective Houses whose duty it shall be (a) to make a searching and impartial study and investigation of the distribution of public relief throughout this Commonwealth; (b) to ascertain whether and in what respect the present system is open to abuse; (c) to ascertain whether additional legal safeguards should be provided; (d) to ascertain whether appropriations for relief may be reduced; (e) to collate and digest reports of other investigating committees and (f) to investigate such other facts and circumstances as may be deemed necessary and advisable to enable the General Assembly to act with some degree of certainty and establish an impartial unpolitical, unwasteful and business system of aiding those of our unfortunates in need and of eradicating and punishing those who take advantage of distressing economic conditions for their personal selfish ends whether as recipients of relief or as distributors thereof.

Resolved, That said committee shall make a report of its findings to this General Assembly as early as possible.

Resolved, That the said committee shall have power to issue subpoenas under the hand and seal of its chairman requesting and commanding any person or persons to appear before them and to answer such questions touching matters properly being inquired into by the committee and to produce such books, papers, records and documents as the committee may deem necessary such subpoenas may served upon any person and shall have the force and effect of subpoena issued out of the courts of this Commonwealth. Each member of said committee shall have power to administer oaths and affirmations to witnesses appearing before the committee. Any person who shall wilfully neglect or refuse to testify before said committee or to produce any books, papers, records, or documents shall be subject to the penalties provided by the laws of the Commonwealth in such cases.

HISTORY OF PENNSYLVANIA'S RELIEF PROBLEM

In the fall of 1930, before beginning his term as Governor, Gifford Pinchot appointed a Pennsylvania Committee on Unemployment, to determine how the amount of unemployment might be reduced and how the condition of the unemployed and their families might be alleviated.

A report was submitted by the Committee in January, 1931, wherein they relate that county committees had been organized to "survey the needs" and to "organize and coordinate relief." They further indicated that unemployment relief needs could and should be cared for by local, private and public funds. It was also their opinion that:

> "material relief is a two-edged instrument, which, unless carefully manipulated by skilled hands, will do more damage than good, and will create in a community complacent paupers who look to the public treasury for their maintenance."

In July, 1931, Governor Pinchot appointed a Governor's Planning Committee on Unemployment Relief, and in August, 1931, a report was compiled titled "Relief Needs and Conditions in Pennsylvania" which estimated the number of unemployed in Pennsylvania in June, 1931, to be 919,000, and looked toward the possibility of State assistance.

Accordingly the Governor convened a Special Session in 1932, and the S. E. R. B. was created by Act No. 51, P. L. 88, consisting of the Governor, the Lieutenant Governor, the Auditor General, State Treasurer and the Speaker of the House of Representatives. It is the duty of the State Emergency Relief Board to plan and adopt a comprehensive program for the expenditure by the Governor of Federal moneys received for relief and work relief—such program to provide for:

(a) an equitable allocation of the moneys for expenditure in the various counties of the Commonwealth, taking into consideration the needs of the various communities and the relief funds available from taxation and other sources in such local communities;

(b) the nature, character and location of the public works to be constructed or improved by the use of such Federal funds;

(c) the method and manner of distributing direct relief and the public and private agencies through which such relief shall be distributed in the various counties, and the manner in which private agencies shall be organized in communities where the same is deemed necessary; and

(d) the co-ordination of the relief work carried on by the Governor from Federal funds and that provided for by any appropriation from the General Fund for unemployment relief, so that the best results may be obtained.

Whenever any funds are received from the Federal Government for direct relief or work relief by the Governor, for the Commonwealth of Pennsylvania, pursuant to the application of the Governor, such funds shall be deposited in the State Treasury in a special fund to be known as the "Federal Unemployment Relief Fund."

Any interest earned on such deposits shall be credited to the Federal Unemployment Relief Fund, and shall be expended for the same purposes as the principal sum held in said fund.

During August 1932, the State Emergency Relief Board appointed in each county of the Commonwealth a "County Emergency Relief Board" consisting usually of seven citizens serving without salary. The County Emergency Relief Board were charged with the administration of State and Federal funds for emergency relief in their respective counties and were empowered to administer such funds, either directly or through such public or private agencies, or both, as they might designate, subject to the approval of the State Emergency Relief Board.

On September 2, 1932, the State Board issued a set of general relief rules which outlined the fundamental policies and described some of the basic procedures to be followed. Four major principles were laid down as follows:

1. All relief shall be distributed on the sole basis of actual need, to persons who have been residents of Pennsylvania for one year, regardless of race, color, religion, citizenship or politics.

2. No relief shall be given to any person who has been offered work that he or she can do but has refused to work.

3. All funds received must be expended solely for food orders, work relief or other forms of actual relief.

4. Each County Emergency Relief Board will be directly responsible for carrying out the policies and decisions of the State Emergency Relief Board.

Provisions were not made to allow salaries or expenses to be paid from Unemployment Relief Funds. Local ad-

ministration expenses were to be paid by the communities through public or private funds.

All direct relief was to be distributed in the form of food, food orders, or otherwise, on the basis of actual need. No food order was to designate the store at which it must be redeemed. The changes of relief policies since September 1, 1932, have been influenced by changes in relief needs and conditions. State Board broadened its policies. In October, fuel relief was authorized; on December 1st, the shoe and clothing program was instituted.

At the meeting held on October 5, 1932, representatives of the Philadelphia County Emergency Relief Board stated that it was impossible for them to secure local funds for administration, and at this meeting it was resolved to approve and provide administrative expenses for Philadelphia.

On December 7, 1932, the State Board rescinded its order relative to the payment of administrative expenses and took the position that "there must be sufficient trained personnel" to insure effective administration of relief and authorized the granting of administrative budgets to County Boards.

Further provision, however, was made that no person connected with a County Emergency Relief Board who was receiving a salary from any other source whatsoever might receive a salary from State Emergency Relief Board funds.

During the period from September, 1932 to December, 1932, no time was available for detailed planning, all efforts being concentrated on granting relief to the unemployed in need, with the result that the organization expanded from day to day in order to cope with the enormous task before it.

It was not until January, 1933, when the Board approved administrative grants to counties, that efforts were made to centralize, establish and develop standards of control and administration.

On January 3, 1933, the regular legislative session convened, and as the appropriation granted during the Special Session of 1932 would be exhausted about March 31, 1933, it was necessary for additional appropriations to be made in order to continue to receive federal aid.

The results of this regular session provided forty-five million, two hundred thousand dollars from State funds for the period April 1, 1933 to May 31, 1935, for which the Federal Government would provide an additional forty-five million dollars. The following four appropriation acts provided the aforementioned funds:

Act of March 30, 1933, No. 1A	$2,000,000.00
Act of April 12, 1933, No. 3A	5,000,000.00
Act of May 22, 1933, P. L. 922 (No. 172) ...	18,100,000.00
Act of May 26, 1933, P. L. 1086 (No. 262) ..	20,100,000.00
	$45,200,000.00

The Act of May 26, 1933, P. L. 1086, was contingent upon the approval of the voters of an amendment to the constitution providing for a bond issue, and was approved at the November, 1933, elections.

On May 1, 1933, Eric H. Biddle succeeded William B. Rodgers as Executive Director of the State Emergency Relief Board.

During the spring of 1933 an extensive thrift garden program was instituted and developed.

On May 31, 1933, a program for purchase and distribution of shoes and clothing was authorized as funds might be made available.

On August 1, 1933, State Emergency Relief Board regulations became effective requiring that all Federal relief funds be administered through public agencies, with the result that the centralized "Unit Control" system was made mandatory.

A personnel division was organized along with a standardization of salary scales, and job classifications were maintained for assistance to the counties in its selection of personnel.

On October 11, 1933, standard food-relief schedules were promulgated by the State Emergency Relief Board.

On October 29, 1933, the Surplus Food Products Division was formed to distribute food commodities obtained from the Federal Government.

During November, 1933, the Federal Government announced the formation of the Civil Works Administration. Eric H. Biddle was selected by the Federal Administration to act as Administrator for the State of Pennsylvania. We present elsewhere in this report a brief resume of the work performed by the Civil Works Administration and its effects upon the direct relief program.

On December 1, 1933, provision was made to allow medical home relief to include nursing and dental care.

Another Special Session of the Legislature was called on November 13, 1933, to provide sufficient additional unemployment relief funds. This session adjourned December 31, 1933, after passing Emergency Relief Appropriation Act No. 66, in the amount of $20,000,000.00 out of the anticipated net profits from operations of Pennsylvania Liquor Stores, to become effective April 1, 1934. As the profits of the Pennsylvania Liquor Stores fell below this estimate, allocations were not made from this appropriation.

On January 3, 1934, an educational work relief program was approved by the State Emergency Relief Board, to be supervised by the Department of Public Instruction. The idea of the program was two-fold, namely: first, to give employment to available unemployed teachers in need, and, secondly, to further the educational qualifications of desiring unemployed adults who are on relief rolls.

A program was sponsored by the Federal Government and approved at the March 15, 1934, meeting of the State Emergency Relief Board for the creation of part-time jobs for college students. Any college could make application for not more than 10% of its enrollment, and the earnings of the students were not to exceed $15.00 per month per student.

On March 31, 1934, the Civil Works Administration was suspended by the Federal Government and a Work Division was organized by the State Emergency Relief Board to continue the work program instituted by the Civil Works Administration. We present elsewhere in this report a resume of the administration of the Works Division.

On April 19, 1934, a resolution was passed by the State Emergency Relief Board approving the action of the Governor, Auditor General and State Treasurer setting up a plan of requisition and disbursement of the Federal Unemployment Relief Funds designated by the Governor to be used for Works Division projects.

ACTS OF ASSEMBLY
PROVIDING APPROPRIATIONS AND REVENUE-RAISING MEASURES FOR EMERGENCY RELIEF

August 19, 1932: Act 51—Creating the State Emergency Relief Board; prescribing its powers and duties; and making an appropriation of $35,400 for administration expenses.

Act 52—Making an appropriation of $12,000,000.00 to the State Emergency Relief Board to be used for unemployment relief.

Act 53—Imposing an emergency sales tax to provide revenue to meet appropriations made for unemployment relief under Act 52.

March 30, 1933: Act 1A—Appropriating $2,000,000.00 to the State Emergency Relief Board for unemployment relief during May and June, 1933.

April 12, 1933: Act 3A—Appropriating $5,000,000.00 to the State Emergency Relief Board for unemployment relief.

May 22, 1933: Act 172—Appropriating $18,000,000.00 to the State Emergency Relief Board for unemployment relief and $1,000,000.00 for administration expenses.

May 26, 1933: Act 262—Appropriating $20,000,000.00 to the State Emergency Relief Board for the biennium beginning June 1, 1933, contingent upon approval by the voters of an amendment to the Constitution.

January 19, 1934: Act 66—Appropriating $40,000,000.00 to the State Emergency Relief Board for the period April 1, 1934 to May 31, 1935, money from net profits of State Stores Fund of Pennsylvania's Liquor Stores (cut to $20,000,000.00 by Governor Pinchot).

September 19, 1934: Act 8—Appropriating $14,400,000.00 to make up a deficiency in that amount in profits of State Liquor Stores, as appropriated in Act 66, January 19, 1934.

May 16, 1935: Act 86—Providing tax of five mills on capital stock of domestic and foreign corporations; increasing rate of tax on capital stock of five marine insurance companies; and appropriating $18,000,000.00 "only for unemployment relief."

Act 88—Amending P. L. 878, June 7, 1935, covering escheat of property to Commonwealth; and appropriating revenues from same unemployment relief until June 1, 1935.

Act 89—Providing a tax on gross receipts of public utilities and appropriating $2,000,000.00 for unemployment relief.

Act 90—Providing a documentary stock tax, and appropriating all revenues from same for unemployment relief for one year, from effective date of act.

Act 91—Providing a corporate net income tax for 1935 and 1936 and appropriating all taxes and penalties received and collected in calendar year 1935 for unemployment relief purposes.

May 20, 1935: Act 55—Providing cigarette tax and appropriating all revenue from same collected before June 1, 1936, for unemployment relief purposes.

June 21, 1935: Act 181—Increasing liquid fuels tax and appropriating all revenues from the increase collected before June 1, 1936, for unemployment relief purposes.

July 2, 1935: Act 21A—Appropriating $60,000,000.00 for relief.

July 9, 1935: Act 24A—Appropriating to State Emergency Relief Board donations for unemployment relief.

CONSTITUTIONAL RIGHT OF COMMONWEALTH TO PROVIDE RELIEF

The first appropriation for unemployment relief was made by the Talbot Act, No. 7-E of the Special Session of 1931, and this appropriation of $10,000,000.00 to the Department of Welfare for allocation to poor districts, was limited to expenditure "for the purpose of providing food, clothing, fuel and shelter for residents who are without means of support." The same idea runs through every subsequent appropriation to the State Emergency Relief Board, until in Act No. 21-A, 1935, which appropriated $60,000,000.00 to this Board, we find in Section 3 provision for the expenditure of some of these moneys for "direct relief for the unemployed who are without means of support." The remainder is to be spent for work relief presumably, also to provide work for those unemployed who are without means of support, but this is not directly expressed in the act.

The legal theory under which these appropriations are made, in order to stand the test of constitutionality, was developed in accordance with the principles announced by the Supreme Court in Busser v. Snyder, 282 Pa. 440. In that case the court considered the Old Age Pension Act of 1923 which granted a pension to citizens over 70 years of age who had incomes of less than $365 a year, or property worth less than $3,000.00. The court pointed out that this act did not limit aid to the poor or indigent as that term was understood under our poor laws. The court recognized that there was a duty on the State to help those who were without means of support, but that the State could not enlarge this class in granting aid without offending Section 18, Article III of the Constitution prohibiting approprations to persons for charitable or benevolent purposes. It said, "the minute the historical definition of poor persons is broken through the act enters the field of forbidden legislation through Section 18, Article III, and falls as a poor law."

The Talbot Act came before the Supreme Court in Com. v. Liveright, 308 Pa. 35, and was sustained on this same point, that the State had authority to make appropriations for the support of the poor, and that such appropriations were not construed as charitable or benevolent appropriations. However, it is clear from these two cases that the Legislature cannot go beyond this point without offending the Constitution. In the Liveright case the court said this:—

"It is the duty of every citizen, particularly public officials * * * entrusted with furnishing this relief, to see that it is not given to those not entitled to receive it. * * * The purpose of the State's relief is to furnish maintenance to poor persons, including those who, through enforced unemployment, have no means of support, and not to those who have such means." (p. 78)

"Moreover, the persons who are handling the money can be compelled by the courts to see that it is properly administered as directed by law. Mandamus is a powerful remedy and the Attorney General may compel a reimbursement to the State Treasurer of moneys not properly spent." (p. 80)

Not every person without property or other means of support and without employment or unable to engage in employment falls within this class. On the other hand a person owning unencumbered real estate may find himself in this class. In the former cases there may be relatives liable to support the poor person. The poor laws make a husband, wife, children, mother, grandparents

and grandchildren of a poor person liable for his support, if of sufficient ability; and this support can be enforced by court order. (Sec. 1012 of the General Poor Relief Act of 1925, May 14, P. L. 762). In the latter cases, the deduction that a person having real estate may come within the class, follows from the poor laws, that the real estate of a poor person shall be liable for the expenses of his support, maintenance and burial. incurred by any poor district, whether owned at the time such expenses were incurred or acquired thereafter; and procedure is provided whereby poor districts may recover the amounts expended. (Sec. 1000 supra.) In a Lancaster County case it was held that a person owning less than $300.00 of household goods and with no family using any such goods was indigent: Wendell v. Simpson, 11 Lanc. Bar 3.

Nor is a poor district or the Commonwealth liable to support those who do not have a settlement in the district or the State. A settlement is established generally by a person who comes bona fide to establish a permanent abode and continues to reside there for one whole year; but the settlement cannot be established at the end of the years if the person was a public charge when he arrived or becomes so during the year. In these latter cases his settlement remains in the place where he was formerly settled. Thus, out-of-State transients who are aided from public funds cannot gain a settlement here. In such cases a person has what is known as a quasi settlement and may be aided, but only until he can be removed to the place he came from: (1933, May 23, P. L. 966).

INCOME FROM SPECIAL TAXES

THE FOLLOWING TABLE reflects the INCOME from SPECIAL TAXES which were designed to provide funds for Unemployment Relief.

Act No. 52 of the 1933 Special Session appropriated $12,000,000.00 for Relief.

Act No. 53 provided only $9,867,809.90.

Subsequent appropriations aggregating $71,867,715.80 were made to meet Unemployment Relief Payments.

The 1935 Session created a special tax program intended to raise sufficient funds to meet the requirements of the Relief Program and to defray the deficit.

The sum of $21,724,179.44 accrued to March 31, 1936. In addition to this revenue, State Stores added approximately $8,700,000.00 to the requirement.

SPECIAL TAXES

DESIGNED TO RAISE FUNDS FOR UNEMPLOYMENT RELIEF CREDITED TO THE GENERAL FUND TO MARCH 31, 1936

1932 SPECIAL SESSION

Act No.		
53	Temporary Sales Tax	$ 9,867,809.90
	Total	**$ 9,867,809.90**

1935 SESSION

Act No.		
183	Amusement Tax	$ 2,062,214.34
86	Capital Stock and Franchise Tax	1,666,287.45
155	Cigarette Tax	6,976,748.23
91	Corporate Net Income Tax	1,538,980.73
90	Documentary Stamp Tax	348,118.88
88	Escheats	42,985.13
89	Gross Receipts Tax	1,424,223.37
181	Liquid Fuels Tax	7,556,829.96
182	Loans Tax	98,293.69
1822	Personal Property Tax	9,497.66
	Total	$21,724,179.44

SINKING FUND REQUIREMENTS

The Biennial Period ending 1937 will be required to set aside the sum of $63,972,500.00 to meet interest and retire bonds falling due during this period. This gigantic sum is equal to 40 per cent of the total income credited to the General Fund for the two years ended May 31, 1935. In addition to this sum $12,722,000.00 will be required to retire Highway bonds and pay interest on bonds maturing at a later date. This last sum, however, will be provided by the Motor Fund. This for your information inasmuch as the Motor Fund has been frequently tapped to meet other General Fund expenditures. We quote these figures as being taken from the Governor's budget for the biennium 1935-1937.

EFFECT OF RELIEF EXPENDITURES UPON INDUSTRY AND TRADE

Your Committee desires to offer the following data for your information:

The crash of business during the years 1908 and 1909 worked a hardship upon the public similar to that of our recent depression. We have assembled statistics taken from records of the United States Census Bureau and from Bureau of Statistics, Department of Internal Affairs of Pennsylvania. We confine our date to the total volume of business done in Pennsylvania by productive industries as we feel this is more or less of a barometer indicating the financial position of the State. The low mark in volume of business for 1909 was $2,905,600,200.00. In 1914 the total volume of business in Pennsylvania reached the sum of $3,179,537,132.00, or an increase of $273,936,932.00. This recovery was normal and unassisted by emergency financing.

Following the recent depression the low mark in the volume of business in Pennsylvania in 1932 was $3,117,806,500.00. In 1934 the total volume of business reached the mark of $4,246,119,300.00 or a growth in two years of $1,128,312,800.00. The crash of 1908 and 1909 required five years to increase volume of business in the amount of $273,936,932.00, while in our present recovery two years reflected an increase of $1,128,312,800.00.

SCHEDULE OF STATE APPROPRIATIONS, FEDERAL GRANTS, EXPENDITURES AND BALANCES—SEPTEMBER 1, 1932 TO MAY 31, 1935

Act No.	State Appropriation	Federal Grants	Expenditures State	Expenditures Federal
			(1932-1933)	
1932—#52	$12,055,400.00	$12,835,538.00	$17,202,869.30	$22,660,674.88
			(1933-1934)	
1933—#1A	2,000,000.00			
#3A	5,000,000.00			
#172	18,100,000.00	48,850,846.00	36,610,430.71	56,864,228.47
#262	20,100,000.00			
#66	5,600,000.00			
1934—#3E	13,056,666.66	104,603,734.00	(1934-1935)	
1935—#9A-10A-11A	.....	86,969,111.00	22,161,452.92	164,237,877.36
#12A	5,000,000.00			
#14A	3,000,000.00			
Contributions Misc. Rec.	11,049.14	2,690.57		
Int. on Bank Balances	.....	293,948.48		
TOTALS	$83,923,115.80	$253,555,868.05	$75,974,752.93	$243,762,780.71
Deduct Lapsed Bal.				
Act No. 262	100,000.00			
Act No. 52	.21			
Net Appr'd	$83,823,115.59			

TOTAL State Appropriations		$83,823,115.59
TOTAL Federal Grants		253,555,868.05
		$337,378,983.64
Less Expenditures:		
State	$ 75,974,752.93	
Federal	243,762,780.71	319,737,533.64
Balance June 1, 1935		$17,641,450.00
BALANCE DISTRIBUTED AS FOLLOWS:		
In Hands of State Treasurer:		
General Fund		$ 7,621,273.72
State Stores Account		177,088.94
Fed. Unemployment Relief Fund		6,770,459.58
In Hands of S.E.R.B. Disbursing Officer:		
Federal Funds		3,022,627.76
State Funds		50,000.00
		$17,641,450.00

NOTE: "The sum of $103,264,637.05 was paid direct to the Disbursing Officer of the S.E.R.B. for Cash Relief and Works Division."

STATEMENT

Receipts, Expenditures and Balances September 1, 1932 to April 1, 1936

RECEIPTS		
State		$144,054,394.98
Federal		328,108,788.44
Total Receipts		$472,163,183.42
EXPENDITURES		
State		$131,670,402.57
Federal		326,862,076.32
Total Expenditures		$458,532,478.89
BALANCE APRIL 1, 1936		
State (per State Treasurer)	$12,383,992.41	
Federal (per State Treasurer)	1,246,712.12	
	$13,630,704.53	
Add:		
Balance in hand of SERB Disbursing Officer	2,294,018.17	
TOTAL BALANCE APRIL 1, 1936		$15,924,722.70
Deduct SERB Commitments at March 28, 1936		3,705,860.19
NET BALANCE APRIL 1, 1936		$12,218,862.51

FINANCIAL BURDEN

The foregoing schedules tell a mute story of the gigantic burden imposed upon the State by reason of the cyclonic development of relief.

The net revenues to the General Fund for the biennial period ending May 31, 1933, was the sum of $178,420,120.01. For the period ending May 31, 1935, the net revenues to the General Fund were $157,193,848.79, a decrease in the revenues to the General Fund of $21,226,271.22.

We cite certain classes that produce revenue for the General Fund, namely: Licenses and fees for the period ended May 31, 1933, contributed 19.09% of all the money received and credited to the General Fund. For the period ended May 31, 1935, Licenses and Fees only contributed 11,093%, a decrease in this class alone of 7,997%. General taxes contributed 27,89% of the total receipts credited to General Fund for the biennium ended 1935, and only 11.441% for the period ended 1935, a decrease of 16.449%. The receipts from the Liquid Fuels Tax Fund were decreased 7.069% for the biennium ended, over the prior biennium period. For the biennium ended May 31, 1835, the Federal Government contributed 36.735% of the total revenues of the State of Pennsylvania. In addition to this contribution it was necessary to sell bonds, and this item alone represented 11.329% of the total income of the State.

The Department of Education, for the period ended May 31, 1933, shows expenditures of 23.74% of the total State expenditures. For the period ended May 31, 1935, only

11.165% was expended, a reduction of 12.575% in this important function of State Government.

The Department of Welfare for the period ended May 31, 1933, shows an expenditure of 9.81% of the total State expenditures, as compared with 4.953% in this department, concerned with the health and morals of the Commonwealth.

There has been much criticism both from State and civic sources regarding the neglect and hazardous conditions of our hospitals and penal institutions. When the use of available funds for unemployment relief are considered, the conditions as cited by the State and civic sources are easily explained.

Notwithstanding the decrease in revenues of $21,226,271.22 between the biennium ended 1933 and the biennium ended 1935, Unemployment Relief absorbed 43.399% of all moneys expended by State Government. The cost of relief to the State of Pennsylvania for thirty-three months, dating from the time of its inception, September 1, 1932 to May 31, 1935, is as follows:

From State appropriations	$75,974,752.93
From Federal grants	243,762,780.71

a total of $319,737,533.64, or an average cost per month of $9,689,016.17.

During the period under survey, the sum of $103,264,637.05 was paid directly to the Disbursing Officer of the S.E.R.B., to be disbursed by him for cash relief and works division. On June 1, 1935, the total balance available in all funds was $17,641,450.00. The distribution of this balance follows:

In the hands of the State Treasurer:	
General Fund	$7,621,273.72
State Stores Account	177,088.94
Federal Unemployment Relief Fund	6,770,459.58
In the hands of the S.E.R.B. Disbursing Officer:	
Federal Funds	3,022,627.76
State Funds	50,000.00
	$17,641,450.00

PROFITS FROM LIQUOR STORES

Anticipated profits of the State Liquor Stores did not reach original estimates. The session of 1934 made an appropriation of $40,000,000.00, which was reduced to $20,000,000.00 by the Governor to be paid from anticipated profits of the State Liquor Stores. We quote from the Auditor General's biennial report ended May 31, 1935:

Total receipts from State Stores	$62,075,419.85
Disbursements	60,208,655.88
Balance June 1, 1935	$1,866,763.97

Included in the disbursements was $5,600,000.00 for relief and $3,110,164.01 for Old Age Assistance and Blind Pensions. The total paid from State Stores Fund for relief purposes plus the accounting balance shown by the Auditor General's report would signify that the profits were approximately $10,500,000.00 instead of the $20,000,000.00 anticipated by the Governor.

The Special Session of 1934 made a deficiency appropriation of $14,400,000.00 to cover the shortage in anticipated profits of the State Stores.

BONDED INDEBTEDNESS OF STATE

The bonded indebtedness of the State of Pennsylvania as of May 31, 1933 was $87,286,320.26. The bonded indebtedness May 31, 1935 was increased to $152,783,320.26 an increase in the two-year period of $65,497,000.00. In October 1935, this indebtedness was increased another $50,000,000.00 in the form of short-term notes payable May 1, 1937. It will, therefore, be necessary in order to retire these issues and meet interest payments, to set aside $63,972,500.00 out of General Fund receipts during the 1935-1937 biennium to meet State obligations. This amount represents 40 percent of the net revenue to the General Fund for the two years ending May 31, 1935.

PAYMENTS FOR UNEMPLOYMENT RELIEF
STATE AND FEDERAL FUNDS
SEPTEMBER 1, 1932 TO MAY 31, 1935

BY MONTHS

	State Funds	Federal Funds	Total
September 1932 to May 31, 1933	$ 17,333,189.19	$ 22,660,674.88	$ 39,993,864.07
June, 1933	3,931,600.89	4,963,590.05	8,895,190.94
July	2,757,293.48	4,237,510.48	6,994,803.96
August	2,879,175.13	4,816,652.14	7,695,827.27
September	434,379.99	5,594,941.31	6,029,321.30
October	818,402.17	7,084,805.58	7,903,207.75
November	1,400,021.96	4,317,651.15	5,717,673.11
December	3,268,968.39	2,765,293.62	6,034,262.01
January, 1934	6,065,414.04	2,140,341.29	8,205,755.33
February	5,090,806.33	1,649,093.62	6,739,899.95
March	5,139,904.45	1,614,357.21	6,754,261.66
April	2,678,160.98	12,527,667.29	15,205,828.27
May	2,065,983.11	9,884,781.28	11,950,764.39
June	1,035,693.85	12,391,659.90	13,477,353.75
July	87,786.96	10,589,064.69	10,676,851.65
August	70,040.40	10,254,131.56	10,324,171.96
September	41,725.76	7,934,452.47	7,976,178.23
October	237,808.20	12,906,711.31	13,144,519.51
November	3,288,167.38	9,755,402.59	13,043,569.97
December	4,869,462.13	12,079,798.96	16,949,261.09
January, 1935	6,360,152.43	18,267,396.19	24,627,548.62
February	4,202,902.52	15,003,091.61	19,205,994.13
March	519,861.28	19,115,922.09	19,635,783.37
April	276,745.06	16,198,281.52	16,475,026.58
May	1,121,106.95	18,032,135.68	19,153,242.63
June	5,912,447.42	12,427,877.84	18,340,325.26
July	1,458,959.11	15,923,881.28	17,382,840.39
August	3,939,521.52	11,576,640.06	15,516,161.58
September	4,354,363.29	10,120,764.87	14,475,128.16
October	6,774,924.60	9,315,916.91	16,090,841.51
November	3,556,624.07	8,406,576.16	11,963,200.23
December	5,131,058.55	6,678,562.17	11,809,620.72
January, 1936	12,673,900.16	2,630,756.32	15,304,656.48
February	5,671,809.90	2,449,509.56	8,121,319.46
March	6,172,041.02	546,182.68	6,718,223.70
TOTALS	$131,670,402.57	$326,862,076.32	$458,532,478.89

NOTE: Included in TOTAL EXPENDITURES is Cash in Hands of S. E. R. B. Disbursing Officer at April 1, 1936 ....$2,293,218.17
State Funds $1,650,352.03
Federal Funds 643,666.14

COMPARATIVE TABLE SHOWING MONTHLY EXPENDITURES AS RECORDED BY THE AUDITOR GENERAL-STATE TREASURER, AND FROM THE THIRD ANNUAL REPORT OF THE S.E.R.B., PAGE 58, TABLE III

	Reflected by Auditor-General State Treasurer	As shown by the Reports of the S.E.R.B.
September, 1932 to May 31, 1933	$39,993,864.07	$49,388,960.40
June, 1933	8,895,190.94	7,505,317.97
July	6,994,803.96	6,604,462.40
August	7,695,827.27	6,768,521.57
September	6,029,321.30	6,317,323.83
October	7,903,207.75	6,652,651.85
November	5,717,673.11	7,160,906.29
December	6,034,262.01	7,103,075.49
January, 1934	8,205,755.33	6,810,648.12
February	6,739,899.95	6,785,156.94
March	6,754,261.66	8,545,520.40
April	15,205,828.27	12,402,321.05
May	11,950,764.29	12,321,875.28
June	13,477,353.75	11,943,881.75
July	10,676,851.65	11,353,908.93
August	10,324,171.96	11,275,648.77
September	7,976,178.23	9,483,357.04
October	13,144,519.51	12,147,932.36
November	13,043,569.97	14,647,359.24
December	16,949,261.09	17,952,385.77
January, 1935	24,627,548.62	21,541,184.28
February	19,205,994.13	20,371,610.74
March	19,635,783.37	18,679,092.19
April	16,475,026.58	20,030,917.49
May	19,153,242.63	19,610,211.78
June	18,340,325.26	16,868,150.72
July	17,382,340.39	17,892,438.27
August	15,516,161.58	16,460,832.81
September	14,475,128.16	15,363,604.61
October	16,090,841.51	15,593,650.90
November	11,963,200.23	12,074,510.75
December	11,809,620.72	9,388,918.29
January, 1936	15,304,656.48	8,566,489.82
February	8,121,319.46	7,049,147.42

SUMMARY OF PAYMENTS FOR UNEMPLOYMENT RELIEF BY FUNDS SEPTEMBER 1, 1932 TO MAY 31, 1935

General Fund	
Direct Relief	$70,102,648.69
Work Relief	.....
Administration	419,910.33
	$70,522,559.02
Federal Unemployment Relief Fund	
Direct Relief	$159,523,233.42
Work Relief	65,055,524.25
Administration	19,184,023.04
	$243,762,780.71
State Stores Fund	
Direct Relief	$5,422,911.06
Work Relief	.....
Administration	.....
	$5,422,911.06
Motor Fund	
Direct Relief	.....
Work Relief	$29,282.85*
Administration	.....
	$29,282.85
GROSS TOTAL	$319,737,533.64

First payment from State Stores Fund for Unemployment Relief made November 9, 1934.

The sources of the above figures were taken from the statements issued by the Auditor General as of May 31, 1933 and May 31, 1935.

* Does not include $50,000.00 General Fund and $3,022,627.76 Federal Unemployment Relief Fund in possession of Disbursing Agent at close of period.

STATE AND FEDERAL FUNDS EXPENDED BY THE SERB

The following is the gross amount of STATE and FEDERAL FUNDS expended in Pennsylvania by the State Emergency Relief Board, for Public Relief of unemployed) in Pennsylvania, from September 1, 1932 to May 31, 1935: $319,737,533.64 covering a period of thirty-three months, or an average expenditure of $9,689,016.17 per month.

NOTE: The above does not include Blind Pension, Old Age Pension, Mothers' Assistance, C. W. A., L. W. D., P. W. A., C. C. C., County Poor Boards, or any other private or charitable agencies. Neither does the above amount include the $10,000,000.00 Talbot Fund, which was raised by State taxation and expended just prior to the setting up of the S. E. R. B.

SUMMARY OF PAYMENTS MADE BY THE S. E. R. B. FROM FEDERAL AND STATE FUNDS FOR RELIEF OF THE UNEMPLOYED SEPTEMBER 1, 1932 TO MAY 31, 1935

	"Other Payments"		Accounts Charged	
	Direct Relief	Work Relief	Administration	Total Disbursed
1. Clothing	$10,096,294.45	.....	.....	$10,096,294.45
2. State Veterans' Commission	517,111.00	.....	.....	517,111.00
3. Purchase of Eggs	179,531.38	.....	.....	179,531.38
4. Federal Surplus Food Commodities Account	156,403.17	.....	$ 8,630.50	165,083.67
5. Shoe Repair Shop	24,958.35	.....	.....	24,958.35
6. Bureau of Homeless and Transient	3,288,249.00	.....	13,163.07	3,301,412.07
7. Department of Public Instruction, Emergency Education, Work Relief Program	126,455.62	.....	46,821.71	173,277.33
8. Cattle Transportation, Handling, Feeding, Watering and Processing	1,125,841.01	.....	.....	1,125,841.01
9. Extermination of Gypsy Moth	.....	$119,978.42	.....	119,978.42
10. Labor—Indiantown Gap Military Reservation	.....	27,021.64	.....	27,021.64
11. Labor—Pymatuning Reservoir Project	.....	169,999.71	.....	169,999.71
12. Salaries and Expenses—State Emergency Relief Board	.....	100,930.95	4,386,851.83	4,487,782.78
13. Control of Japanese Beetle	.....	7,051.79	.....	7,051.79
14. Federal—Work Relief Projects	.....	3,122,083.86	255,546.97	3,377,630.83
15. State Reemployment Service	.....	443,506.59	30,378.78	473,885.37
16. Workmen's Compensation Insurance	.....	473,352.25	.....	473,352.25
17. Loans to Farmers for Rehabilitation Purposes	.....	97,889.95	42,000.00	139,889.95
18. Salaries and Expenses, Auditor General's Department	.....	.....	14,999.98	14,999.98
19. Postage, Treasury Department	.....	.....	10,000.00	10,000.00
20. Salaries and Expenses, Department of Health	.....	.....	4,794.68	4,794.68
21. Child Health Service	.....	.....	20,580.08	20,580.08
22. Printing, Postage, Supplies, State Emergency Relief Board	.....	.....	7,063.33	7,063.33
23. Deporting Aliens to their Native Lands	.....	.....	205.09	205.09
24. C. W. A. Purchase of Supplies, Equipment and Administration	.....	.....	39,416.19	39,416.19
TOTAL	$15,514,883.98	$4,561,815.16	$4,880,502.21	$24,957,161.35

DISCUSSION OF ACCOUNTS

1. Expenditures for Clothing. For the period under survey the following amounts were expended for clothing:

State Funds	$1,391,250.00
Federal Funds	8,705,044.45
Total—	$10,096,294.45

Clothing consisted of all wearing apparel, together with sheets, blankets, bedding and toweling. It would appear that this item of over $10,000,000 was excessively high for clothing, when it is considered that organized charities and local welfare chests have provided these articles. From the average number of cases on relief, it appears that an excess of $30.00 per case was paid out for clothing. The issuance of these articles was at the discretion of the local welfare worker. Our survey disclosed that considerable dissatisfaction existed among the recipients. Claims were made that favoritism was shown in the issuance of these articles.

During the period of our survey in Area No. 7 for a two months' period of time, five employees at a salary of $1,277.43, prepared, handled and distributed 6,302 packages consisting of towels, pillow cases and sheets. The expense for automobiles was $220.55. The recorded mileage to make this distribution was 4,111 miles.

It cost on an average of 24¢ per package to make these deliveries. The total cost was approximately $1,500.00.

2. Veterans' Commission. From the General Fund the sum of $517,111,000.00 was allocated to the State Veterans' Commission for the relief of needy veterans. Veterans desiring assistance apply through their service officers of the local posts who in turn make application through committees, who pass on the worthiness of the case. In Philadelphia the American Legion headquarters appears to be the clearing house. In Harrisburg we have service officers, together with representatives of the Welfare Society pass upon the cases. Western Pennsylvania has the same procedure.

There arises a question as to why this particular group of clients should be severally set apart. There does not appear to be any distinction between an indigent veteran and any other private citizen. Your committee would advise the elimination of such class appropriation, inasmuch as the mechanics of the relief organization are such that veterans would receive the same consideration without going through a lot of red tape in unnecessary channels to secure assistance. The amount necessary to provide for indigent ex-service men is in excess of the appropriation figure.

These excess payments must necessarily be made from the relief fund and the above procedure only tends to complicate the methods of accounting.

3. Purchase of Eggs. The sum of $179,531.38 was expended for the purchase of eggs, This represented approximately 700,000 dozen of eggs. Most of these eggs were received from the Federal Surplus Commodities Corporation, and distributed to the counties on the basis of the case load. We understand that the eggs purchased, were from the wholesale dealer to the retail merchant, from whom the recipient received them on a food order.

4. The Federal Surplus Food Commodities. Account for direct relief is $156,403.17, plus an administration cost of $8,680.50, or a total of $165,083.67. It is our understanding that this account includes the purchase and bagging of potatoes and the processing of cabbages.

5. An item of expenditure appears under the title Shoe Repair Shop, the amount expended being $24,958.35.

6, Bureau of Homeless and Transient. The grand total expended for this service was $3,301,412.07. From the reports of the S. E. R. B. we note that an average of 13,265 individuals were cared for daily. The ruling of the Transient Bureau prescribed that only inter-state travelers could be accommodated. However, we found in the course of our survey numerous instances wherein individuals registered under an alias and gave another State as their address so as to be admitted to comfortable shelters. The cost to quarter these individuals amounted approximately $12.50 per month or about $250.00 per individual for about twenty months.

On July 26, 1933, the Federal Relief Administrator issued a memorandum to all Governors and State Emergency Relief Administrators relative to the necessity of developing a program for the care of transients and homeless.

It suggests that in any local community there may be three groups of homeless persons or families:

1. Local homeless residents.
2. State homeless; more than 12 months in the State.
3. Transient homeless; less than 12 months in the State.

Groups one and two are provided relief from both Federal and State funds. Group three is provided relief from Federal funds.

Under a separate part of our report, we show a picture of the transient situation, being a result of an investigation by the Auditor General's Department.

7. Department of Public Instruction, Emergency Education, Work Relief Program. The following expenditures of $17,277.33 are reflected against this account, and summarized as follows:

Direct Relief	$126,455.62
Administration	46,821.71

We invite your attention particularly to the cost of administration, which is about 37% of the total amount expended. The purpose of this program was to employ otherwise unemployed teachers for the free instruction of a great variety of subjects, including English, Citizenship, Recreation, Parent Education, Etc. Monthly relief bulletins issued by the Department of Research and Statistics have devoted considerable space to this program.

8. Cattle Transportation, Handling, Feeding, Watering and Processing. To this account the amount of $1,125,841.01 was charged. The title of this program appears to be self-explanatory. Processed products were distributed to Pennsylvania relief cases similar to other types of Federal relief commodities. The expenditures charged against this account were credited to Direct Relief.

9. Extermination of Gypsy Moth. The amount charged to this program was $119,978.42 and was credited to Work Relief. The operation of this program was confined to Lackawanna and Luzerne Counties and was

under the supervision of the State Department of Agriculture, Bureau of Plant Entomology. The project consisted of the cleaning up hibernating places of the moth

10. Labor—Indiantown Gap Military Reservation. The amount of $27,021.64 was spent for Work Relief for common labor in improving the military reservation. Supervision was made by the Department of Military Affairs.

11. Labor—Pymatuning Reservoir Project. The amount of $169,999.71 charged to Work Relief was expended on this program for common labor. These expenditures went direct to persons in urgent need of relief.

12. Salaries and Expenses—State Emergency Relief Board. This account shows an expenditure of $4,487,782.78, summarized as follows:

Work Relief	$100,930.95
Administration	4,386,851.83

The weekly payroll May 31, 1933 was $49,063.41, while the weekly payroll May 31, 1935 was $272,649.31.

We invite your attention to a schedule of this report which shows the increase of 1.0% in September 1932 to 8.9% in May 1935, being the cost of administration as compared with the total expenditures for relief.

13. Control of Japanese Beetle. The amount credited to this program was $7,051.79. This money was spent for inspection service in preventing spread of the beetle and was charged to Work Relief.

14. Federal—Work Relief Projects. The sum of $3,377,630.83 was spent for this program. The expenditures are summarized as follows:

Work Relief	$3,122,083.86
Administration	255,546.97

15. State Re-Employment Service. The amount of $473,885.37 was expended for this service, summarized as follows:

Work Relief	$443,506.59
Administration	30,378.78

The title of this program is self-explanatory.

16. Workmen's Compensation Insurance. This item shows an expenditure of $473,352.25 charged to Work Relief.

17. Loans to Farmers for Rehabilitation Purposes. In this account the amount of $139,889.95 was disbursed summarized as follows:

Work Relief	$97,889.95
Administration	42,000.00

It appears that the cost of administration for this program was approximately 43% to the total expended. The purpose of this program to aid farmers who were on relief by soliciting their requirements for crops and to lend them money to buy seeds and necessary farming equipment for which a judgment note was taken and recorded, repayment to be made by the farmer over a period of time, until the note was paid off. We have interviewed a number of people who have solicited and who have taken advantage of this service. We cite the following case as an example:

Case No. 2750. We found an individual who, with his wife, had been living on a farm consisting of 60 acres. The assessed valuation of this farm was $3,300.00, on which there was a mortgage of $3,500.00, The Rural Rehabilitation Corporation contacted this man in the fall of 1935 and arranged with him to advance $600.00 to be used for the purchase of the following: 1 pr. mules, 2 hogs, 1 beef, 1 cow, 25 pullets, $15.00 for lumber to repair the chicken house, 1 mower, 1 wagon, harness, fertilizer, food and seed wheat.

We might call your attention to the fact that this was about September 1935. This investment was intended to encourage farm production and the raising of wheat, while in the same neighborhood other farmers were being paid not to raise any wheat.

18, 19 and 20. The following expenditures were charged to Administration:

Salaries and expenses, Auditor General's Department	$14,999.98
Postage, Treasury Department ..	10.000.00
Salaries and expenses, Department of Health	4,794.68

21. Child Health Service. The amount of $20,580.08 was expended for this service and included free clinics and medical instruction for children.

22. Printing, Postage, Supplies, State Emergency Relief Board. This item charged to administration is in the amount of $7063.33.

23. Deporting Aliens to Their Native Lands. Amount charged to administration for this service was $205.09.

24. C. W. A. Purchase of Supplies, Equipment and Administration. The sum of $39,416.19 was charged against administration under this heading.

SUMMARY OF FINANCIAL STATEMENT

We have included in our report the following statistical schedules for your information, which we feel are self-explanatory:

Summary of Payments from Federal and State Funds by Counties.
Summary of Payments by Funds.
Other Payments.
Works Relief and Other Payments.
Administration by Counties and Funds.
Other Payments, showing Administration by Funds.
Schedule of Administration Cost per case and average Percentage of Administration to total disbursements by months.
Table showing value of physical inventory by Counties.

SUMMARY OF PAYMENTS MADE BY THE S. E. R. B. FROM FEDERAL AND STATE FUNDS FOR RELIEF OF THE UNEMPLOYED SEPTEMBER 1, 1932 TO MAY 31, 1935

BY COUNTIES

	Direct Relief	Work Relief	Total Direct and Work Relief	Administration	Total all Disbursements
1. Adams	$ 271,295.04	$ 129,690.39	$ 400,985.43	$ 25,936.61	$ 426,922.04
2. Allegheny	47,811,329.90	9,084,792.83	56,896,122.73	3,396,997.06	60,293,119.79
3. Armstrong	1,247,256.72	484,134.83	1,731,391.55	95,686.37	1,827,077.92
4. Beaver	2,644,376.45	945,892.73	3,590,269.18	177,283.39	3,767,552.57
5. Bedford	594,650.54	515,346.88	1,109,997.42	65,138.93	1,175,136.35
6. Berks	3,998,336.46	1,616,094.12	5,614,430.58	243,433.83	5,857,864.41
7. Blair	1,911,496.22	885,857.20	2,797,353.42	159,128.61	2,956,482.03
8. Bradford	492,223.27	362,075.42	854,298.69	48,501.20	902,799.89
9. Bucks	770,284.48	440,604.20	1,210,888.68	50,450.62	1,261,339.30
10. Butler	1,031,068.12	496,589.01	1,527,657.13	71,548.60	1,599,205.73
11. Cambria	3,476,024.94	1,260,448.98	4,736,473.92	236,412.45	4,972,886.37
12. Cameron	56,954.19	19,238.82	76,193.01	3,865.56	80,058.57
13. Carbon	895,149.78	411,639.89	1,306,789.67	65,737.39	1,372,527.06
14. Centre	849,018.46	516,560.52	1,365,578.98	76,835.35	1,442,414.33
15. Chester	1,072,284.60	645,617.42	1,717,902.02	95,521.50	1,813,423.52
16. Clarion	419,171.20	349,754.81	768,926.01	44,850.76	813,776.77
17. Clearfield	3,601,006.07	824,473.66	4,425,479.73	225,088.92	4,650,568.65
18. Clinton	662,400.81	274,896.71	937,297.52	55,724.34	993,021.86
19. Columbia	1,405,745.58	343,655.84	1,749,401.42	83,314.51	1,832,715.93
20. Crawford	578,602.71	439,116.72	1,017,719.43	53,988.26	1,071,707.69
21. Cumberland	843,482.80	444,455.64	1,292,938.44	74,086.18	1,367,024.62
22. Dauphin	2,753,746.77	1,262,297.34	4,016,044.11	218,353.33	4,234,397.44
23. Delaware	3,627,640.82	951,889.51	4,579,530.33	198,410.60	4,777,940.93
24. Elk	612,984.82	141,320.92	754,305.74	44,564.97	798,870.71
25. Erie	2,839,079.48	1,076,327.47	3,965,406.95	297,364.27	4,262,771.22
26. Fayette	6,514,739.76	1,553,914.71	8,068,654.47	415,657.05	8,484,311.52
27. Forest	53,121.89	51,657.74	104,779.63	5,433.59	110,213.22
28. Franklin	829,271.12	400,578.31	1,229,849.43	69,645.09	1,299,494.52
29. Fulton	101,736.80	120,699.56	222,436.36	11,449.49	233,885.85
30. Greene	809,251.15	373,721.32	1,182,972.47	57,218.38	1,240,190.85
31. Huntingdon	688,818.94	418,684.21	1,107,503.15	68,619.69	1,176,122.84
32. Indiana	1,686,566.68	550,498.85	2,237,065.53	128,600.66	2,365,666.19
33. Jefferson	1,260,057.87	512,538.06	1,772,645.93	97,398.80	1,870,044.73
34. Juniata	184,721.18	134,556.16	319,277.34	19,864.29	339,141.63
35. Lackawanna	7,548,322.81	2,083,258.09	9,631,580.90	436,174.88	10,067,755.78
36. Lancaster	1,975,150.02	832,198.87	2,807,348.89	180,751.63	2,988,100.52
37. Lawrence	1,904,065.28	1,140,533.04	3,044,598.32	164,136.07	3,208,734.39
38. Lebanon	721,114.10	370,682.50	1,091,796.60	59,745.65	1,151,542.25
39. Lehigh	3,261,120.91	1,243,609.79	4,504,730.70	239,239.36	4,743,970.06
40. Luzerne	11,786,593.56	2,252,125.38	14,038,718.94	673,029.70	14,711,748.64
41. Lycoming	1,840,310.32	814,368.19	2,654,678.51	175,399.34	2,830,077.85
42. McKean	630,892.04	239,430.90	870,322.94	58,446.15	928,769.09
43. Mercer	2,056,525.24	822,764.64	2,879,289.88	137,548.00	3,016,837.88
44. Mifflin	853,905.03	327,749.84	1,181,654.87	86,737.32	1,268,392.19
45. Monroe	367,110.00	392,139.50	759,249.50	31,998.24	791,247.74
46. Montgomery	2,684,023.59	1,159,736.53	3,843,760.12	177,495.80	4,021,255.92
47. Montour	321,236.15	153,139.75	474,375.90	23,458.01	497,833.91
48. Northampton	3,209,601.22	1,309,085.20	4,518,776.42	233,112.80	4,751,889.22
49. Northumberland	3,600,773.25	683,931.85	4,284,705.10	201,423.06	4,486,128.16
50. Perry	254,682.64	167,688.12	422,370.76	20,257.60	442,628.36
51. Philadelphia	55,303,795.05	8,740,472.08	64,044,267.13	3,177,283.09	67,221,550.22
52. Pike	41,466.73	91,756.77	133,223.50	4,829.16	138,052.66
53. Potter	269,676.19	215,345.80	485,021.99	27,932.29	512,954.28
54. Schuylkill	6,388,734.35	2,112,973.47	8,501,707.82	338,195.40	8,839,903.22
55. Snyder	415,671.49	205,783.46	621,454.95	28,013.19	649,468.14
56. Somerset	1,684,365.49	959,489.33	2,643,854.82	146,280.23	2,790,135.05
57. Sullivan	75,179.77	90,448.42	165,628.19	9,041.90	174,670.09
58. Susquehanna	537,300.32	274,195.08	811,496.96	48,252.91	859,749.87
59. Tioga	418,416.03	308,152.94	726,568.97	34,166.86	760,735.83
60. Union	344,674.49	141,442.87	486,117.36	21,282.74	507,400.10
61. Venango	1,678,973.64	783,622.99	2,462,596.63	141,881.09	2,604,477.72
62. Warren	755,638.38	288,519.13	1,044,157.56	72,264.31	1,116,421.87
63. Washington	3,955,504.69	1,219,233.47	5,174,738.16	235,425.82	5,410,163.98
64. Wayne	318,946.34	225,192.61	544,138.95	21,716.82	565,855.77
65. Westmoreland	6,041,450.10	1,527,258.50	7,568,708.60	387,865.79	7,956,574.39
66. Wyoming	193,682.32	126,392.55	320,074.87	20,461.26	340,536.13
67. York	1,446,061.47	1,180,593.45	2,626,659.92	127,474.04	2,754,133.96
TOTALS	$219,533,949.19	$60,522,991.94	$280,056,941.15	$14,723,431.16	$294,780,372.29

STATEMENT OF PAYMENTS MADE BY THE S. E. R. B. FOR THE UNEMPLOYED—BY FUNDS—SEPTEMBER 1, 1932—MAY 31, 1935

DIRECT RELIEF

	State General Fund	State Stores	Total State	Federal Fund
1. Adams	$ 84,899.04	$ 5,075.19	$ 89,974.23	$ 181,320.81
2. Allegheny	14,638,961.32	1,579,946.85	16,218,908.17	31,592,421.73
3. Armstrong	504,622.34	18,681.30	523,303.64	723,953.08
4. Beaver	915,470.74	27,878.85	943,349.59	1,701,026.86
5. Bedford	203,483.66	4,426.35	207,910.01	386,740.53
6. Berks	1,598,583.22	31,957.67	1,630,540.89	2,367,795.57
7. Blair	726,457.32	20,479.80	746,937.12	1,164,559.10
8. Bradford	188,027.57	5,896.30	193,923.87	293,299.40
9. Bucks	307,083.65	12,567.81	319,651.46	450,223.02
10. Butler	370,584.75	15,488.83	386,073.58	641,934.54
11. Cambria	1,184,343.72	108,513.48	1,292,857.20	2,183,137.74
12. Cameron	17,361.78	865.20	18,226.98	38,727.21
13. Carbon	326,535.02	12,685.37	339,270.39	555,879.39
14. Centre	289,838.17	7,353.49	297,191.66	551,826.80
15. Chester	437,852.53	13,935.75	451,788.28	620,496.32
16. Clarion	150,963.91	5,124.05	156,087.96	263,083.24
17. Clearfield	1,103,861.23	40,594.86	1,144,456.09	2,456,549.93
18. Clinton	180,371.30	5,486.30	185,857.60	476,543.21
19. Columbia	442,124.34	29,185.25	471,309.59	934,435.99
20. Crawford	240,363.16	47.76	240,410.92	338,191.79
21. Cumberland	299,904.47	14,239.41	314,143.88	534,338.92
22. Dauphin	1,008,393.83	26,869.10	1,035,262.93	1,718,483.84
23. Delaware	1,396,106.76	67,486.54	1,463,593.30	2,164,047.52
24. Elk	196,938.79	5,107.33	202,046.12	410,938.70
25. Erie	1,023,165.99	46,129.11	1,069,295.10	1,819,784.38
26. Fayette	1,807,475.78	681,155.64	2,488,631.42	4,026,108.34
27. Forest	16,189.44	771.65	16,961.09	36,169.86
28. Franklin	280,294.47	7,175.80	287,470.27	541,309.85
29. Fulton	21,858.31	1,351.12	23,209.43	78,527.37
30. Greene	291,001.67	9,968.03	300,969.70	503,291.45
31. Huntingdon	225,507.02	12,982.28	238,489.30	459,439.64
32. Indiana	575,887.91	21,162.83	597,050.74	1,089,515.94
33. Jefferson	408,143.56	14,163.97	422,307.53	837,750.34
34. Juniata	59,388.03	2,235.66	61,623.69	123,037.49
35. Lackawanna	2,686,055.91	198,459.93	2,884,515.84	4,663,206.97
36. Lancaster	662,403.50	32,643.95	695,047.45	1,280,102.57
37. Lawrence	593,742.67	17,635.78	611,378.45	1,292,636.83
38. Lebanon	277,450.93	12,716.76	290,167.69	430,946.41
39. Lehigh	1,189,923.57	38,068.86	1,227,992.43	2,033,128.48
40. Luzerne	3,660,193.57	864,730.38	4,524,923.95	7,261,639.61
41. Lycoming	574,865.78	31,928.00	606,793.78	1,233,516.54
42. McKean	239,158.23	7,320.35	246,478.58	384,413.46
43. Mercer	734,863.07	919.00	735,782.07	1,320,743.17
44. Mifflin	243,561.38	7,615.52	256,176.90	597,728.13
45. Monroe	108,313.33	5,734.90	114,048.23	253,061.77
46. Montgomery	1,149,347.13	36,290.28	1,185,637.41	1,498,386.18
47. Montour	101,478.26	8,612.96	110,091.22	211,144.93
48. Northampton	1,194,410.70	52,217.10	1,246,627.80	1,963,063.42
49. Northumberland	1,270,526.28	67,377.91	1,337,904.19	2,262,369.06
50. Perry	74,511.06	4,166.08	78,677.14	176,005.50
51. Philadelphia	13,458,844.35	648,749.60	14,107,593.95	41,196,201.10
52. Pike	14,436.32	910.95	15,347.27	26,119.46
53. Potter	77,317.33	4,116.15	81,433.48	188,242.71
54. Schuylkill	2,264,160.84	87,750.33	2,351,911.17	4,036,823.18
55. Snyder	117,478.49	9,644.18	127,122.67	288,548.82
56. Somerset	501,033.71	20,455.75	521,489.46	1,162,876.03
57. Sullivan	22,649.96	345.10	22,995.06	52,184.71
58. Susquehanna	154,721.90	4,587.65	159,309.55	377,991.33
59. Tioga	102,447.05	3,496.59	105,943.64	312,472.39
60. Union	102,042.94	6,136.74	108,179.68	236,494.81
61. Venango	602,715.56	14,373.69	617,089.25	1,061,884.39
62. Warren	264,365.49	6,310.78	270,676.27	484,962.11
63. Washington	1,336,589.84	245,028.43	1,581,618.27	2,373,886.42
64. Wayne	97,099.76	5,201,16	102,300.92	216,645.42
65. Westmoreland	2,143,719.09	111,670.27	2,255,389.36	3,786,060.74
66. Wyoming	68,820.12	3,935.56	72,755.68	120,926.64
67. York	577,944.77	6,771.44	584,716.21	861,345.26
TOTALS	$68,194,287.69	$5,422,911.06	$73,617,198.75	$145,916,750.44

NOTE: First payment from State Stores Fund for unemployed made November 9, 1934.

STATEMENT OF PAYMENTS MADE BY THE S. E. R. B. FOR THE UNEMPLOYED—BY FUNDS—SEPTEMBER 1, 1932—MAY 31, 1935

OTHER PAYMENTS

DIRECT RELIEF

	General Fund	Federal Fund
State Veterans' Commission	$ 517,111.00	
Clothing	1,391,250.00	$8,705,044.45
Department of Public Instruction—Emergency Education, Work Relief Program		126,455.62
Bureau of Homeless and Transient		3,288,249.00
Purchase of Eggs		179,531.38
Federal Surplus Food Commodities Account		156,403.17
Shoe Repair Shop		24,958.35
Cattle Transportation, Handling, Feeding, Watering and Processing		1,125,841.01
TOTAL	$1,908,361.00	$13,606,482.98

STATEMENT OF PAYMENTS MADE BY S. E. R. B. FOR THE UNEMPLOYED—BY FUNDS—SEPTEMBER 1, 1932—MAY 31, 1935

OTHER PAYMENTS

	Work Relief Federal Fund
Extermination of Gypsy Moth	$ 119,978.42
Labor—Pymatuning Reservoir Project	169,999.71
Labor—Indiantown Gap Military Reservation	27,021.64
Salaries and Expenses State Emergency Relief Board	100,930.95
Control of Japanese Beetle	7,051.79
Federal Work Relief Projects	3,122,083.86
State Reemployment Service	443,500.59
Workmen's Compensation Insurance	473,597.25
Loans to Farmers for Rehabilitation Purposes	97,389.96
TOTAL	$4,561,315.18

STATEMENT OF PAYMENTS MADE BY THE S. E. R. B.
FOR THE UNEMPLOYED—BY FUNDS—
SEPTEMBER 1, 1932—MAY 31, 1935

WORKS RELIEF

		Motor Fund	Federal Fund
1.	Adams		$ 129,690.39
2.	Allegheny		9,034,792.83
3.	Armstrong		484,134.83
4.	Beaver		945,892.73
5.	Bedford		515,346.88
6.	Berks	$21,662.60	1,594,431.52
7.	Blair		885,857.20
8.	Bradford		362,075.42
9.	Bucks		440,604.20
10.	Butler		496,589.01
11.	Cambria		1,260,448.93
12.	Cameron		19,238.82
13.	Carbon	3,000.00	403,639.89
14.	Centre		516,560.52
15.	Chester		645,617.42
16.	Clarion		349,754.81
17.	Clearfield		824,473.66
18.	Clinton		274,896.71
19.	Columbia		343,655.84
20.	Crawford		439,116.72
21.	Cumberland		444,455.64
22.	Dauphin		1,262,297.34
23.	Delaware	498.60	951,390.91
24.	Elk		141,320.92
25.	Erie		1,076,327.47
26.	Fayette		1,553,914.71
27.	Forest	628.65	51,029.09
28.	Franklin		400,578.31
29.	Fulton		120,699.56
30.	Greene		373,721.32
31.	Huntingdon		418,684.21
32.	Indiana		550,498.85
33.	Jefferson		512,538.06
34.	Juniata		134,556.16
35.	Lackawanna		2,083,258.09
36.	Lancaster		832,198.87
37.	Lawrence		1,140,533.04
38.	Lebanon		370,682.50
39.	Lehigh		1,243,609.79
40.	Luzerne		2,252,125.38
41.	Lycoming		314,363.19
42.	McKean		239,430.90
43.	Mercer		822,764.64
44.	Mifflin		327,749.84
45.	Monroe	3,493.00	338,646.50
46.	Montgomery		1,159,736.53
47.	Montour		153,139.75
48.	Northampton		1,309,085.20
49.	Northumberland		683,931.85
50.	Perry		167,688.12
51.	Philadelphia		8,740,472.08
52.	Pike		91,756.77
53.	Potter		215,345.30
54.	Schuylkill		2,112,973.47
55.	Snyder		205,783.46
56.	Somerset		959,489.33
57.	Sullivan		90,448.42
58.	Susquehanna		274,196.08
59.	Tioga		308,152.94
60.	Union		141,442.87
61.	Venango		783,622.99
62.	Warren		293,519.18
63.	Washington		1,219,233.47
64.	Wayne		225,192.61
65.	Westmoreland		1,527,258.50
66.	Wyoming		126,392.55
67.	York		1,180,598.45
	TOTALS	$29,282.85	$60,493,709.09

NOTE:—The above includes Unearned Payments in the amount of $4,826,788.44. The unearned payments were made to Work Relief clients who were paid when not working, due to the Budget Deficiency policy or arrangement between the Relief Division and Works Division of the S. E. R. B.

SATEMENT OF PAYMENTS MADE BY THE S. E. R. B.
FOR THE UNEMPLOYED—BY FUNDS—
SEPTEMBER 1, 1932—MAY 31, 1935

ADMINISTRATION

		General Fund	Federal Fund
1.	Adams	$ 118.78	$ 25,817.83
2.	Allegheny	15,705.70	3,381,291.36
3.	Armstrong	442.46	95,263.91
4.	Beaver	7.56	177,275.83
5.	Bedford	493.95	64,644.93
6.	Berks	468.32	242,965.51
7.	Blair	835.33	158,293.28
8.	Bradford	274.51	48,226.69
9.	Bucks	125.48	50,325.14
10.	Butler	493.26	71,050.34
11.	Cambria	1,642.88	234,769.57
12.	Cameron	27.17	3,838.39
13.	Carbon	442.37	65,295.02
14.	Centre	246.65	76,588.70
15.	Chester	765.49	94,756.01
16.	Clarion	467.43	44,383.33
17.	Clearfield	715.47	224,373.45
18.	Clinton	353.40	55,370.94
19	Columbia	484.65	82,829.86
20.	Crawford	553.65	53,434.61
21.	Cumberland	436.44	73,649.74
22.	Dauphin	1,681.93	216,671.40
23.	Delaware	1,479.18	196,931.42
24.	Elk	309.13	44,255.84
25.	Erie	2,346.12	295,018.15
26.	Fayette	1,985.13	413,671.92
27.	Forest	52.71	5,380.88
28	Franklin	413.69	69,231.40
29.	Fulton	65.31	11,384.18
30.	Greene	251.01	56,967.37
31.	Huntingdon	210.85	68,408.84
32.	Indiana	528.20	128,072.46
33.	Jefferson	424.47	96,974.33
34.	Juniata	61.67	19,302.62
35.	Lackawanna	4,050.45	432,124.43
36.	Lancaster	398.18	180,353.45
37.	Lawrence	1,090.68	163,045.39
38.	Lebanon	468.35	59,277.30
39.	Lehigh	1,604.94	237,634.42
40.	Luzerne	3,404.02	669,625.68
41.	Lycoming	1,092.30	174,307.94
42.	McKean	387.72	58,058.43
43.	Mercer	975.71	136,572.29
44.	Mifflin	238.25	26,499.07
45.	Monroe	305.21	31,693.03
46.	Montgomery	436.81	177,058.99
47.	Montour	128.86	23,329.15
48.	Northampton	1,631.37	231,481.43
49.	Northumberland	1,179.59	200,243.47
50.	Perry	153.88	20,103.72
51.	Philadelphia	185,633.77	2,991,599.32
52.	Pike	47.81	4,781.32
53.	Potter	257.80	27,674.49
54.	Schuylkill	2,631.26	335,564.14
55.	Snyder	166.75	27,346.45
56.	Somerset	326.91	145,953.32
57.	Sullivan	52.08	8,989.32
58.	Susquehanna	280.00	47,972.91
59	Tioga	219.19	33,947.67
60.	Union	127.81	21,154.93
61.	Venango	1,475.51	140,405.58
62.	Warren	484.34	71,779.97
63.	Washington	1,024.66	234,401.16
64.	Wayne	201.58	21,515.24
65.	Westmoreland	1,215.65	386,650.14
66.	Wyoming	122.19	20,339.07
67.	York	861.36	126,612.68
	TOTAL	$247,620.34	$14,475,810.82

NOTE: In the following counties—Bucks, Lebanon, Mercer, Pike and Union, the Administrative costs were paid out of the Local Community Funds, from September 1, 1932 to May 31, 1933.

SATEMENT OF PAYMENTS MADE BY THE S. E. R. B. FOR THE UNEMPLOYED—BY FUNDS— SEPTEMBER 1, 1932—MAY 31, 1935

OTHER PAYMENTS

ADMINISTRATION

	General Fund	Federal Fund
Salaries and Expenses, Auditor General's Department	$14.999.98	.....
Salaries and Expenses, State Emergency Relief Board	152,290.01	$4,234,561.32
Postage, Treasury Department	5,000.00	5,000.00
Salaries and Expenses, Department of Health	.....	4,794.68
Printing, Postage and Supplies, State Emergency Relief Board	.....	7,063.33
Department of Public Instruction,—Emergency Education, Work Relief Program	.....	46,821.71
Federal Work Relief Projects	.....	255,546.97
Child Health Service	.....	20,580.08
Bureau Homeless and Transient	.....	13,163.07
State Reemployment Service	.....	30,378.78
Federal Surplus Food Commodities Account	.....	8,680.50
C. W. A. Purchase of Supplies, Equipment and Administration	.....	39,416.19
Deporting Aliens to their Native Lands	.....	205.09
Loans to Farmers for Rehabilitation Purposes	.....	42,000.00
TOTAL	$172,289.99	$4,708,212.22

SCHEDULE OF ADMINISTRATIVE COSTS PER CASE PER MONTH AND AVERAGE PERCENTAGE OF ADMINISTRATION TO TOTAL DISBURSEMENTS

1932	Cost	Percentage
September	$.07	1.0
October	.25	1.9
November	.24	1.5
December	.39	2.0
1933		
January	.42	2.4
February	.47	2.6
March	.49	2.7
April	.51	3.2
May	.55	3.0
June	.58	3.4
July	.65	4.1
August	.77	4.2
September	.97	5.1
October	1.03	5.0
November	1.10	5.0
December	1.20	5.3
1934		
January	1.41	6.0
February	1.30	5.7
March	1.50	5.3
April	1.99	5.5
May	2.23	6.3
June	2.57	7.3
July	2.60	7.7
August	2.69	8.0
September	2.59	9.4
October	2.97	8.8
November	2.94	7.5
December	3.06	6.8
1935		
January	3.41	6.8
February	3.00	6.6
March	3.32	8.1
April	3.43	7.9
May	3.92	8.9
June	3.53	9.1
July	3.98	9.4
August	3.99	10.3
September	3.19	9.0
October	3.27	8.5
November	3.44	10.0
December	4.53	12.0
1936		
January	4.60	11.6
February	4.04	11.8

STATEMENT OF THE VALUE OF THE PHYSICAL INVENTORY OF THE S. E. R. B. AS OF DECEMBER 31, 1935. WHICH REPRESENTS THE ASSETS OF THE S. E. R. B.

GRAND TOTAL—$440,198.29

	Counties	Amount
1.	Adams	$ 330.71
2.	Allegheny	52,061.08
3.	Armstrong	37.78
4.	Beaver	6,167.78
5.	Bedford	3,006.94
6.	Berks	7,110.63
7.	Blair	5,268.79
8.	Bradford	200.92
9.	Bucks	1,619.80
10.	Butler	.....
11.	Cambria	7,176.45
12.	Cameron	73.23
13.	Carbon	173.37
14.	Centre	7,008.19
15.	Chester	4,632.83
16.	Clarion	.....
17.	Clearfield	.....
18.	Clinton	15.82
19.	Columbia	.....
20.	Crawford	975.14
21.	Cumberland	852.98
22.	Dauphin	9,462.64
23.	Delaware	7,411.72
24.	Elk	88.33
25.	Erie	8,726.21
26.	Fayette	8,820.25
27.	Forest	.....
28.	Franklin	5,597.11
29.	Fulton	.....
30.	Greene	12.14
31.	Huntingdon	1,859.28
32.	Indiana	7,270.45
33.	Jefferson	321.53
34.	Juniata	523.43
35.	Lackawanna	11,788.16
36.	Lancaster	7,276.27
37.	Lawrence	10,366.85
38.	Lebanon	1,693.23
39.	Lehigh	397.32
40.	Luzerne	14,661.23
41.	Lycoming	7,161.68
42.	McKean	4,851.05
43.	Mercer	221.50
44.	Mifflin	3,245.81
45.	Monroe	2,584.31
46.	Montgomery	9,218.66
47.	Montour	10.80
48.	Northampton	10,332.13
49.	Northumberland	9,621.28
50.	Perry	92.41
51.	Philadelphia	55,698.91
52.	Pike	.....
53.	Potter	329.42
54.	Schuylkill	9,634.71
55.	Snyder	.....
56.	Somerset	6,140.52
57.	Sullivan	108.09
58.	Susquehanna	183.56
59.	Tioga	39.95
60.	Union	.....
61.	Venango	5,674.72
62.	Warren	179.20
63.	Washington	8,516.05
64.	Wayne	256.35
65.	Westmoreland	8,437.18
66.	Wyoming	2,946.86
67.	York	4,237.08
	Total—Counties	$342,716.97
	State Headquarters	97,481.32
	Grand Total	$440,198.29

OTHER FORMS OF RELIEF

In addition to the payments for Relief, the following Social Security Classes have been provided for by the State—Mothers' Assistance, Old Age Pensions and Blind Pensions. Revenue to meet these payments came from additional taxation and profits of State Stores.

SUMMARY OF PAYMENTS

September 1, 1932 to May 31, 1935

Mothers' Assistance	$5,238,432.03
Administration	67,910.59
(NOTE: The Counties in which recipients reside, pay an equal amount, hence the amount would be doubled.)	
Old Age Pension	$1,964,934.25
Administration	10,000.00
Blind Payments	1,073,414.93
Administration	61,814.78
TOTAL	$8,416,506.63

Mothers' Assistance. This form of relief extends to 8,513 families, having a monthly payment as of February 1936, in the amount of $149,233.41. At this period there are 59 counties represented in the total.

Old Age Assistance. This form of relief has gained great popularity. For the month of February, 1936, there were 39,520 individuals participating. The amount paid to these individuals during February, 1936, was $840,656.41.

Blind Pensions. For the month of February, 1936, there were 6,243 persons drawing pensions. The amount of the February payments was $186,824.35. Sixty-seven (67) counties are represented in this total. We are informed that a great majority of the recipients of this class of relief are in institutions. A number of these recipients are in the Polk State School, a school for mental defectives. Act No. 220 of the 1935 session P. L. 621 recites in part—"every blind person who is not at the date of application an inmate of any prison, jail, insane asylum or any other public reform or correctional institution, shall be entitled to receive from the Commonwealth a pension of $30.00 per month."

RESTITUTIONS

In the following table we show the amounts that have been collected and earmarked on the books of the S. E. R. B., as "restitutions." The period covered is June 24, 1935 to March 28, 1936. Total recovered $234,528.49. Outstanding active accounts receivable $586,524.98.

The institution of this department appears to be concurrent with the activities of your Committee. The amounts recovered are sums fraudulently received by clients. In most cases the recoveries were made from clients who had work in private industry and had not reported their earnings, while they were on relief or those who had bank accounts or concealed assets. The S. E. R. B. is making a strenuous effort to apprehend all such cases of fraud.

It would appear to your Committee that on the basis of recoveries for eight months that additional funds could be recovered, considering the many reported cases of chiseling and fraud which were uncovered by other investigations. This statement is predicated upon newspaper items, of May 1, 1935, in which the amount of relief chiseling is estimated at $2,000,000.00.

STATEMENT OF RESTITUTION THAT HAS BEEN COLLECTED AND IN THE PROCESS OF COLLECTION, FROM June 24, 1935, to DECEMBER 28, 1935.

	County	Total Collections To Date Cash	Outstanding Active Accounts Receivable
1.	Adams	.....	.....
2.	Allegheny	$20,422.32	$53,025.30
3.	Armstrong	7.97	281.13
4.	Beaver	1,160.15	318.00
5.	Bedford	111.31	258.93
6.	Berks	953.36	5,405.38
7.	Blair	1,036.85	1,612.27
8.	Bradford	50.42	582.99
9.	Bucks	927.38	3,175.99
10.	Butler	693.67	1,211.72
11.	Cambria	1,290.01	4,869.03
12.	Cameron	20.54	5.00
13.	Carbon	1,001.37	1,747.34
14.	Centre	1,030.86	315.47
15.	Chester	1,455.81	1,723.70
16.	Clarion	4.14	342.74
17.	Clearfield	1,203.58	2,148.30
18.	Clinton	270.62	893.74
19.	Columbia	295.73	1,093.42
20.	Crawford	380.63	1,409.77
21.	Cumberland	173.21	172.16
22.	Dauphin	3,467.14	7,497.74
23.	Delaware	1,216.76	4,011.86
24.	Elk	6.01	11.68
25.	Erie	1,228.50	3,156.30
26.	Fayette	2,749.65	6,316.77
27.	Forest	.....	9.00
28.	Franklin	650.27	608.44
29.	Fulton	.....	.....
30.	Greene	6.40	565.50
31.	Huntingdon	1,134.57	934.04
32.	Indiana	89.96	489.41
33.	Jefferson	262.57	462.56
34.	Juniata	108.65	107.44
35.	Lackawanna	13,527.73	23,005.77
36.	Lancaster	1,805.31	10,922.06
37.	Lawrence	1,631.63	1,910.13
38.	Lebanon	118.66	246.24
39.	Lehigh	1,540.76	3,403.96
40.	Luzerne	4,507.30	15,599.20
41.	Lycoming	1,490.20	4,111.38
42.	McKean	10.05	79.18
43.	Mercer	1,408.69	807.57
44.	Mifflin	142.59	293.76
45.	Monroe	22.75	28.01
46.	Montgomery	2,749.58	9,647.06
47.	Montour	21.48	442.19
48.	Northampton	4,094.15	5,831.64
49.	Northumberland	1,944.71	2,532.63
50.	Perry	21.00	49.40
51.	Philadelphia	13,689.06	84,992.21
52.	Pike	.....	.....
53.	Potter	.....	.....
54.	Schuylkill	10,845.92	12,564.40
55.	Snyder	55.40	185.33
56.	Somerset	1,490.19	1,083.59
57.	Sullivan	.50	119.42
58.	Susquehanna	446.70	565.70
59.	Tioga	99.35	301.60
60.	Union	3.00	317.82
61.	Venango	168.97	1,269.30
62.	Warren	46.31	65.45
63.	Washington	1,512.22	2,711.98
64.	Wayne	157.75	78.90
65.	Westmoreland	3,984.26	39.25
66.	Wyoming	44.44	162.60
67.	York	454.74	1,385.23
	TOTAL—December 28, 1935	$111,446.01	$289,576.98
	Collection and Accounts Receivable December 29, 1935 to March 31, 1936	123,082.48	296,948.00
	TOTALS	$234,528.49	$586,524.98

NOTE:—At December 28, 1935, there were reported "Outstanding Accounts" of $289,576.36 which had been determined "Collectible." And at March 28, 1936, there were additional claims established as "Accounts Receivable" in the amount of $586,524.98.

Total collections transmitted to the State Treasury were $234,528.49.

DIRECT RELIEF EXPENDITURES TABULATED BY COUNTIES

We exhibit the following comparative table showing Direct Relief expenditures per case, by counties, at the following periods indicated: October, 1933, October, 1934, October, 1935.

We commit this interesting study to you and beg to offer the following scale of increase. The average State total expenditure, per case, in October, 1933, was $17.31; October, 1934, $26.06; October, 1935, $34.52, an increase of 100% from 1933 to 1935 in the average grant per case.

County	October 1933	October 1934	October 1935
1. Adams	$20.59	$23.96	$26 50
2. Allegheny	18.11	27.33	36.84
3 Armstrong	15.16	24.44	31.39
4. Beaver	18.67	23.51	33.01
5. Bedford	9.99	18.16	26.50
6. Berks	20.33	24.71	25.92
7. Blair	14.62	24.60	32.33
8. Pradford	14.72	21.74	29.20
9. Bucks	14.98	21.63	33.71
10. Butler	9.64	23.61	33.32
11. Cambria	14.77	24.09	31.63
12. Cameron	13.26	20.52	23.03
13. Carbon	16.10	27.17	38.65
14. Centre	14.96	26.79	31.85
15. Chester	12.00	21.68	30.58
16 Clarion	10.45	22.17	32.59
17. Clearfield	14.48	26.68	31.06
18. Clinton	16.01	25.30	28.70
19. Columbia	14.11	25.75	33.12
20. Crawford	9.76	15.57	25.86
21. Cumberland	12.86	22.61	28.27
22. Dauphin	18.35	22.27	29.86
23. Delaware	18.77	26.96	37.20
24. Elk	17.42	23.77	29.93
25. Erie	17.50	26.02	31.33
26. Fayette	19.69	26.33	33.95
27. Forest	16.17	18.99	26.46
28. Franklin	13.79	21.65	25.99
29. Fulton	9.50	18.98	20.13
30. Greene	15.44	27.67	32.89
31. Huntingdon	10.59	21.10	25.59
32. Indiana	14.04	25.90	32.35
33. Jefferson	15.40	22.97	31.97
34. Juniata	10.66	24.04	27.90
35. Lackawanna	14.29	28.09	34.16
36. Lancaster	13.30	23.43	28.10
37. Lawrence	13.07	29.19	36.23
38. Lebanon	3.32	26.11	30.84
39. Lehigh	19.46	26.46	36.00
40. Luzerne	16.50	30.99	36.83
41. Lycoming	14.69	26.56	30.06
42. McKean	13.81	23.94	26.93
43. Mercer	17.18	24.70	34.62
44. Mifflin	15.00	28.41	33.22
45. Monroe	18.93	28.56	33.32
46. Montgomery	18.33	26.93	32.95
47. Montour	15.66	26.94	33.33
48. Northampton	21.10	26.73	37.05
49. Northumberland	15.72	29.52	35.65
50. Perry	14.33	24.25	29.30
51. Philadelphia	20.99	25.22	36.60
52. Pike	20.62	29.01	34.53
53. Potter	10.27	22.84	22.37
54. Schuylkill	14.67	25.76	30.62
55. Snyder	14.97	22.27	31.54
56. Somerset	9.86	27.77	30.89
57. Sullivan	16.83	22.89	30.44
58. Susquehanna	24.25	19.98	37.33
59. Tioga	17.39	22.43	24.72
60. Union	13.56	22.39	30.07
61. Venango	16.05	24.90	34.18
62. Warren	17.20	24.68	30.38
63. Washington	17.29	24.17	29.50
64. Wayne	14.88	29.07	32.35
65. Westmoreland	17.09	25.13	31.47
66. Wyoming	13.12	21.26	35.60
67. York	12.69	19.37	32.80
STATE TOTAL (Average)	$17.31	$23.06	$34.53

STATISTICAL

DIRECT AND WORK RELIEF TABULATED BY MONTHS

We exhibit the following statistical schedules, which include the following:

Average number of Direct and Work Relief Cases, by months.

Average number of Direct and Work Relief Persons, and Persons Per Case, by months.

Comparative Statement of average number of cases and persons on Direct and Work Relief, by years.

It will be noted from the last schedule that the average number of cases per month during the 40-month period is 361,525, or 1,473,627 persons.

STATEMENT
AVERAGE NUMBER OF DIRECT AND WORK RELIEF CASES
BY MONTHS. September 1932—December 1935.

	1932 Cases			1933 Cases			1934 Cases			1935 Cases		
	Direct Relief	Work Relief	Total	Direct Relief	Work Relief	Total	Direct Relief	Work Relief	Total	Direct Relief	Work Relief	Total
Jan.	.....	.....	.....	343,011	.....	343,011	288,136	.....	288,136	322,922	109,053	431,975
Feb.	.....	.....	.....	391,163	.....	391,163	295,500	.....	295,500	333,430	117,429	450,859
Mar.	.....	.....	.....	426,216	.....	426,216	304,566	.....	304,566	394,906	60,437	455,343
Apr.	.....	.....	.....	440,819	.....	440,819	294,113	49,882	343,995	419,753	39,368	459,121
May	.....	.....	.....	449,743	.....	449,743	283,673	65,287	348,960	401,747	45,378	447,125
June	.....	.....	.....	443,709	.....	443,709	274,215	67,127	341,342	395,093	41,801	436,894
July	.....	.....	.....	412,569	.....	412,569	282,008	52,895	334,903	390,722	33,278	424,000
Aug.	.....	.....	.....	366,856	.....	366,856	308,791	25,305	334,096	423,491	3,092	426,583
Sept.	146,959	.....	146,959	328,638	.....	328,638	344,776	940	345,716	431,319	.....	431,319
Oct.	180,417	.....	180,417	319,885	.....	319,885	355,431	4,605	360,036	406,866	.....	406,866
Nov.	240,008	.....	240,008	324,780	.....	324,780	336,751	36,690	373,441	350,208	.....	350,208
Dec.	292,617	.....	292,617	311,615	.....	311,615	321,794	79,645	401,437	249,597	.....	249,597
TOTALS	860,001	.....	860,001	.....	.....	4,558,994	3,689,754	382,374	4,072,128	4,520,054	449,836	4,969,890
Average Number of Cases Per Month			215,000			379,916	307,479	42,486	339,344	376,671	56,229	414,157
Average number of cases per month for 40 months—Direct and Works Relief			361,525				91% of total	9% of total		91% of total	9% of total	

NOTE: Does not include Work Relief provided by Federal Works Program of 1935 and Civil Works Administration of 1933-1934

STATEMENT

AVERAGE NUMBER OF DIRECT AND WORK RELIEF PERSONS, AND PERSONS PER CASE, BY MONTHS, SEPTEMBER 1932—DECEMBER, 1935.

Month	1932 Persons Direct Relief	Work Relief	Total	Persons By Case	1933 Persons Direct Relief	Work Relief	Total	Persons By Case
January	.....	.....	.....	.....	1,577,851	.....	1,577,851	4.60
February	.....	.....	.....	.....	1,799,350	.....	1,799,350	4.60
March	.....	.....	.....	.....	1,960,610	.....	1,960,610	4.60
April	.....	.....	.....	.....	1,975,135	.....	1,975,135	4.48
May	.....	.....	.....	.....	1,998,426	.....	1,998,426	4.44
June	.....	.....	.....	.....	1,940,085	.....	1,940,085	4.37
July	.....	.....	.....	.....	1,773,089	.....	1,773,089	4.30
August	.....	.....	.....	.....	1,576,840	.....	1,576,840	4.30
September	676,011	.....	676,011	4.60	1,422,717	.....	1,422,717	4.33
October	829,918	.....	829,918	4.60	1,361,223	.....	1,361,223	4.26
November	1,104,036	.....	1,104,036	4.60	1,352,638	.....	1,352,638	4.16
December	1,346,038	.....	1,346,038	4.60	1,298,558	.....	1,298,558	4.17
TOTAL	3,956,003	.....	3,956,003	.....	20,036,522	.....	20,036,522	.....
Average Number of Persons, Per Month	.....	.....	989,000	.....	.....	.....	1,669,710	.....
Average Number of Persons, Per Month, for the 40-Month Period	.....	.....	1,473,627	.....				

STATEMENT AVERAGE NUMBER OF DIRECT AND WORK RELIEF PERSONS, AND PERSONS PER CASE, BY MONTHS, SEPTEMBER, 1932 TO DECEMBER, 1935.

Month	1934 Persons Direct Relief	Work Relief	Total	Persons By Case	1935 Persons Direct Relief	Work Relief	Total	Persons By Case
January	1,183,240	.....	1,183,240	4.11	1,208,530	469,847	1,678,377	3.89
February	1,191,449	.....	1,191,499	4.03	1,288,031	500,255	1,728,286	3.83
March	1,230,595	.....	1,230,595	4.04	1,475,182	252,010	1,727,192	3.79
April	1,166,298	220,002	1,386,300	4.03	1,567,855	170,452	1,738,307	3.79
May	1,104,768	302,187	1,406,955	4.03	1,495,528	195,788	1,691,316	3.78
June	1,057,809	308,161	1,365,970	4.00	1,469,721	179,665	1,649,386	3.78
July	1,094,298	241,171	1,335,469	3.99	1,444,490	143,174	1,587,664	3.74
August	1,215,242	110,741	1,325,983	3.97	1,592,804	13,829	1,606,633	3.77
September	1,368,645	4,231	1,372,876	3.97	1,625,304	.....	1,625,304	3.77
October	1,403,609	21,646	1,425,255	3.96	1,517,085	.....	1,517,085	3.73
November	1,303,245	166,987	1,470,232	3.94	1,271,883	.....	1,271,883	3.63
December	1,221,710	349,235	1,570,945	3.91	865,843	.....	865,843	3.47
TOTAL	.....	.....	16,265,269	.....	.....	.....	18,687,276	.....
Average Number of Persons, Per Month	.....	.....	1,355,439	.....	.....	.....	1,557,273	.....
Average Number of Persons, Per Month, for the 40-Month Period	.....	.....	1,473,627	.....				

COMPARATIVE STATEMENT OF THE AVERAGE NUMBER OF CASES AND PERSONS ON DIRECT AND WORK RELIEF, FROM SEPTEMBER, 1932 TO DECEMBER 31, 1935

	1932 Cases	Persons	1933 Cases	Persons	1934 Cases	Persons	1935 Cases	Persons
Average Number of cases and persons on relief	215,000	989,000	379,916	1,669,710	339,344	1,355,439	414,157	1,557,273
Average number of cases and persons, per month, for the 40-month period is	361,525 cases or 1,473,627 persons							

STATISTICAL

DIRECT RELIEF GRANT PER CASE TABULATED BY COUNTIES

In the following schedule we exhibit the average number of cases and the average Direct Relief grant per case, per month, by counties: September, 1932 to May, 1935.

AVERAGE NUMBER UNEMPLOYMENT RELIEF CASES AND AVERAGE MONTHLY DIRECT RELIEF GRANT PER CASE, SEPTEMBER, 1932 TO MAY, 1935

Counties	Average Number Relief Cases	Average Direct Relief Grant per Case per Month
Adams	444	22.01
Allegheny	65,960	23.93
Armstrong	2,942	15.42
Beaver	5,470	17.60
Bedford	1,737	13.54
Berks	7,604	19.00
Blair	3,326	22.01
Bradford	1,110	15.77
Bucks	1,463	20.87
Butler	2,392	16.31
Cambria	6,369	19.98
Cameron	106	17.60
Carbon	1,554	21.52
Centre	1,931	17.46
Chester	2,250	18.32
Clarion	1,117	14.51
Clearfield	6,348	20.35
Clinton	1,194	20.86
Columbia	2,454	21.07
Crawford	1,969	11.37
Cumberland	1,948	16.02
Dauphin	5,807	17.46
Delaware	5,659	23.00
Elk	1,118	18.85
Erie	5,856	18.59
Fayette	12,873	18.49
Forest	148	15.68
Franklin	2,044	14.86
Fulton	282	13.70
Greene	1,307	24.46
Huntingdon	1,581	17.05
Indiana	3,599	16.44
Jefferson	2,692	17.11
Juniata	424	17.76
Lackawanna	13,962	19.89
Lancaster	4,081	17.80
Lawrence	4,110	119.14
Lebanon	1,566	17.85
Lehigh	5,254	22.33
Luzerne	19,114	22.64
Lycoming	3,478	19.96
McKean	1,349	16.74
Mercer	4,078	18.46
Mifflin	1,693	19.22
Monroe	580	24.91
Montgomery	4,216	24.93
Montour	602	21.50
Northampton	4,834	25.03
Northumberland	5,828	22.41
Perry	547	17.85
Philadelphia	67,352	26.74
Pike	59	29.17
Potter	737	13.05
Schuylkill	11,329	20.27
Snyder	865	18.07
Somerset	3,662	17.42
Sullivan	199	14.83
Susquehanna	1,318	14.50
Tioga	793	18.69
Union	793	16.24
Venango	3,433	18.31
Warren	1,457	19.22
Washington	8,420	16.71
Wayne	529	21.81
Westmoreland	12,244	17.37
Wyoming	399	18.95
York	3,664	15.26
TOTAL	355,623	21.60

SURVEY REVEALS POLITICS IN RELIEF

During the period of our survey we have frequently observed the dictating influence of politics both in the direct relief system as well as other auxiliary relief programs. The resoluton under which this Committee functions specifically sets forth—"to investigate such other facts and circumstances as may be deemed necessary and advisable to enable the General Assembly to act with some degree of certainty and establish an impartial, unpolitical, unwasteful and business system of aiding those of our unfortunates in need."

Your Committee considered the injection of politics into the relief system as a lamentable condition. We have evidence that many of the State's unfortunates have been intimidated and compelled to register their political affiliations with the administration now in control and our files disclose evidence that those who refuse to do so were either discharged from the rolls or from the projects on which they were employed. We cite certain instances taken from our files:

An employe in a relief office was requested to contribute $27.00 to the Democratic Campaign Committee. Upon failure to respond to this request a letter was written by the Chairman of the County Democratic Committee in which he states in part:

"I am very much surprised that you have not responded to our previous letter requesting your contribution in the amount of $27.00, as I was sure that you appreciated your position to such an extent that you would make this contribution willingly and promptly. I must, however, now advise that unless your contribution in the above amount is received promptly, it will be necessary to place your name on the list of those who will not be given consideration for any other appointment after the termination of emergency relief work."

We have evidence in our files that applicants for jobs must have the backing of party leaders or else they will not be considered. We have evidence that when requests are made from the relief rolls of employables where, for instance 50 men are required, a list of 100 will be submitted to the county leader, and he will blue pencil the preferred 50 which are known to be loyal supporters.

The Administration, in order to raise campaign funds, has resorted to a novel procedure. Dinners are held commemorating the memory of ancestral Presidents. In the promotion of those dinners the tickets are being sold among the laborers on the relief programs. These laborers earn a mere pittance. Their earnings are measured according to the budgetary requirements prescribed by the S.E.R.B. and Washington, predicated upon the actual requirements necessary for bare maintenance.

We have evidence in our files wherein these unfor-

tunates have been compelled to take from their meagre earnings and purchase these tickets. If they refused, they jeopardize their jobs. We have statements in our files wherein men supporting families and barely existing on their earnings were dismissed because they could not afford to buy these tickets.

We have evidence in our files wherein employees of the local WPA offices have gone to the County Commissioners' office and scrutinized the registration rolls to determine the political affiliation of relief program employees.

We have evidence in our files wherein relief program employees, during the general election campaign of November 1935, were threatened with loss of their jobs unless they voted a ticket favorable to the administration.

Subscriptions to Publications. Our investigation disclosed that employees engaged on works projects, were solicited for a publication intended to promote politics. These employees were mailed a group of order blanks and they were advised that "an account" had been set up in their name, and that upon sale of these subscriptions credit would be applied accordingly. The request contained in the letter was more of a command.

We offer herewith only one statement in corroboration of the foregoing facts:

Harrisburg, Pennsylvania,
April 8, 1936

To Whom It May Concern:

I, ... residing in Harrisburg, Pennsylvania, at....., do hereby make the following statement, without fear or favor or promise of reward.

I had been employed by the Commonwealth of Pennsylvania for about seven years until September 30, 1935, when I was dismissed.

During the year 1935 I changed my registration from Republican to Democrat at the request of a Dauphin County Democratic Committeeman, so that I might be able to hold my job, Following my dismissal from the State, I made application to the Unemployment Bureau at 114 Walnut Street, Harrisburg. I was appointed to a position as a labor foreman on October 21, 1935. This appointment was received through the efforts of a Democratic County Committeeman.

During the month of January 1936, I was approached by a Department of Highways official and was handed a ticket for the Jackson Day Dinner, which was to cost $5.00. My weekly earnings average about $17.50, out of which I must support my wife, three children and an old lady 72 years of age. I replied to the Highway official that I could not afford to spend $5.00 for this ticket. I also stated that if the purchase of this ticket was compulsory it would be necessary for me to pay it off on the installment plan or at such times as I could spare the money. Accordingly, the ticket was left with me and on March 9th, I sent $1.00 to . This $1.00 was sent with the timekeeper on the job. I did not use the ticket, and I received a note from Mr. Graham which reads as follows:

> "I am returning herewith the $1.00 you sent on account of Jackson Day Dinner. It appears to me you have had sufficient time to meet this obligation in full. Give this your immediate attention.
>
> 3-9-36"

This memorandum was written on Form No. 755, a Department of Highways memorandum and reference sheet.

During the months of March I was approached and asked to buy a ticket for the Jefferson Day dinner. I had been accosted almost daily with reference to the purchasing of this ticket and each time I have replied that I positively could not afford to buy one of those tickets. On the evening of April 7th my boss on the W. P. A. project called at my house and asked what I was going to do about the ticket. I repeated again I had already told them I could not afford to buy the ticket and he replied "Well, you know what my orders are."

I have heard the men in my unit being solicited similarly to myself. These men have been informed that if they think anything of their jobs they better buy the tickets. It had been indicated that unless we patronize these ticket salesmen it might cost us our jobs. These statements were made by those soliciting the sale of the tickets.

The foregoing facts are true to the best of my knowledge and belief.

(Signed) .....

(Signed) .....
Witness

(Signed) .....
Witness

STATE DISTRICTED BY AREAS.

During the latter part of 1934, the State was divided into sixteen areas, with one central control in each area, and eighteen counties operating as county units. The areas and counties operating are as follows:

County No.		
19	Area No. 1.	—Columbia
47		Montour
49		Northumberland
55		Snyder
60		Union
18	Area No. 2.	—Clinton
41		Lycoming
59		Tioga
45	Area No. 3.	—Monroe
52		Pike
64		Wayne
1	Area No. 4.	—Adams
21		Cumberland
28		Franklin
29		Fulton
6	Area No. 5.	—Bradford
57		Sullivan
58		Susquehanna
66		Wyoming
13	Area No. 6.	—Carbon
39	Area No. 6.	—Lehigh
48		Northampton
14	Area No. 7.	—Centre
17		Clearfield
16	Area No. 8.	—Clarion
27		Forest
61		Venango

County No.		
12	Area No. 9.—	Cameron
24		Elk
42		McKean
62		Warren
10	Area No. 10.—	Butler
37		Lawrence
43		Mercer
3	Area No. 11,—	Armstrong
32		Indiana
33		Jefferson
30	Area No. 12,—	Greene
63		Washington
20	Area No. 13.—	Crawford
25		Erie
31	Area No. 14.—	Huntingdon
34		Juniata
44		Mifflin
22	Area No. 15.—	Dauphin
38		Lebanon
50		Perry
9	Area No. 16.—	Bucks
46		Montgomery

2	Allegheny	35	Lackawanna
4	Beaver	36	Lancaster
5	Bedford	40	Luzerne
6	Berks	51	Philadelphia
7	Blair	53	Potter
11	Cambria	54	Schuylkill
15	Chester	56	Somerset
23	Delaware	65	Westmoreland
26	Fayette	67	York

ADMINISTRATION

(a) ORGANIZATION. Proper functioning of the administrative force is greatly hampered by the constant changing of procedure emanating from Washington. In the course of our investigation we determined that by the time the force was familiar with the ruling another would be received replacing the one put into effect. We have instances wherein procedures have been voided and a replacement received before the voided one had been put into effect. The continual changing of procedure has worked against the efficiency of the office personnel, together with the visitors, inasmuch as time was required in keeping up to date with current procedure that should have been applied to the practical work in hand. In addition to this unstabilized method of procedure employes are constantly being shifted from one position to another, and new employes are replacing the older and experienced ones. Details of this statement will appear in another part of our report.

This Committee has experienced great difficulty in securing information from the Relief Board, not from their apparent unwillingness to cooperate, but due to the stress of work and continual change of regulations. In certain instances, we were compelled to wait five weeks for information requested, which should have been available within a very short time.

The administrative staff January 1st, consists of the following:

Function and Names	
Executive Director, Karl de Schweinitz	$8000.00
Assistant Administrators:	
In Charge of Business Operations, Howard L. Russel	6600.00
In Charge of Finance, Thomas L. Evans	6600.00
In Charge of Relief, C. Donald Galehouse	4500.00
Assistant to Executive Director, Mary R. Brodhecker	2700.00
Assistant Comptroller, David W. Wallace	4500.00
Assistant Comptroller, Ralph C. Grimm	4500.00
Deputy Chief Disbursing Officer, E. H. Robinson	4200.00
Supervisor of Field Examiners, R. E. Wehrheim	3900.00
Senior Field Accountant, Russell A. Schell	4200.00
Senior Field Accountant, Josiah D. Bruce, Jr.	3600.00
Senior Field Accountant, J. L. Stoler	3600.00
Assistant to Comptroller, James J. Irvin	3600.00
Assistant to Comptroller, K. G. Wassmann	3600.00
Chief Accounting Auditor, Charles R. Anderson	3600.00
Assistant to Comptroller, John C. Foy	3480.00
Assistant to Comptroller, Martin Remsburg	3480.00
Head of Verification Department, W. L. White	3000.00
Assistant Head of Verification Dept., C. G. Moeslin	2340.00
Report Accountant, Albert H. Merz	2400.00
Correspondence Editor, Kenneth J. Ruch	2040.00
Assistant Correspondence Editor, Fred C. Essig	1860.00
Head of Procurement Dept., John H. Maloney	3900.00
Office Manager and Consultant on Office Equipment and Supplies, Franklin Montaigne	3600.00
Supervisor of Methods, Robert C. Glenn	3000.00
Supervisor of Methods, Charlotte Parrish	3000.00
Director of Personnel, Clifford R. Adams	5940.00
Assistant Director of Personnel, Boyd R. Sheddan	4020.00
Director of Medical Department, Dr. H. A. Miller	6000.00
Assistant Director of Relief, Dr. Wm. A. Jenny	4500.00
Regional Supervisor, Julia Branson,	4020.00
Regional Supervisor, Margaret Brooke	3600.00
Regional Supervisor, Edmund F. Anderson	3600.00
Consultant on Community Contracts, A. L. Wills	4020.00
Assistant Consultant on Community Contracts, H. E. Hoebner	1920.00
Head of the Training Dept., Mary C. Burnett (per diem, Employed not to exceed 3 days per week)	16.78
Assistant, Training Department, Constance Hastings	3300.00
Head of the Rent Department, Franklin H. Baker	3600.00
Acting Head of the Relief Correspondence and Field Supervisor, Ernest H. Cole	3300.00
Supervisor Nutrition Dept., Anna P. K. Stapler	2640.00
Head of Self Help and Barter Dept., James R. Painter	2280.00
Director of Research and Statistics, Emmet H. Welch	5940.00
Assistant Director of Research and Statistics, Raymond T. Bowman	4500.00

The foregoing schedule showing the administrative personnel is respectfully referred for your consideration. We would direct your attention to the numerous officers and positions paying salaries in the higher brackets. The total annual payroll is approximately $170,000.00 for this administrative group. The lowest paid officer receives approximately twice as much as the field worker or investigator, who determines to a large degree the worthiness of relief cases.

Our survey disclosed that visitors or investigators re-

ceive salaries of between $80.00 and $90.00 per month for this important work.

As a result of our public hearings, and our survey, it has been brought out that one of the major weaknesses of the system was the incompetent visitors. Investigators having experience and training are not available at the low salaries paid by the S. E. R. B. for this kind of work. It is our understanding that one of the prerequisites to become a visitor or investigator is that a theoretical qualification is required and a certain examination must be passed. It appears that college graduates in many cases are able to pass this test, but this does not necessarily hold that such persons are adapted to investigation or visitation work.

ELIGIBILITY FOR UNEMPLOYMENT RELIEF

The rules for determining eligibility for unemployment direct relief are:

a. A family household must contain one or more persons sixteen years of age or over, working or seeking work.

b. Such persons must present identification cards showing registration at the employment agency.

Furthermore, a family is not eligible for unemployment direct relief if the only person sixteen years of age or over in the household is:

a. Needed in the home to care for minor children.

b. Known to be physically or mentally incapable of receiving or holding employment.

c. A person eligible for old age assistance and on waiting list or granted old age assistance and awaiting his check.

d. A person eligible for blind pension, on the waiting list, or granted a pension and awaiting his check.

TIME STUDY OF NEW APPLICATIONS AND RE-APPLICATIONS FOR RELIEF

A study of five new applications and five re-applications taken at random from the area, discloses that eleven and four-fifths (11-4/5) days elapse between date of application and actual grant of relief.

TIME STUDY OF NEW APPLICATIONS AND RE-APPLICATIONS FOR RELIEF

Case No.	Name	Address	New Application	Application Accepted	Relief Grant
15330-18	Fred Isenberg	Osceola Mills, R. D.	10- 1-35	10-10-35	10-10-35
15334-17	Albert Genessi	Smithmills	9-30-35	10- 8-35	10-15-35
15329-23	Wm. H. Klingler	Karthaus	9-26-35	10- 2-35	10- 9-35
15339-22	Charles Maines	Kylertown	10- 7-35	10-10-35	10-16-35
15344-23	Clair Moore	Karthaus	10- 3-35	10-10-35	10-10-35

Average length of time between application and actual grant of relief is 11 4/5 days.

Case No.	Name	Address	Re-application	Accepted	Relief Granted
11603-23	Richard Smith	Karthaus	10- 3-35	10-10-35	10-26-35
10098-22	Gust Raymond	Munson, R. D.	10- 6-35	10- 9-35	10-16-35
489-25	Fermie Liegey	LeContes Mills	10- 6-35	10-10-35	10-16-35
731-22	Charles Chaske	Munson, R. D.	10- 1-35	10- 9-35	10-16-35
10315-24	Elmer Renaud	Coudley	10- 5-35	10-10-35	10-16-35

Average length of time between application and actual grant of relief is 11 4/5 days.

CLERICAL DETAILS RETARD INVESTIGATION OF CASES

Due to the pressure of details in clerical work, it is possible for the investigating staff to spend only every other day actually contracting relief applicants or those already on relief. Visitors or investigators find it necessary to devote one-half of their time to taking care of details writing these histories and studying rules, regulations and new precedures.

Your Committee shows the following exhibit taken from a survey of one county:

According to information given by the 223 cases contacted during the investigations, the following analysis is made of a number of cases claiming not to have had a call in nearer than one (1) month:

One month—plus	16
Two months	37
Three months	6
Four Months	9
Six Months	2
Eight Months	1
Nine Months	2
"So Long, Don't remember"	12
Total	85

The average case load per visitor is approximately 115.

OVERLY ORGANIZED S. E. R. B. SYSTEM

The S. E. R. B. appears to be overly organized and systematized to a degree which renders their system so complex as to present understanding of its operations only to those who have set up the system. Past experience teaches that the more complex a system is, greater opportunity for duplications, irregularities and dishonest practices are afforded for manipulation, because the system in its design prevents a ready apprehension of such irregularities and necessitates lengthy audits and investigations to determine accurate record.

The following outline reflects the organization of the Board:

RELIEF DIVISION

Subdivisions:

The Training Department
The Department for Homeless and Transients.
The Rent Relief Department.
The Medical Department.
The Case Correspondence Department.
The Consultant on Community Contracts.

FINANCIAL DIVISION

This division includes, in addition to the General Account Department, the following units:

The Verification Department.
The Project Recording Department.
The Transient Accounting Department.
The Compensation Department.

The Correspondence Editing Department.
The Disbursing Department.
The Property Records Department.

WORK DIVISION—
INDEPENDENT UNITS

The Procurement and Distribution Division.
The Department of Research and Statistics.
The Personnel Department.
The Rural Adjustment Division.
The Office Management Unit.
The Methods and Systems Unit.
The Public Relations Department.
The Legal Advisor.

AUXILIARY AGENCIES

Other agencies auxiliary to or collating with the relief system during the period investigated are as follows:

CIVIL WORKS ADMINISTRATION, Inaugurated November 15, 1933 and closed March 31, 1934. The State Civil Works Administration was organized and administered independent of but closely coordinated with the State Emergency Relief Administration. However, in order to facilitate the initial organization of the C. W. A. program in Pennsylvania, several of the people in key positions with the State Emergency Relief Administration were appointed as department heads in the C. W. A. organization, while continuing to function as heads of the respective departments in the relief administration. The relief and the C. W. A. organizations were housed in separate buildings and were administered as two separate organizations.

In anticipation of increased employment in industry and a possible liberalization of the public works program, the State Relief Administration had, in September, 1933, provided for the registration of all employable persons on relief rolls at the offices of the State and Federal employment services. From the outset, all referrals for placement, whether from the relief rolls or from the rolls of the self-sustaining unemployed, were made by the State and Federal employment services. It was not required that persons employed be receiving unemployment relief. In the actual practice, however, approximately one-third of those employed were taken from relief rolls. Payment was made by the United States Treasury through agents appointed in each State.

This program failed in its purpose and accordingly the WORKS DIVISION PROGRAM was inaugurated, directly under the S. E. R. B., April 1, 1934, for the purpose of providing employment which would yield incomes equivalent to the relief needs of the persons employed. Since many of the Civil Works Administration projects were unfinished and a heavy economic loss was thereby threatened, projects were approved to complete the work started under Civil Works Administration as fast as appraisal could determine their value. Limited funds available for conducting the program and desire to complete the work started under the C. W. A. led the Pennsylvania Relief Administration to adopt the policy of act approving projects for new work.

This program was administered by the State Relief Administration. Persons employed were relief employables wit hthe exception of supervisory personnel. This exception was extended to include a limited number of skilled workers on projects for which qualified workers were not available among those receiving relief in the township or borough where the project was located. All assignments were made by the State and National Employment Offices. Payment for Work Division employment was made by the Relief Administration.

Also concurrent with Works Division program, the Local Works Division program was inaugurated. This program was administered by the relief administration and was the same as the Work Division program except that the amount of employment provided and the wages paid were related to the budgeted relief needs of the applicant and his dependents. Under this program a worker received a regular, uniform and continuous weekly payment to meet his family's budgetary deficiency. When the operation of projects was unavoidably interrupted by weather or other circumstances, the weekly payment to each assigned worker whose performance was satisfactory was made week after week for the period the worker was assigned.

This practice has cost the taxpayer $4,826,788.44. Each worker was assigned to work each four-week period the number of hours which would be required to earn his relief needs at the rate of pay which the worker was to receive. To provide continuous operation of projects, workers were assigned work units of 18 hours each. Thus a person might be assigned during any four-week period a fraction of 18 hours in excess of the number of hours required to meet his budgetary deficiency. If the worker was able to work the entire time assigned and the number of hours assigned were in excess of his budgetary deficiency requirements he was paid additional amount earned at the end of each four-week period.

To summarize:—The primary distinction between the Work Division and the L. W. D. program was that the former provided a flat amount of thirty (30) hours per week employment for relief persons assigned, whereas the latter provided a varying amount of employment depending upon the worker's needs. Workers under the L. W. D. worked out the units to which they were assigned in accordance with the schedule of operation worked out for the project. In many cases they earned their entire budgetary deficiency in one week out of four; their budgetary deficiency payments, however, was spread over the entire four-week period just as would be the case if the persons were receiving direct relief.

Civilian Conservation Corps, which was intended to provide employment for the youth of the nation, is administered directly by Washington. The only part that the Relief Administration has played in this program has been in connection with the varous enrollment in the C. C. C. camps. At various times the Relief Administration was requested to compile lists of eligible youths receiving unemployment relief. From these lists eligible youths were enrolled directly by the Federal C. C. C. Administration. The Relief Administration merely acted as a cooperating agency. This program required that enrollees send a specified portion of each month's pay to their families. This pay was sufficient in many cases to remove the youth's family from direct relief. In all other cases it was considered as income and the direct relief grant to the youth's family was reduced accordingly.

Next followed the PUBLIC WORKS ADMINISTRATION. This agency was intended to relieve the Relief burden. This program has never been directly connected with the Relief Administration in any way.

Following this, the WORKS PROGRESS ADMINIS-

TRATION was initiated. This program has been organized entirely independently of the Relief Administration. The Relief Administration is vitally affected by the W. P. A. program, in numerous ways, however. In the first place, 90% of the persons employed on W. P. A. must have been certified as eligible for employment by the Relief Administration. In this connection, all employables receiving unemployment relief were listed on certification forms which were transmitted to the State and National Employment Offices and to the State W. P. A. All employables receiving relief were required to register at the employment offices. The Relief Administration notified both the W. P. A. and the employment offices of all cases closed and opened and reopened. Employables in new cases coming on relief are certified and required to register.

In the second place, prior to November 23, 1935, direct relief was continued until the first pay was received. On that date this practice was modified so that cases were automatically closed twenty-one days after assignment whether they had received their first pay or not. In cases where payrolls were delayed beyond twenty-one days the Relief Administration extended direct relief when requested to do so by the W. P. A. to prevent suffering among cases involved in delayed payrolls.

DUPLICATION OF COSTS

In the requirement for W. P. A. work that "persons must be on the relief rolls before employment will be given," our investigation has disclosed that applicants for work, not necessarily indigent persons and not on the relief rolls, nor requiring relief, were required to register and receive relief orders and then were finally taken over to the W. P. A. projects. Employables transferred from direct relief to W. P. A. projects received relief orders concurrent with the time they worked on W. P. A., because the W. P. A. were unable to issue pay checks, and at the request of the W. P. A. to the S. E. R. B. the relief service was continued. This duplication has cost the Commonwealth an estimated sum of $10,000,000.00.

The average monthly cost of relief over the thirty-three months investigated, aggregated approximately $10,000,000.00 for all purposes; therefore, this overpayment of about $10,000,000.00 represents a sum sufficient to provide the direct relief needs of the State of Pennsylvania for one month.

The W. P. A. made no effort to deduct this duplicate payment from the pay check of the worker, and no effort was made to collect back or to restore this extra money paid out by the Relief Board. Persons fortunate enough to be so favored have been a double cost to the taxpayer because his grant from the S. E. R. B. has been based on his Budget Deficiency. His W. P. A. wages are based on an occupational scale set up by the W P. A., which, in many cases, are over and above the Budget Deficiency grant by the S. E. R. B., therefore, when they receive the grant from the S. E. R. B. and the W. P. A., the increase received from the W. P. A. over and above their Budget Deficiency shows that it has cost the taxpayer more than 100% to maintain the same individual on relief during this period.

The S. E. R. B. has treated the W. P. A. as private industry in cases where the wage scale of the W. P. A. was less than the Budget Deficiency grant under the S. E. R. B. The client was reimbursed by the S. E. R. B. for deficiency. In cases where a client was employed by private industry and also on relief, the same policy was pursued, and in cases where a client's earnings in private industry exceeded his Budget Deficiency, and if this client was on relief at the same time and did not report his excess earnings, he was summarily dropped from the relief rolls and caused to make restitution.

While theoretically the Relief Administration is connected with the W. P. A. program only with respect to certification of relief employables to the employment office, actually a tremendous amount of administrative work has been involved in cooperating with the W. P. A.

COUNTY POOR BOARDS. The County Poor Boards look after the indigent, those considered unemployables. They have no direct relationship with the S. E. R. B. in the local districts except they check the lists of recipients on relief against those that have made requests from them.

The General Assembly enacted certain laws providing for social security for the following classes:

MOTHERS' ASSISTANCE

The average monthly payments for this class are $158,740.36. In addition to this sum, administration costs amount to $2057.89. The counties pay a like amount so that in this class alone over $300,000.00 per month is being paid.

OLD AGE ASSISTANCE

Each month the average cost of this class amounts to $163,744.52, and the administration cost is $1395.50.

BLIND PENSIONS

The average monthly amount of $89,451.25 is paid to this class and in addition it costs for administration $4589.06. The total monthly payments for these three classes of social security assistance amounts to $411,936.13, plus $8042.45 for administration, per month.

DIRECT RELIEF

Your Committee has endeavored to conduct an impartial investigation, having uppermost in mind the purpose or intent of relief, and endeavoring to supply you with information regarding those who received relief and were unworthy. We cite several cases from our files.

While our survey extended State-wide, and included 21 counties and approximately 500 individual contacts, we have determined that the nature of the irregularities and fraud is prevalent equally in all counties. There appears to be a questionable amount of relief recipients in all counties.

AUTOMOBILES

Analyzing 834 automobile questionnaires returned by relief recipients, it was noted that 164 admitted ownership of cars and 1935 license, 3 with a truck and passenger car each licensed, one with two cars licensed and four motorcycles, indicating that about one out of every five families on relief reporting to that time, own and drive cars.

In addition, of the 223 cases investigated by your Committee employes, 65 admitted ownership of cars, or one car to about every 3.4 families within this group.

HOME OWNERS ON RELIEF

Of the 225 cases which were investigated, 60 were home owners, of which 42 have mortgages on these homes. Eighteen own homes which are unencumbered.

One case owned building lots which are unencumbered. Another case had judgment against property.

FLAGRANT CASES OF ABUSE

Case No.	Comments
643	Farm. Rural Rehab. Corp. Advanced $181.00 to receive $30.00 additional in September.
2407	Wife's uncle owns farm of 122 acres on which the client works and lives, also works in quarry four days per week at $2.00 per day. Owns home from which he receives $16.00 per month rent. Wife's uncle receives Blind Pension of $10.00 per month.
3122	Owns home—no encumbrance. Runs grocery store. Family of five adults—4 children. Claims income insufficient for family. Receives at present $1.67 food order.
3817	Junk business. Has truck.
3830	Gas station. Brother who lives with them is also on relief. Owns property. Odd case. Seems to have sufficient income. Wife holds judgments against him recorded in Prothonotary's office.
3903	Carpenter. Lives on farm of 25 acres. Received $267.00 from Rural Rehab. Corp. Son pays for feed for hogs, cows and chickens.
3795	Runs his own barber shop. Has ten insurance policies. Receiving Food Relief, $9.50, clothing $2.00, part of rent, $5.00 and 78 qts. of milk per month. Coal last winter two tons. Investigator suggested $2.00 more each week for clothing last January, but client said it was not necessary.
2854	Owns property. Owns and operated barber shop.
2870	Owns property. No encumbrance. Has ten insurance policies. Receives food order $8.25, as well as other relief.
1565	Runs an auto laundry. Five insurance policies, food order $7.25.
2136	Owns house in————and cottage at————. Sister school teacher, another sister works at Relief office in————.
3496	Not able to work. Should be Poor Board case. Son works. House owned by wife.
4407	Farmer. Gets rent and wood free, also feed, hog and potatoes. Just traded Whippet car for Nash car. Six insurance policies.
14864	Police officer, State Capitol. Received food orders, milk, utilities and rent while on State payroll. Date appointed to State payroll—April 16, 1935. Date relief orders discontinued—May 18, 1935.
4003	Father and father-in-law comfortably fixed. Have washing sent out, etc.
2409	Owner of————shirt factory which is operating at present time.
2560	Owns home. Registered plumber. Received medical order, food $3.50, clothing $1.00. 28 qts. milk per month, light $1.20, MORTGAGE MONEY $8.50 per month, also 1 ton of coal two months ago.
2677	Owns home. Has store. Seven insurance policies which he says he pays. Receives food order $8.27, clothing $1.67, light $2.40 per month, one ton of coal per month during winter. Medical slip for wife.
1909	Receives $5.25 per week food order, $2.00 clothing. Owns a 40-acre farm and received Old Age Assistance. Holds judgment note of $500.00 (Five Hundred). Visitor's last call November, 1934. Owns automobile.
869 } 1164 }	Receiving $5.75 food and $2.40 clothing, milk, medical slips, coal oil. 5 children and wife. Mother (case 1164) moved with them recently and she receives $2.75 food order, milk 70c per week, shoes and clothing 35c and medical attention.
3878	Owns property. Son goes to college. Refuses to tell where he gets the money. Eight insurance policies. Relief pays $10.10 for Home Owners Loan. $5.84 food order. $1.33 clothing ton of coal per month and 28 qts. of milk per month.
29	Cigarmaker—working for————Co., last two months, earning $9.75 per week and $8.10 per week at present—August 14, 1935.
466	Receives now $4.50 food order, $1.50 clothing ½ ton coal per month in summer and one ton per month in winter. Both working—wife in restaurant in————and client worked for farmers all summer and in factory.
4351	Client working regularly in————and wife working.
4436	Carries mail from————to————. Claims does not make enough money.
4931	RECEIVING RELIEF WHILE EMPLOYED. Our investigation disclosed an individual who was employed under a Federal Works Project and who continued to accept relief during the period of the employment. At the time of this report, 60 days of this duplication has been thoroughly checked which disclosed an amount of $475.00 received by this individual for wages and relief. The investigation on this case has not as yet been completed.
6091	This individual, during the period in which he was receiving relief, at the same time received in dividends in a closed bank the amount of $3119.55.

POOR BOARDS AND S. E. R. B. DUPLICATE PAYMENTS. We have evidence in our files wherein local boards under the S. E. R. B. have continued grants to individuals who were at the same time recipients of relief through County Poor Boards. This duplication was continued notwithstanding information relayed by the Poor Board to the S. E. R. B. officials.

Case No. 12672-16. This individual was a regular recipient of relief, receiving relief orders weekly. Investigator disclosed the fact that this recipient held stock in Penn Central Light and Power Company and received dividends regularly issued by the company. Photostatic reference in our files.

Case No. 6091-16. This case was a regular recipient of relief and had considerable funds in a closed bank. Your

investigator disclosed that he received two dividends totaling $3119.55. These dividends were received while he was drawing relief.

We have in our files affidavits from five individuals who were employed by persons associated with the administration of relief in the early days of the program to do personal work for him on a farm, and who received as their compensation, relief orders. We have evidence of further abuse and misuse of relief orders by others closely associated with the administration of relief wherein persons not entitled to relief had their grocery bills paid by relief orders. These irregularities were committed by apparently outstanding citizens of the community.

A brick company in western Pennsylvania manipulated the relief orders as an offset against back wages, which employes had earned. We have affidavits in our files stating further that men having wages due them from the brick company were given relief and other concessions so that they would not press their claims against the brick company. Certain officials of the brick company were associated with the administration of relief.

Case Number 7474-16
Case Number 7479-16
Case Number 14077-16

These three cases have been regularly employed in a coal mine and earned fairly good wages sufficient to support their families. When relief came along they picked up their tools and walked out. The operator of the mine stated he had offered these men work, but they flatly refused to return to their jobs, as they preferred to be on relief. These three cases were investigated by a district supervisor of the S. E. R. B. and also by your investigator, and the facts herewith set forth are true.

We herewith exhibit copies of two affidavits contained in our files which are self-explanatory, in regard to the distribution of fuel in this particular area:

State of Pennsylvania }
County of ..... } ss

....., whose post office address is ....., Pennsylvania, came personally before me the subscriber, a Notary Public, in and for said County, after being duly sworn according to law, deposes and says that during the winter of 1934 and 1935 the delivery of coal to recipients of relief was under what was termed as a contract system. On or about this time the individual orders for coal were sent to the recipients who would then give the order to a local dealer.

I, as a local dealer, received a number of these orders for the delivery of coal. I delivered the coal to a number of these places where the coal houses were still filled with coal that had been furnished during the time the coal was let on contract by the county board.

To the best of my knowledge, the recipients of relief coal received at least two tons of coal per month regardless of whether or not the recipients needed the coal, under the contract system. And further saith not.

(Signed) .....

Sworn to and subscribed to before me this 14th day of October, A. D. 1935.

Notary Public
My commission expires January 26, 1937.

(SEAL)

State of Pennsylvania }
County of ..... } ss

....., came personally before me the subscriber, a Notary Public, in and for said County, after being duly sworn according to law, deposes and says that his post office address is ....., Pennsylvania. That he was a recipient of relief and that he was forced to take coal from ..... delivery and from ....., and was forced to take more coal than I needed. That I had to turn coal away that I did not need and under this system of dispensing relief coal. The coal was a very inferior quality and further saith not.

(Signed) .....

Sworn to and subscribed before me this 14th day of October, A. D. 1935.

Notary Public
My commission expires January 26, 1937.

(SEAL)

FEDERAL RELIEF ADMINISTRATION URGES CARE OF TRANSIENTS

On July 26, 1933, the Federal Relief Administrators issued a memorandum to all Governors and State Emergency Relief Administrators relative to the necessity of developing a program for the care of transients and homeless.

It suggests that in any local community there may be three groups of homeless persons or families:

1. Local homeless resident.
2. State homeless; more than 12 months in the State.
3. Transient homeless, less than 12 months in the State.

Groups one and two are provided relief from both Federal and State Funds. Group three is provided relief from Federal Funds.

REPORT OF TRANSIENT CAMP AT MOUNT GRETNA

(This report used by permission of Honorable Frank E. Baldwin, Auditor General.)

June 28, 1934.

Honorable Frank E. Baldwin,
Auditor General,
Harrisburg, Pennsylvania.

Dear Sir:

Pursuant to your request, an investigation was made of the accounts and affairs of the Transient Camp at Mt. Gretna, and the report is herewith submitted.

This investigation was conducted by J. R. Heilman, M. O. Tiffany and H. O. Numbers.

Supporting data and detail is on file and available.

Trusting your request has been served, I am

Yours truly,

GEORGE R. MATHERS

FOREWORD

Pursuant to a request of the Auditor General, and investigation was made of the transient camp at Mt. Gretna. During the course of this investigation it was necessary to inspect records and question officials of the

Transient Bureau, as well as the Purchasing Department of the S. E. R. B.

The period covered in this investigation was from October 23, 1933 to March 31, 1934, a total of 160 days.

Our report sets forth the history of Transient relief and personnel, findings, responsibility, and certain suggestions for the improvement of this service.

The investigation disclosed that traffic in merchandise between clients of the camp and others was conducted with the community adjacent to the camp. Search warrants were issued and merchandise approximating $400.00 in value was recovered.

This investigation has had a marked moral effect, both on the camp and the community.

There were no records with any degree of reliability to serve us in this investigation.

The causes for the conditions were lack of cooperation, indifference and incompetency.

HISTORY AND ORGANIZATION

HISTORY

The Federal Emergency Relief Act was created in 1933. Subsequent rules and regulations No. 3, as of July 11, 1933, provide that "There will be set up in the Federal Emergency Relief Administration a Department of Transients which will cooperate with the State Emergency Relief Administration in establishing permanent policies and standards of service to transients;" also, "Programs and Projects for the care of transients shall be approved by, and be under the direction and supervision of the State Emergency Relief Administration. A description of such plans and projects, including the number of transients to be cared for, the program contemplated, and the probable cost of such program, shall be submitted by the State Emergency Relief Administration to the Federal Emergency Relief Administration upon request for Federal funds." Transients may be provided for under either direct relief or through work relief. Emphasis should be placed upon the prevention of transiency by adequate programs of work, of relief, and of morale maintenance in all communities, in order to prevent the continued drift of population.

The State Legislature under Act No. 51, 1932, created the State Emergency Relief Board and vested in the Governor full authority. Under Section 3 of this Act, the following authority is vested in the Governor, "In applying said funds for the purposes to which dedicated by the Act of Congress, the Governor is authorized to use the facilities and personnel of any State Department and agencies of the State Government."

Upon the request of the Federal Emergency Relief Administrator for the name or names of individuals qualified to supervise transient relief, Mr. Biddle stated that he recommended Mr. Lawrence Solly of Philadelphia, who was connected with the Travelers' Aid Society, as a man possessing the required qualifications. He was acceptable to the Administrator and accordingly was employed under resolution of the S. E. R. B. dated July 26, 1933, at a salary of $3600.00 per annum, effective August 1, 1933. Mr. Solly functioned until January 31, 1934, at which time he resigned and Mr. Charles Alspach became his successor.

Mr. Alspach was appointed to fill this vacancy under resolution of the S. E. R. B. dated February 28, 1934, at a salary of $4,800.00 per annum, effective February 5, 1934, for a period of three months, and to be paid out of Federal transient funds.

Mr. Solly recommended the employment of William M. Raiguel of Philadelphia as an organizer to assist in the organization and setting up of transient camps. His appointment was confirmed by the S. E. R. B., effective September 27, 1933. Mr. Raiguel served without pay as a volunteer worker from September 27, 1933 to October 14, 1933. Mr. Raiguel went on salary at $2100.00 per annum. Under date of October 25, 1933, in the minutes of the S. E. R. B. the following resolution passed: "That the last resolution on page 12 of the minutes of the meeting of this Board held October 4, 1933, which reads, "William M. Raiguel, Philadelphia, Pa., volunteer worker, effective September 27, 1933" be stricken from the record."

Mr. James L. Arthur of Philadelphia was employed at the transient camp by Mr. Solly. Mr. Arthur came to the camp October 30, 1933, at a salary of $840.00 per year. Mr. Arthur was to have full charge of the accounting system.

Mr. Hilliard Hazsenkamp of Philadelphia was employed October 26, 1933, at an annual salary of $2,400.00. Mr. Hazsenkamp was employed as an accountant to set up procedure and controls.

Upon the recommendation of General David J. Davis, Mr. Esllworth Kelly was employed by Mr. Solly at a salary of $1,800.00 per year, effective October 1, 1933. Mr. Kelly was employed to take charge of the camp at Mt. Gretna.

RECORDS

Upon the institution of the camp, we are advised by Mr. Hazsenkamp and Mr. Varnadore of the Purchasing Department of the S. E. R. B. that proper accounting records were supplied the camp and that adequate instructions were given for the operation of these records. Our investigation disclosed that the records were so poorly kept that they were worthless for the purpose of our investigation.

GENERAL CONDITIONS

During the period of the operation of this camp from October 23, 1933, to March 31, 1934, order and discipline were reduced to a minimum. The morale of the camp was low and it appeared that the clients ruled the camp. During this period Mr. Kelly had placed in responsible and accountable positions transients from the camp.

The clothing store house was given over to a client by the name of Phillips. Phillips registered at the camp as Albert Phillips. The State Police have identified this man as Albert L. Sommers, who was arrested July 10, 1930, in Port Arthur, Texas; also as Phillip L. Sommers, arrested August 11, 1930, in Shreveport, Louisiana. The crimes were, according to Phillips' own statement, felony in connection with a bad check and desertion from the United States Army. Mr. Kelly vested much confidence in Phillips, as evidenced by a letter of recommendation under Exhibit "A" of this report.

A form of receipt for issues was used at the camp whereby upon admittance the client was entitled to receive certain articles of clothing, toilet articles, et cetera. A common practice was to have the client sign this form for a full complement of issue, regardless of the quantities he received. For example: If a client received only a shirt and a pair of shoes he signed for the entire complement which Mr. Phillips had marked up in quantities of 50 to 100 in advance. A copy of this form is shown under Exhibit "B," which had been completed by

Mr. Phillips and recovered by us during our investigation.

The handling of food supplies was promiscuous and without control. Walter B. Hassel was listed as the mess officer. His duties comprised "looking after the kitchens and issuing the food."

The method of issue was as follows: Hassel would canvass the kitchens in the morning and ascertain their requirements based on their needs for the following day. Instead of issuing upon actual requirements based upon the number of men to be fed, he would issue to each kitchen one case of butter, one case of milk, 100 pounds of coffee, and other commodities in proportion, such as goods that came in cans. By this system of issuance, it was possible to steal and trade the surplus requirements for each day, as the cooks were custodians of the food. Apparently there was nothing done to check this practice. We found that at no time were issues based upon requirements.

There was an absence of discipline and regulations within the camp. Transients trafficked in liquor. There were drunken brawls, and the community was unsafe for women and children.

Upon the opening of this camp, Major Kelly in an address before the Exchange Club in the City of Lebanon, made a statement warning women and children to keep off the streets and roads after sun down. Following this statement, the State Constabulary visited the camp with their finger print apparatus and cameras and endeavored to finger print and photograph these men, with the thought of apprehending any criminals that might be hiding from justice, but Major Kelly refused this service, even to the extent of having group photographs taken.

It was common knowledge throughout the entire camp that the stealing of clothing and food supplies by the transients was engaged in. This report to the camp commandant failed to receive any consideration and no attempt was made to check this nefarious practice.

Orders from Major Kelly decreed that certain vendors should be given preference in the matter of purchases for the camp, according to statements received by us from employes.

It is alleged that the camp had no scales and nothing was weighed in, and only the vendors' bill was accepted without verification of weights or quantities. This was especially true in the case of the firm of D. M. Flory and Sons of Lawn, who supplied much of the meats used at the camp. We found that a platform scales had been issued at the opening of camp.

Staple articles were purchased by the Purchasing Department of the S. E. R. B. This Department bought upon the requisition of the camp. They at no time endeavored to ascertain the requirements of the camp. We note several instances wherein the purchases were indiscreet. The camp had requisitioned 100 pounds of baking powder and received 1500 pounds. The average consumption of coffee was about 500 pounds per month. During the month of February, 5700 pounds were shipped at the instance of the Purchasing Department of the S. E. R. B. Enough eggs were charged to the camp to provide 452 eggs each day that the camp was operated. These eggs were in addition to all the meats, turkeys, chickens, fish, oysters, cheese, et cetera, that were charged to the camp. It would have been physically impossible to consume this enormous quantity of eggs, and in extenuation of our statement we show the following schedule of the average number of men per day in camp:

October, 1933	15
November, 1933	83
December, 1933	216
January, 1934	374
February, 1934	475
March, 1934	459

The summary is at variance with the figures furnished by Mr. Kelly to the Transient Bureau Office and which are herewith shown for the same period:

October, 1933	0
November, 1933	132
December, 1933	315
January, 1934	578
February, 1934	648
March, 1934	694

The figures we have shown as being more or less accurate were taken from the morning reports which were maintained to a fair degree of correctness.

A canteen was operated in connection with this camp, the rule being that each transient was entitled to a credit card having a value of $3.00 per month, expendible at the rate of ten cents ($0.10) a day in a thirty-day month, or proportionately higher or lower depending upon the number of days in the month. Daily, following the noon meal, the canteen was thrown open and the clients were lined up for their issue. The issues from the canteen stores were made by "trusty clients." It was understood that no client was to be given greater credit than the amount which had accrued at the time he made his purchase. However, we note a purchase of 303 watches at a cost of $1.16 per watch. These watches were distributed among the clients, and they were supposed to pay for them on their canteen credit cards. From information received and records which we have found, we believe that these watches were not earned on the canteen cards.

There was a ruling whereby salaried employes would pay cash for their canteen purchases. These purchases were made on a credit plan and settlement was usually made on pay day. Mr. Arthur, who was in charge of the canteen, kept no records and told the men to "let your conscience be your guide," when they came to make settlement of their account.

This canteen has cost approximately $4500.00 to operate for 160 days. Details on schedule "1." These canteen supplies were loosely kept and loosely guarded, which is evidenced by the fact of the recovery, through search warrants, executed at the instance of the State Police, of cigarettes, tobacco and other canteen supplies.

During the course of our investigation, the Transient Bureau officials presented us with a plan to pay the transients cash instead of a canteen credit card. We were asked for our opinion as to this plan. Our suggestion was, "That to inaugurate such a plan would be a vicibus practice, inasmuch as most of the canteen supplies were traded or exchanged for liquor, and to give these men cash in hand without earning it would increase intoxication and encourage the bootleggers."

Officers and employes used their personal cars in the transaction of transient camp business. They received

mileage at the established State rate of five cents ($0.05) per mile, and in addition to this regular compensation they used the gasoline and oil from the transient camp for their personal cars.

Officers admitted giving food stuff to residents of the community to repay certain kindnesses and obligations. Electric light was furnished from the transient camp meter to the Hotel Conewago adjoining the camp.

The cost to operate this camp for 160 days was $56,318.71. There was an average number of 303 men per day in camp. The County of Lebanon over the same period received $97,569.00 to support an average number of 1,549 cases. The average number of people per case, according to the S. E. R. B. statistics, is 4.5. The cost to feed the transients was $0.38½ per day. Using this same sense of reasoning the average cost to feed the individuals by the S. E. R. B. of Lebanon was $0.07½ per day.

In addition to the expensive foods, clothing, canteen luxuries and comfortable quarters, these transients received medical attention, optical attention and dental care. There did not appear to be any omission in the service or supplies to make these men happy and contented.

The transient camp policy appeared to be more of a social uplift character than a compliance with the rules and regulations, which prescribe adequate programs of work. We found no organized work program in effect at Mt. Gretna. There appeared to have been minor programs, such as wood cutting, et cetera, during the winter, but this would not have been done had they not required the wood for fuel to keep themselves warm.

IRREGULARITIES

Investigations disclosed that Major Kelly, Commander of the Camp, used his personal automobile for the transportation of transients and for other utility purposes at the camp. He received the established five cents ($.05) per mile and in addition, used State gasoline and oil. The mileage submitted by Major Kelly and paid for by the State amounted to $501.75. Major Kelly excused this practice in his sworn statement by the fact that the wear and tear on his car was greater than the five cents ($.05) per mile received, and he felt justified in taking gasoline, as well as charging mileage. The Bureau of Motor Vehicles' records show that Major Kelly's car was a third handed car, a Chevrolet Sedan of 1930 model, so that the amount of mileage received by Major Kelly would purchase two similar cars at the current market value. Details under schedule "2."

A canteen was operated and employes on payroll were required to pay for their purchases. Our investigations disclosed that approximately twenty-five employes were on salary and their purchases averaged about $50.00 per month. We inquired as to the disposition of this cash and were advised that it was used to buy postage stamps. However, we find by an analysis of the warrants that Major Kelly passed for payment postage in the amount of $106.40. In other words, this postage account was a revolving fund. That is, according to Major Kelly's own statement, when he received his expense check, he immediately reinvested in postage so that the amount of money which should have accumulated in the Canteen Fund would have been at least $200.00. At the time of our investigation we found $.73 of a balance. The only explanation Major Kelly could give was that he did not take it. The Canteen Fund appeared to be at the service of officers and employes of the camp. Loans were frequently made and no record kept. At the present time, the I. O. U. of Major Kelly is being held by Dr. Thompson in an amount of $29.05, representing money borrowed from the Canteen Fund. Daniel Champney also verifies this, in that he made loans and inferred that it was a common practice for anyone who was short to help themselves from the Canteen Fund. There are no records to indicate amounts outstanding, and as Major Kelly in his sworn statement admits his responsibility in this matter, we feel that Major Kelly should be held accountable for the shortage in the Canteen Fund.

During Major Kelly's administration a private electric light line was connected with the Transient Camp line and carried current to the Hotel Conewago. This line, however, was discontinued shortly before the entrance of your Auditors.

Major Kelly was quite generous with the supplies and stores of the Transient Camp and repaid personal obligations by giving food supplies to his debtors. Detail on Major Kelly's sworn statement.

Major Kelly was a Battalion Commander of the National Guard and almost every week he left camp on Sunday and returned the following Tuesday to perform his duties as a National Guard officer. From information received and statements, this did not constitute the only time that Major Kelly was absent from camp. A major portion of the time Major Kelly lived at the Rifle Range (about two months) and only reported several hours a day at the Transient Camp office. Sworn statement of Major Kelly.

Kelly surrounded himself with individuals of questionable integrity. His principal assistant was one Albert Phillips, a transient. Phillip's record will be discussed in a succeeding paragraph.

We have had this man Phillips fingerprinted and note the following: Phillips has had two previous jail records under two different aliases. He admits having committed a felony in connection with a bad check charge, also having deserted from the U. S. Army, and notwithstanding all this, Major Kelly gave Phillips a recommendation shown under Exhibit "A," which is a masterpiece depicting the man's high qualifications and integrity.

Major Kelly, upon assuming command of the camp was invited to address the Exchange Club of Lebanon, Pa., and in his address he remarked that "Women and children should stay off the roads at night in the vicinity of the camp." Acting upon this statement, Pennsylvania State Police visited the camp with their fingerprint apparatus and cameras and requested permission to fingerprint and photograph these men to apprehend any criminals who might be hiding from justice. Major Kelly refused permission to either fingerprint or take group photographs.

In the selection of Major Kelly, it was felt that he should be well qualified because of his Army experience. However, Major Kelly enforced no discipline, nor regulations, appeared to be indifferent to reports of irregularities and was incompetent. Certain arrests were made in connection with the recovery of stolen goods from the camp, and from the testimony the entire blame for the chaotic condition was placed upon the management of Major Kelly. See Exhibit "C," Charge of Court to Jury.

EXTRAVAGANCES

Certain items were purchased, the quantities of which appear to have been either extravagent, waste or misappropriated. We cite some of these items, the detail of which appears on Schedule No. 3. The Camp was instituted October 23, 1933, and our period ends March 31, 1934, a total of 160 days. From Morning Reports of the Transient Camp, we find that a total of 50,740 rations, or men days, was the basis for issue.

The following summary reflects certain of the items purchased which appear to be far in excess of their requirements:

		No. Rations
Meats—Fresh Beef	16,676 lbs.	13368
Canned Beef	2,400 lbs.	4800
Pork, Bacon, etc.	22,567 lbs.	30060
Cheese	1,197 lbs.	4788
Turkeys	505 lbs.	1010
Chickens	586 lbs.	1132
Scrapple	1,807 lbs.	2614
Liver	1,847 lbs.	3694
Salmon	2,496 lbs.	4992
		67,494
Number of Rations Required ..		50,740
Excess		16,754

Excess of meats purchased was 16724 rations, enough to feed 16754 men for one day. This was exclusive of 5200 oysters and 6030 dozen eggs, enough to feed the camp for 160 days at an average of 452 eggs daily, in addition to the excessive amounts of meats bought.

SUMMARY OF SCHEDULE NO. 3

Potatoes were bought in excess of requirements in the amount of seven (7) tons.

Coffee was bought in excess of requirements in the amount of two (2) tons.

Sugar was bought in excess of requirements in the amount of seven (7) tons.

Butter was bought in excess of requirements in the amount of three (3) tons.

Our calculations were based upon General Orders No. 2, 1932, Pennsylvania National Guard, inasmuch as this standard was used by Major Kelly.

During the same period of our investigation, in which the transient camp had an average of 303 men per day in camp, the County of Lebanon provided direct relief to a daily average of 1,549 cases (the average case, according to S. E. R. B. records being 4½ people) at a cost of $80,500.00, food, or a daily average of 31c per case, being at the rate of 7c per day per individual. The cost to operate the camp was 38½c per day per individual. This 38½c does not include the additional allowance, about 11c per day, for luxuries given them from the Canteen. The prices paid by Lebanon County for food were based upon retail, while the prices paid at the Transient Camp were wholesale. The expense of feeding the transients was seven times greater than the County of Lebanon was allotted for the support of worthy American citizens.

ISSUANCE OF EQUIPMENT

The Transient Camp had no procedure, nor orders, relative to issuing of clothes, accessories and equipment. None of the goods were stamped, and trading was thereby made easy. The principal items of traffic were found to be blankets, rubber jackets, shirts, overalls, caps, shoes, rubbers and toilet articles. The individual receiving these items had no instructions as to whom ownership was vested in. The countryside swarmed with vendors, men offering various items of wearing apparel, blankets, toilet articles for sale, or exchange for liquor. Toilet articles and accessories were considered as expendible items and they were issued to billet commanders in bulk, who in turn made the individual issues to the men. No matter how many times an individual asked for items, he was given them without question. This made trafficing of these items quite easy. We show the following summary of toilet articles purchased, included in "Miscellaneous," Schedule "IV":

Articles	Number	Amount
Safety Razors	864	$171.00
Safety Blades	8,750	121.26
Combs	1,008	61.25
Toothpaste	1,224	132.18
Shaving Cream	1,224	92.10
Tooth Brushes	1,008	50.40
Shaving Brushes	1,008	210.00

On Schedule "IV" we invite attention to certain items—

Salaries $5,798.78—per day $36.24
Supplies and Equipment $8,037.72

Included in these classifications are—

Lumber	$2,783.18
Hardware	992.10
Roofing Paper	764.25
New Toilets—20	219.40
Plumbing Supplies	193.90

These items were incident to improvements of the camp and represent expense.

Clothing and Shoes - $12,936.15

From our investigation, we find that about 800 men received either clothing or shoes, or an average of more than $16.00 per man was expended.

Transient Transportation—$656.15

Paid for hauling men to and from the camp.

Gasoline—$430.93

In addition, gas was used by the officers and a mileage charge put through.

Medical Supplies and Service—$1,134.41

This includes drugs, prescriptions, dental service and doctors' fees.

DISCUSSION

This investigation disclosed the following:

1. That from the time of the opening of the camp in October, 1933, until March 31, 1934, there was friction between the responsible heads and dual responsibilities. That the authorities at Washington were more or less at variance with the authorities in Pennsylvania. That Major Kelly and Mr. Solly would not cooperate. That Mr. Solly had appointed Mr. Raiguel as a watchdog over Major Kelly (Raiguel's sworn statement). That Major Kelly was indifferent, incompetent and permitted and performed irregular and dishonest practices.

2. That purchases were made in the camp without regard to requirements, notwithstanding the high-powered purchasing department in the S. E. R. B.

3. No system of accounting or records had been instituted or maintained.

4. That transients were used in responsible and accountable positions and placed on the payroll. This practice developed—

(a) the reprehensible condition of records;

(b) the practice of trading by having an operator at the source;

(c) the few who were selected to fill these positions gained the ill feeling and envy of the other transients.

5. That through no Work Program, idleness gave opportunity for chicanery.

6. That certain undeveloped leads in this investigation would further prove the laxity of authority and control.

7. That all of the statements referred to in this report and detail is filed separately and available.

8. That a number of search warrants were issued and arrests were made, but due to the lack of certain facts, the Court in Lebanon County rendered no convictions.

9. That no officers nor employes were bonded. When accountable and responsible positions are bonded, dishonesty is at a minimum.

RECOMMENDATIONS

1. That an approved accounting system be installed.

2. That the Canteen be abolished and that tobacco be issued after the manner issued by institutions. Candy, cigars and standard brands of cigarettes are luxuries that the average taxpayer cannot indulge in to the extent enjoyed by these transients.

3. That supplies be issued only on actual requirements.

4. That the purchasing department maintain an inventory of camp supplies and a daily report of inhabitants, and only purchase for actual requirements.

5. That no transients be placed in responsible or accountable positions.

6. That all clothing and supplies other than food be identified as property of the S. E. R. B.

7. That a constructive Work Program be designed so that idleness will give place to occupation and that the work program will be approved.

8. That all accountable and responsible positions be bonded.

EXHIBIT "A"

COMMONWEALTH OF PENNSYLVANIA
STATE EMERGENCY RELIEF BOARD
HARRISBURG

OFFICE OF THE CAMP COMMANDER
TRANSIENT CAMP, MT. GRETNA, PA.
MARCH 31, 1934

To Whom It May Concern:

I wish it to be known that the bearer, Albert L. Phillips, has been the Supply Sergeant at Transient Camp, Mt. Gretna, Pa., since November 1, 1933. During that time I have found him to be faithful, trustworthy, competent, efficient and dependable.

Mr. Phillips has rendered service that is beyond the call of the duties of his office. He has a thorough knowledge of storerooms and the operations thereof. His knowledge of personnel and the handling of personnel records is complete.

I hereby recommend him and am sure that he can handle any position of trust and responsibility very satisfactorily.

Very truly yours,

(Signed) ELLSWORTH KELLY
Major, Pa. Nat'l Guard,
Camp Commander

EXHIBIT "B"

INDIVIDUAL CLOTHING RECORD
TRANSIENT CAMP, MT. GRETNA

Name		
Bed Sacks	1	
Blankets	3	
Caps	1	
Gloves		
Jacket		
Overalls	1	
Shoes	1	
Socks	2	
Trousers	1	
Underwear	2	
Handkerchiefs	2	
Shirts	2	
Toilet Articles:		
Brush, shaving	1	
Brush, tooth	1	
Comb	1	
Dental Cream	1	
Razor		
Shaving Cream	1	
Towels, bath	1	
Towels, face		
Belt	1	

Initials, Recipient
Officer

Signature of Recipient.

EXHIBIT "C" COPY

Commonwealth of Pennsylvania vs. John Youtz

In the Court of Quarter Sessions of Lebanon County
No. 60 June Session, 1934

Trial at Lebanon, Pennsylvania, June 5, 1934.
Charge of the Court

Gentlemen of the Jury:

The facts in this case show a sad commentary upon the way in which public funds are being given away. Whether it is the Government that is borrowing money to give away in this manner or whether it be an individual, makes no difference, for the fact is that ultimately somebody has got to pay it back and it all comes out of the pockets of the taxpayers. We rather frequently hear the expression that it is the big corporations which will be taxed, but after all it is the individual who supports the corporations and he is the one who will ultimately pay.

We have permitted this case to go on to show the public what is being done in camps of this character, where there are a lot of irresponsible men, some of whom would work if given the opportunity, but where they had a great many of these fellows who didn't want to work.

This defendant is charged with larceny and with receiving stolen goods, in order to convict of receiving stolen goods you must first find that the goods were stolen. Now the Commonwealth contends in this case that these goods were stolen, but we can't tell from the evidence in this case whether they were stolen; it might well be that they came from the Commonwealth storehouse; the testimony indicates that some of these clothes were worn and that they were purchased from a man by the name of Hoffman, and they were very likely gotten by someone from that storehouse; now, if that is true, then somebody wasn't on the job at that storehouse or it may well be that somebody higher up was in league with this man Hoffman; because, if Hoffman or anybody else was getting goods out of that storehouse and selling them, then the one in charge of that storehouse should have known it; and if they were taken away there by someone who didn't own them, then or course they were being stolen, then they were stolen from the authorities who owned these goods, and if that is true, then they were stolen goods; but we don't know under this evidence whether that is the fact.

Under this evidence, whenever goods were given to these men, they were given to them to use or given to them to be given away by them—from what this evidence shows, and from the testimony in this case you would likely conclude that in the manner of conducting this camp there was loose management somewhere.

Nobody can tell where these goods come from, whether they were given to these men as gifts or whether they were stolen by them. Now where the price paid for goods is greatly disproportionate to the value of such goods, there might be an indication that they were stolen goods; if a man should pay fifty cents for something that is clearly worth four or five dollars, he should be put on guard that such goods might have been stolen; but according to the testimony the prices paid for these goods weren't at such great variance from their value; if the price paid for these shoes for instance was $1.25 that wasn't at such great variance with the price that the government paid according to this testimony, and according to the evidence produced here the Government paid $1.45 for these shoes, and that wasn't greatly disproportionate. I know that in our local emergency relief work we paid less than $1.49 for shoes purchased from our own factories; of course, this was the wholesale price and if purchased at retail the price would be higher of course. The evidence shows that the price paid for these windbreakers was $2.00 or $2.50, and that the Government paid $2.75 at wholesale, and that wasn't so greatly disproportionate to the actual value.

Now there is some evidence here that these goods were stamped and they were not to be traded or sold and that the ownership of the goods was to remain in the State; now if the State wanted to retain ownership in these goods, that should be expressly stated, that the ownership is retained by the State, and that these goods were given to these men only for their use and that sometime in the future they were to be returned, but they didn't do that.

So that you will return a verdict of not guilty in this case.

The clerk will take your verdict.

Certified from record of trial.

W. L. GELBACH

Official Stenographer

SCHEDULE I

CANTEEN

These items were given at cost to the Transients at the rate of $3.00 per month.

	Item	Quantity	Amount
(1)	Cigars	12450	$248.66
(2)	Cigarettes	137800	630.99
(3)	Candy	.....	938.08
(4)	Tobacco	.....	2,113.51
	Pipes	420	58.30
(5)	Watches	303	350.09
	Neckties	576	44.85
	Misc. Items	.....	26.35
	Total cost for Canteen		$4,410.83

(1) Popular brands—including Dutch Masters Brand
(2) All popular brands
(3) Chocolates and chewing gum
(4) Best qualities
(5) Given away—Cost $1.16 each

These canteen items were given to a class of men who were not accustomed to such luxuries.

The average taxpayer could not afford such indulgence.

SCHEDULE 11

EXPENSES—MAJ. ELLSWORTH KELLY

	Mileage	Postage	Other Expense	
Warrant #39693	$ 21.85	.....	.....	
48626	.....	1.98	4.18	
55682	.....	17.52	3.70	
57036	134.95	14.25	2.87	
60231	.....	26.00	.....	
63501	.....	15.00	1.00	
63594	188.70	.....	.....	
65761	.....	18.00	.....	
72108	188.70	13.65	.....	
TOTAL	$501.75	$106.40	$11.75	$619.50

1930 Chevrolet Sedan, Title No. E-2979541, Bureau of Motor Vehicles record show this car had two previous owners.

SCHEDULE III

Food Items in Excess
Based upon 50740 Men Days or Total Rations

Item	Unit of Issue	Pounds Bought	Pounds Required	Excess Pounds
Potatoes	1 lb. per day per man	64700	50740	13960 or about 7 tons
Coffee	10 lbs. per day per 100 men	9200	5074	4126 or about 2 tons
Sugar	20 lbs. per day per 100 men	24300	10148	14152 or about 7 tons
Butter	1 oz. per day per man	9060	3171	5889 or about 3 tons

Item	Pounds Bought	Ration Unit	No. Rations Bought
Fresh Beef	16676	125 Pounds per 100 men per day	13368
Canned Beef ...	2400	50 " " " " " "	4800
Pork, Bacon, etc.	22567	75 " " " " " "	30060
Cheese	1197	25 " " " " " "	4788
Scrapple	1807	50 " " " " " "	3614
Liver	1847	50 " " " " " "	3694
Salmon	2496	50 " " " " " "	5992
Turkeys	505	50 " " " " " "	1010
Chickens	566	50 " " " " " "	1132
Total Rations Purchased			67458
Total Rations Required			50740
Excess Rations Purchased			16718

Additional Purchases

Oysters	5200 each
Eggs	6030 dozen

NOTE: In addition to the excess meat rations purchased, enough to feed 16754 men for one day, or 303 men, the average number of men per day in Camp, for 55 days—sufficient eggs were bought to feed the Camp for 160 days at 452 eggs daily.

SCHEDULE IV

DISTRIBUTION OF EXPENSE

TRANSIENT CAMP—MOUNT GRETNA, PENNSYLVANIA
October 23, 1933 to April 30, 1934

Items	Paid on State Warrant	Issues from Supplies	Total
Salaries	$ 4,827.53	.....	$ 4,827.53
Travelling Expense	238.70	.....	238.70
Supplies	2,811.81	.....	2,811.81
Clothing	10,490.57	$754.64	11,245.21
Shoes	1,690.94	.....	1,690.94
Meats	2,691.91	1,869.20	4,561.11
Other Food	11,990.97	3,023.25	15,014.22
Transient Transportation	656.15	.....	656.15
Gasoline	430.93	.....	430.93
Medical-Supplies and Services	1,134.41	.....	1,134.41
Candy and Tobacco	3,982.64	.....	3,982.64
Equipment	5,225.91	.....	5,225.91
Miscellaneous	2,517.99	.....	2,517.99
Heat and Light	1,009.91	.....	1,009.91
Emergency Educational Work Relief	971.25	.....	971.25
TOTAL	$50,671.62	$ 5,647.09	$56,318.71

SUPPLEMENT TO TRANSIENT REPORT

In the investigation of relief in Lebanon County, we learned that a transient camp had been in operation from October 23, 1933 to approximately May 15, 1934.

We learned that an investigation of this camp had been made at the request of Honorable Frank E. Baldwin, Auditor General, covering the period from October 23 to April 1, 1934. A copy of the transient camp investigation conducted by the Auditor General is made a part of this report.

The statement of the gross amount of relief funds expended in Lebanon County show an expenditure for this transient camp of $84,247.03. The difference between this amount and the gross amount of expenditure in the Auditor General's report covering this investigation, was spent between April 1, 1934 and approximately May 15, 1934, when this camp was moved to Centre County.

The gross amount accounted for during the period of the Auditor General's investigation was $56,318.71. The difference between this and the gross amount spent in the county being a total of $27,928.32 was the amount spent approximately from April 1, 1934 to May 15, 1934, when the camp was moved.

The following finger print records were of two individuals who had access to the commissary and canteen. The one—No. 302898—had charge of the distribution of all merchandise sent into the camp. The records of these two are a fair sample of the rank and file taken care of in this camp.

PENNSYLVANIA STATE POLICE

BUREAU OF CRIMINAL IDENTIFICATION
HARRISBURG, PA.

May 5, 1934.

Memorandum:

The following information is quoted from Department of Justice, record letter dated April 27, 1934, their #302898.

Subject as Albert L. Sommers, # 1929-A, arrested July 10, 1930, by PD Port Arthur, Texas, crime special investigation, disposition not given.

Subject as Philip L. Sommers, # 9534, arrested August 11, 1930, by PD. Shreveport, La., crime investigation disposition not given; released.

Subject as Albert Phillips, # E-5504, arrested April 23, 1934, by Spol. Harrisburg, Pa., crime larceny, disposition not given.

Yours very truly

WILLIAM A. HOFFMAN, Director.

cc: File

PENNSYLVANIA STATE POLICE

BUREAU OF CRIMINAL IDENTIFICATION
HARRISBURG, PA.

May 23, 1934.

Mr. Heilman,
Auditor-General's Department,
Harrisburg, Pennsylvania.

Dear Sir:

The following is a copy of the record of John Ward #E-5625. as given Troop "E" State Police, Harrisburg, Pa., May 22, 1934:

"Subject as John Ward, # E-5626, arrested May 10, 1934, by State Police, Troop "E", Harrisburg, Pa., at Lebanon, Pa. crime, receiving stolen goods, disposition not given."

The following information is quoted from Department of Justice record letter dated May 17, 1934, their #787781:

"Subject as John Dombrawski , Jr., # 33343, received March 17, 1926, St. Ref. Elmira, N. Y. crime, forgery—"ND, sentence 10 years."

Notations on Department of Justice record sheet:

"Perth Amboy, N. J. 1923, disorderly conduct; sentence suspended.

"Perth Amboy, N. J., 1924, disorderly conduct, leave town.

"Perth Amboy, N. J., 1925, impersonating officer, workhouse, 280 days."

The following information is quoted from record letter from Police Department of the City of New York, N. Y.

"Subject as John Dombrawski, (1925), Perth Amboy, N. J., impersonating officer, sentenced to 280 days workhouse."

Yours very truly

scs. (Signed) CHARLES KUNZ, Supervisor.

CC: File

The following is a photostat of an I. O. U. given and signed by Major Kelly, then in charge of Transient Camp, as money due the Canteen Fund of the Camp.

In a statement given by Major Kelly under oath he stated that he never borrowed from the Canteen Fund.

COPY OF EXHIBIT

"I. O. U. ELLSWORTH TO CANTEEN AMOUNT OF $29.05"

S. S. MERCY

Another shelter which reeked with bad management and severe criticism was the S. S. Mercy, a hospital ship of the United States Navy during the World War and leased to the Emergency Relief Board to be used as an additional shelter for transients in Philadelphia. This ship was anchored at Girard Point and housed about 300 men. It was under the direct supervision of Captain Thomas W. Rudderow, a retired naval officer. Another retired naval man, Mr. Ernest Maisel, was appointed supply officer of the ship by the Captain. He was in charge of the commissary and the canteen. The canteen was established some time during March of 1934, on the following basis and for the following purpose:

Supplies were bought and paid for through requisitions approved by the Emergency Relief Board and paid under State warrants. These supplies consisted of cigars, cigarettes, tobaccoes, candies and other confections and other novelties. At the inception of the canteen, clients were given a gratuitous allowance of $3.00 per month. Each client was provided with a card and when purchases were made the canteen officer would punch the amount on the card. In other words, the daily allowance on these cards was about 10c. This system was replaced on or about June 1, 1934, with a cash allowance in which the clients were given outright money. It was contemplated that the money received from the sale of canteen supplies should be deposited in a revolving fund and used to replace the depleted stock. The Emergency Relief Board had designated that when $200.00 had been deposited, this amount should be transmitted to Harrisburg, but no transmittals ever were made. Responsible officers in charge of the canteen were manipulating these funds and accordingly arrests were made and the officers in charge received a jail sentence of one year plus costs of trial. The shortage determined was estimated at about $6000.00 abstracted from the Canteen Fund.

This "Mercy" ship was merely a tramp haven. We have been informed that these men refused to do any work whatsoever. We cite one instance when refueling was necessary for the ship, the local authorities employed stevedores to unload the coal, as the transients positively refused to do any labor around the ship. Your Committee has felt in light of this survey that these transients being composed of a restless, shiftless group of men, have been entertained and provided with not only the necessities of life but luxuries of which the average taxpayer could not afford to avail himself. This cash allowance is now being paid from the General Fund appropriations, that is, the taxpayer of Pennsylvania is contributing to this group of ungrateful individuals. The total amount expended for twenty months to operate this ship was $167,016.51. A detailed summary of these expenditures is herewith submitted.

To maintain this group of men, the average cost per month was between $25.00 and $30.00.

S. S. MERCY

EXPENDITURES

February 1934 through October 26, 1935

DIRECT RELIEF*

Cash Gratuity	$22,317.42
Canteen Supplies	6,238.49
Farm Project	1,328.91
Food	41,820.96
	$71,705.78

OTHER DISBURSEMENTS

Equipment	$14,009.98
Maintenance and Repairs	28,664.13
Medical	1,593.00
Personnel	47.10
Recreation and Education	483.14
Transportation—Clients	50.25
Salaries and Wages	23,217.24
Heat, Light, Power and Water	12,525.14
Laundry and Cleaning	655.95
	$73,245.93

ADMINISTRATIVE

Salaries	$4,605.48
Postage	62.78
Stationery and Supplies	2,045.41
Telephone and Telegraph	764.61
Traveling Expenses—Staff	3,803.84
	$11,282.12
Reconditioning	$6,962.68
Towing to Navy Yard	60.00
Decommissioning	3,760.00
	$10,782.68
GRAND TOTAL	$167,016.51

* Clothing issued from Philadelphia Emergency Relief Administration Warehouse on "No Charge" basis.

Transient Bureau Advertised for Guests.—Exhibited in our report is a copy of a large size poster, size 14 x 22. These posters were displayed prominently in all railroad stations, trolley stations and other places where "homeless men" might congregate. The announcement of this poster extended an invitation to these wayfarers to avail themselves of the comfortable quarters provided by the Transient Bureau.

(Copy)

FEDERAL EMERGENCY RELIEF ADMINISTRATION
1734 New York Avenue
Washington, D. C.

NOTICE TO NON-RESIDENTS

Beginning January 1, 1934, the railways of the country will impose rigid restrictions upon the use of their properties for free transportation.

The following offices have been set up by the Transient Bureau of the State Emergency Relief Board to provide necessary care for the non-residents within this state. Please apply to these offices or any County Relief Administrator for information regarding the services available.

Name of Bureau	Address	City
Allegheny Co. Transient Bureau,	211 Wood St.,	Pittsburgh, Pa.
Berks Co. Transient Bureau,	Old City Hall,	Reading, Pa.
Blair Co. Transient Bureau,	6th Ave. and 3rd St.,	Altoona, Pa.
Bradford Co. Transient Bureau,	Court House,	Towanda, Pa.
Chester Co. Transient Bureau,	1127 Olive St.,	Coatesville, Pa.
Dauphin Co. Transient Bureau,	Reily and Wallace Sts.,	Harrisburg, Pa.
Delaware Co. Transient Bureau,		Lima, Pa.
Erie Co. Transient Bureau,	Mulligan Hall,	Erie, Pa.
Lackawanna Co. Central Reg. Bureau,	341 N. Washington St.,	Scranton, Pa.
Lancaster Co. Transient Bureau,	144 S. Queen St.,	Lancaster, Pa.
Lehigh Co. Transit Bureau,	411 Walnut St.,	Allentown, Pa.
Luzerne Co. Reg. Bureau,	46 N. Washington St.,	Wilkes-Barre, Pa.
Lycoming Co. Transient Bureau,	Armory,	Williamsport, Pa.
Mifflin Co. Transient Bureau,	123 Valley St.,	Lewistown, Pa.
Phila. Co. Transient Bureau,	1433 Vine St.,	Phila., Pa.
Warren Co. Transient Bureau,	Warren Co. Relief Board,	Warren, Pa.
Westmoreland Co. Transient Bureau,	N. Main St.,	Greensburg, Pa.

J. LAWRENCE SOLLY, Transient Director,
Commonwealth of Pennsylvania,
State Emergency Relief Board.

BUDGET DEFICIENCY PLAN

We will endeavor to present a digest of the Budgetary Deficiency plan of the State Emergency Relief Board, in operation.

We quote an extract from a compilation entitled "The Development of Relief Standards by the State Emergency Relief Administration." The present relief standards of the State Emergency Relief Administration are the result of thirty months of constant progress towards more nearly adequate provision for the needs of the unemployed." The following policies were stated by the State Emergency Relief Administration in September, 1932: "All relief shall be distributed on the sole basis of actual need, to persons who have been residents in Pennsylvania for one year, regardless of race, color, religion, citizenship, or politics, No relief shall be given to any person who has been offered work that he or she can do and has refused to do. All funds received must be expended solely for food orders, work relief or other forms of actual relief. Every able-bodied man will, if and when possible, be offered as much work a month on a maintenance project in his locality as will compensate for relief supplied to him and his family on the basis of their estimated need."

At the institution of State relief, it was believed by the State Board that the localities would be able to provide forms of relief, in addition to the food which was originally supplied by the State, However, demands for relief other than food became so great that the relief system was extended to include practically every essential necessary for the maintenance of the individual and his home.

In November, 1934, a budgetary standard of living was established. These standards were prepared with the collaboration of physicians, dieticians, economists, nurses and other professionals. Elaborate tables have been prepared and are in use for the establishment of relief claims. These tables are too voluminous to include in our report, but we will endeavor to give a synopsis or outline of the salient facts.

In the following outline we show the development or the acquisition of necessities in chronological order, which began with food in September, 1932. In October 1932, milk an dfuel were added. In February, 1933, shoes were added to this list. In March, 1933, thrift gardens were developed. In April, 1933, medical relief was instituted. In December, 1933, they added clothing to the list. In April, 1934 shelter was included and in December, 1934, the item "public utilities" which covered gas and electricity was added to the list. The complete list shows food, fuel, shoes, thrift gardens, medical attention, clothing, shelters and electricity and gas. All of the items enumerated are issued on the basis of schedules prepared for that purpose.

The purpose of the rent relief program "is to provide dwellings that comply with legal standards of health and sanitation for families who are recipients of unemployment relief". Rents are granted to families on the following basis—by paying to the landlords as rent relief the current real estate taxes and an additional sum to cover, in the average case, water rent and fire insurance costs, Where more than one family on relief resides in a building, the rent relief paid to the landlord is pro rated. Persons owning their homes may receive a rent relief grant based upon the foregoing basis.

An elaborate schedule has been worked out setting forth the basis for Adjustment of Incomes. If a relief client is employed in private industry or on Federal programs and does not earn sufficient to meet the standard prescribed by the State Emergency Relief Board, he receives a check for the unearned difference. For example:

If, according to the schedule, this client's budgetary allowance was set at $17.75 per week, and through his employment only earned $10.00, he would receive a check for approximately $6.00.

Allowances are made for lunches, car fare, etc., and according to a statement of expenditures compiled by the S. E. R. B. the amount for miscellaneous items from the period September, 1932, to November, 1935 for this item was $417,198.65.

In March, 1933, the Thrift Garden Program was instituted. From March, 1933, to November, 1935, the sum expended for this program was $1,012,238.99.

Medical attention has been extensively developed. The Operating Manual makes provision for practically all medical requirements including dental services.

There was a noticeable increase in the total monthly expenditures following the institution of the Budgetary Deficiency plan, the total expenditure for direct relief was $13,043,569.97. For December the amount was $16,949,261.09. For January, 1935, the amount was $24,627,548.62. There was an appreciable increase in the number of cases, Therefore, these increases appear to be the result of the higher standards of living which had been prescribed by the State Emergency Relief Board and which required more funds to carry out.

There appears also to be a provision made to provide furniture for families on relief as set forth in "Schedule 6" of the Manual of the Relief Divisior. Section 7, Page 9.

CHRONOLOGY OF DIRECT RELIEF EXPANSION IN PENNSYLVANIA

BY TYPE—SEPTEMEBER, 1932—DECEMBER, 1935

SEPT.
1932 Food

OCT.
1932 Food—Fuel

FEB.
1933 Food—Fuel—Shoes

MAR.
1933 Food—Fuel—Shoes—Thrift Gardens

APR.
1933 Food—Fuel—Shoes—Thrift Gardens—Medical Relief

DEC.
1933 Food—Fuel—Shoes—Thrift Gardens—Medical Relief—Clothing

APR.
1934 Food—Fuel—Shoes—Thrift Gardens—Medical Relief—Clothing—Shelter

DEC.
1934 Food—Fuel—Shoes—Thrift Gardens—Medical Relief—Clothing—Shelter—Public Utilties

DEC.
1934 Allegheny County $ Cash Relief $ Philadelphia County

FEDERAL CIVIL WORKS ADMINISTRATION
SUMMARY OF EXPENDITURES BY COUNTIES FOR FEDERAL FUNDS AND LOCAL CONTRIBUTED FUNDS
PERIOD, NOVEMBER 23, 1933 TO MARCH 31, 1934

County	Federal C. W. A. Funds	Local Contributed Funds	Total
Adams	$120,563.01	$17,112.61	$137,675.62
Allegheny	4,419,915.52	.....	4,419,915.52
Armstrong	294,443.35	6,993.27	301,436.62
Beaver	768,496.23	.....	768,496.23
Bedford	195,125.81	554.26	195,680.07
Berks	1,052,437.34	192,849.03	1,255,286.87
Blair	585,291.36	163,849.03	749,140.39
Bradford	114,786.95	39,203.67	153,990.62
Bucks	289,344.66	155,990.66	445,335.32
Butler	291,694.10	44,470.51	336,164.61
Cambria	736,111.58	147,375.03	883,486.61
Cameron	9,082.25	4,097.51	13,179.76
Carbon	534,952.20	42,288.15	577,240.35
Centre	239,750.59	34,945.23	274,695.82
Chester	300,200.54	57,340.83	357,541.37
Clarion	140,301.32	29,662.49	169,963.81
Clearfield	467,988.56	78,370.68	546,359.24
Clinton	146,397.74	31,752.10	178,149.84
Columbia	229,410.78	22,809.35	252,220.13
Crawford	454,343.08	.....	454,343.08
Cumberland	270,741.96	35,060.02	305,801.98
Dauphin	353,800.18	33,490.15	387,290.33
Delaware	796,253.95	.....	796,253.95
Elk	157,990.02	18,780.06	176,770.08
Erie	752,769.67	91,170.31	843,939.98
Fayette	848,921.71	104,356.92	953,278.63
Forest	14,733.92	5,160.88	19,894.80
Franklin	285,007.51	89,475.86	374,483.37
Fulton	53,815.98	5,203.25	59,019.23
Greene	197,115.18	62,799.91	259,915.09
Huntingdon	197,850.19	.....	197,850.19
Indiana	248,160.63	33,921.47	282,082.10
Jefferson	228,199.38	18,007.34	246,206.72
Juniata	$14,741.49	$4,851.12	$19,592.61
Lackawanna	1,716,924.44	80,536.48	1,797,460.92
Lancaster	541,679.78	195,279.04	736,958.82
Lawrence	604,803.24	35,070.00	639,873.24
Lebanon	239,350.59	75,886.32	315,236.91
Lehigh	713,100.18	77,197.68	790,297.86
Luzerne	1,565,518.86	25,091.77	1,590,610.63
Lycoming	408,349.66	86,864.55	495,214.21
McKean	198,724.78	27,828.84	226,553.62
Mercer	1,082,153.68	.....	1,082,153.68
Mifflin	102,766.48	26,915.80	129,682.28
Monroe	234,726.83	52,487.72	287,214.55
Montgomery	734,470.76	206,635.36	941,106.12
Montour	144,280.88	29,537.18	173,818.06
Northampton	1,128,219.52	55,752.13	1,183,971.65
Northumberland	513,275.60	61,438.86	574,714.46
Perry	37,820.98	3,287.29	41,108.27
Philadelphia	2,847,733.08	385,272.49	3,233,005.57
Pike	42,520.28	.....	42,520.28
Potter	99,309.09	11,331.01	110,640.10
Schuylkill	981,439.34	70,216.40	1,051,655.74
Snyder	38,137.21	5,614.73	43,751.94
Somerset	582,667.08	30,649.89	613,316.97
Sullivan	19,480.04	772.71	20,252.75
Susquehanna	122,199.66	93,827.15	216,026.81
Tioga	54,538.32	18,825.34	73,363.66
Union	36,825.64	5,377.64	42,203.28
Venango	343,213.01	.....	343,213.01
Warren	147,304.77	45,025.29	192,330.06
Washington	515,151.34	49,078.38	564,229.72
Wayne	133,321.88	.....	133,321.88
Westmoreland	997,508.64	43,134.16	1,040,642.80
Wyoming	37,279.17	5,452.24	42,731.41
York	718,616.55	85,552.53	804,169.08
TOTALS	$33,504,150.60	$3,461,880.68	$36,966,031.28

FEDERAL CIVIL WORKS ADMINISTRATIONS OF PENNSYLVANIA ALLOCATIONS AND EXPENDITURES FOR STATE DEPARTMENTS

NOVEMBER 23, 1933 to MARCH 31, 1934

State Departments	Expenditures
Agriculture	$ 6,813.58
Fish	6,944.16
Forest and Waters	994,159.74
Game	149,119.66
Health	139,913.85
Highways	3,746,736.92
Internal Affairs	13,180.38
Labor and Industry	246,867.02
Military Affairs	102,205.57
Mines	36,252.52
Property and Supplies	65,777.64
Public Instruction	448,980.75
Revenue	21,230.26
State Emergency Relief Board	67,756.47
Welfare	937,662.66
Total	$ 6,983,601.18
Federal State-Wide Projects	2,488,649.62
Administration Expense	409,873.44
Social Survey, Re-employment Service, etc.	907,213.74
Total	$10,789,337.98

PAYROLL SUMMARY

CIVIL WORKS ADMINISTRATION PROGRAM—NOVEMBER 23, 1933 TO MARCH 31, 1934
WORKS DIVISION PROGRAM—APRIL 1, 1934 TO MAY 31, 1934

Week Ending	ADMINISTRATIVE No. of Employes	Earnings	Average Weekly Earnings	WORK PROJECTS No. of Employes	Earnings	Average Weekly Earnings
November 23	229	$3,326.81	$14.53	5,599	$49,263.79	$ 8.80
30	470	9,982.24	21.24	9,876	99,549.03	10.08
December 7	731	15,389.83	21.06	35,350	364,674.16	10.32
14	1,148	22,355.93	19.47	81,115	850,715.78	10.57
21	1,919	35,973.29	18.75	142,293	1,634,770.01	11.49
28	1,662	34,372.38	20.68	177,429	1,999,320.67	11.27
January 4	1,939	41,887.34	21.60	222,097	2,921,649.35	13.15
11	2,223	48,874.84	21.99	280,561	3,748,236.55	13.36
18	2,435	54,866.12	22.53	316,952	4,362,394.76	13.76
25	2,747	61,552.69	22.41	308,696	3,133,354.05	10.15
February 1	2,758	62,542.34	22.68	283,803	2,817,008.81	9.93
8	2,421	52,164.05	21.55	278,577	3,000,483.60	10.77
15	2,754	58,011.97	21.06	227,405	2,319,575.69	10.20
22	2,470	53,738.79	21.76	214,463	2,105,536.22	9.82
March 1	2,300	52,448.97	22.80	152,956	1,114,988.63	7.29
8	2,592	56,691.89	21.87	176,439	1,831,554.19	10.40
15	4,714	114,791.86	24.35	193,006	2,220,579.60	11.51
22	3,821	90,000.38	23.55	197,076	2,372,091.80	12.04
29	4,003	91,719.96	22.91	202,956	2,424,304.36	11.94
31	3,054	28,913.25	9.47	95,944	893,963.30	9.32
*April 5	2,150	32,551.95	15.14	48,872	380,637.00	7.79
12	2,641	53,368.20	20.21	81,157	1,081,776.13	13.08
19	2,979	59,297.78	19.91	97,209	1,282,534.20	13.19
26	3,665	68,307.48	18.64	104,183	1,391,923.32	13.36
May 3	4,522	77,381.34	17.11	74,457	623,853.75	8.38
10	4,678	88,563.21	18.93	37,850	740,103.67	12.79
17	3,995	73,146.92	18.31	73,991	964,635.18	13.04
24	5,414	106,710.47	19.71	76,686	1,019,012.70	13.29
31	4,920	98,227.32	19.96	72,722	860,826.70	12.94

*C. W. A. discontinued in lieu of Works Division of S.E.R.B.

FEDERAL EMERGENCY ADMINISTRATION OF PUBLIC WORKS
(Known as P. W. A.)
Harrisburg, Pennsylvania

PERIOD, SEPTEMBER 1933 TO APRIL 1, 1936

Total Estimated Cost of P. W. A. Projects	* $91,117,346.00
Total Contracts Awarded by P. W. A. Officials	84,818,203.00
Total Federal Contributions to above Projects	29,681,477.00
Total Bonds issued by Local Communities, participating in this type of Project	29,296,100.00
Total Cash Contributions by Local Communities, participating in this type of Project	32,139,769.00

* Of this amount, approximately $50,000,000.00 has been expended to April 1, 1936, $38,000,000.00 having been contributed in Cash and Bonds, given by Local Communities.

TOTAL NUMBER OF PROJECTS—339—

TYPES:	
Bridges	2
Disposal Plants	10
Buildings	3
Garages	2
Hospitals	4
Housing	3
Highway Constructing and Improvements	8
Market	1
Municipal Buildings and Improvements	29
Power Plants	5
Schools	230
Sewers	17
Waterworks	25

	1. Federal Grant	2. Applicants' Contributions	3. Applicants' Bonds	Total
N. I. R. A.	$11,255,550.00	$11,765,450.00	$26,768,600.00	$49,789,600.00
W. P. A.	18,425,927.00	20,374,319.00	2,527,500.00	41,327,746.00
	$29,681,477.00	$32,139,769.00	$29,295,100.00	$91,117,346.00

NOTE:
1. Grants by Federal Government.
2. Cash Contributions by Communities.
3. Bonds Issued by Local Communities.

Administrative Costs not included in above, but are paid Direct from Washington, D. C.

STATISTICAL

WORKS PROGRESS ADMINISTRATION

Total Amount of Disbursements from the inception of W. P. A. up to and including December 31, 1935	$26,690,927.48
Number of employes on the payroll over the same period	231,761
Number of persons from relief as of the same date	217,756

Total Disbursements—March 15, 1936	$62,867,816.34
Number of persons on time sheets, March 15, 1936	281,493
Number of relief persons on time sheets	263,714

WORKS PROGRESS ADMINISTRATION

Instituted in April of 1935, Congress set aside, at the request of the President, the sum of $4,880,000,000.00. The purpose of this program was to give employment to persons who were on relief and to thereby decrease the tremendous direct relief burden. Effective during July and August, 1935, Pennsylvania began operation of this program.

Eligibility for employment under the W. P. A. required that 90% of the employables must come from the relief rolls and 10% was permitted to be employed as skilled labor, etc. During the operation of the work relief program under the S. E. R. B., the average number of persons on work relief varied from 100,000 to 500,000 per month. The average number of persons on work relief from January to August of 1935 was approximately 250,000. A report from the W. P. A. office indicates that the number of persons on the W. P. A. payrolls who had

been transferred from the relief rolls as of December 31, 1935 was only 217,756. At May 15, 1936 this same classification of persons represented 263,714. The direct relief rolls have been reduced by approximately 225,000 from January 1 to March 28, 1936. Total payments for unemployment relief reflected no effect by reason of the W. P. A. program until February, 1936. The following summary is necessarily shown in proof of this statement:

TABLE SHOWING THE INCREASE IN RELIEF PAYMENTS FROM THE INAUGURATION OF THE W. P. A. PROGRAM—AS TAKEN FROM THE RECORDS OF THE FISCAL OFFICES

1935	
June	$18,340,325.26
July	17,382,840.39
August	15,516,161.58
September	14,475,128.16
October	16,090,841.51
November	11,963,200.23
December	11,809,620.72
1936	
January	$15,304,656.48
February	8,121,319.46
March	6,718,223.70

Employes under W. P. A. are required to wait considerable time before receiving their first pay check, consequently an arrangement has been effected between the officials of the S. E. R. B. and the W. P. A. administrator whereby employables transferred from S. E. R. B. relief rolls are continued as recipients of relief until such time as their pay checks arrive. A recent ruling has been set up specifying 21 days for this gratuity. By this co-ordinated plan duplication of payments is made and the recipient is not required to pay back the amount he received from the S. E. R. B., neither is there a deduction made from his pay check by the W. P. A. to refund this duplicated payment. It has been conservatively estimated that at least $10,000,000.00 has been expended by the S. E. R. B., for this plan of duplication. Accurate figures are not available at this time. The Budget Deficiency plan in operation in the S. E. R. B., is also responsible for considerable outlay from the direct relief funds. Employes under the W. P. A. who do not earn the amount prescribed by the standard set up known as "Budgetary Deficiency" are compensated for the difference or unearned allowance.

An item appears on a statement from the S. E. R. B. offices captioned "unearned payments" which shows a total of $5,171,332.04 for the period ended November, 1935.

During the course of our survey we picked 25 cases at random from the various districts in Area No. 7 that had been transferred from direct relief to W. P. A. projects. We show the following summary, the case number, the amount received on relief grants and the wages earned under W. P. A. It will be observed from this statement that any deficiency occurring wherein wages are less than grant the difference is met by the S. E. R. B. by payment of a check for unearned payments:

Case No.	Name	Address	D. R. Grant	W. P. A. Wages
11-1	Ernest Badman	Houtzdale	$24.70	$44.00
77-1	Morris Holden	Houtzdale	33.00	44.00
94-1	Walter Johnson	Houtzdale	31.60	44.00
114-1	Alfred Marien	Houtzdale	21.00	44.00
131-1	Patrick Sullivan	Houtzdale	20.00	44.00
6179-1	George Kassab	Houtzdale	69.40	44.00
10039-12	Clyde Fye	Morrisdale, R. D.	25.80	75c per hr.
5300-14	Geo. Hollingsworth	Irvona	36.00	50.00
5306-14	J. I. Ifert	Irvona	23.20	63.00
6737-15	Frank Edelblute	Utahville	37.60	44.00
6755-15	Oliver Dillon	Coalport	34.80	44.00
6828-15	Mary Caskey	Coalport	24.20	44.00
4103-18	Edward Burton	Philipsburg R. D.	27.00	44.00
4432-18	Enoch Perks, Sr.	Philipsburg R. D.	59.60	44.00
4690-18	Sarah Gibbons	Philipsburg R. D.	39.60	44.00
5033-23	Clair E. Reiter	Karthaus	39.60	40c per hr.
5078-23	Grover Moore	Karthaus	34.20	44.00
5093-23	Roy McGonigal	Karthaus	24.20	44.00
8256-24	John Picard	Frenchville	27.00	44.00
5131-23	C. C. Caldwell	Karthaus	41.00	40c per hr.
5199-23	David Dixon	Karthaus	35.80	40c per hr.
13378-25	Carl Welch	Frenchville	16.00	44.00
8093-25	Ray Wisor	Surveyor	48.80	44.00
5500-25	Murray Condon	LeContes Mills	33.60	44.00
8265-24	August C. Mulson	Frenchville, R. D.	25.20	

Cases transferred to W. P. A.

These grants indicate the amount of Direct Relief received each month.

The W. P. A. wages are based on a period of one month.

These twenty-five cases have been selected from the various districts throughout the area.

The W. P. A. does not appear to be functioning with as much rapidity as had been anticipated at its inception. Our survey has disclosed the following in a test of 2136 cases which were closed in one area. This area carried 7,136 cases, of which 34.83% were absorbed by private industry and 43.45% were taken under W. P. A. The remaining 21.72% were taken over through unclassified local poor authorities, other government aid, etc., channels. It was estimated at the rate the W. P. A. absorbed unemployment of this area, it would require at least a period of seven months. In another study during our survey we selected 225 cases registered with the National Reemployment Service. An examination of the records disclosed the following:

36 persons were called once
36 persons were called twice
9 persons were called three times
8 persons were called four times
1 person was called nine times

making a total of 90 persons being called for work out of the 225 cases registered.

Another study affecting approximately 40 men disclosed that these men had not received any pay for over four weeks. The average wage per man was approximately $8.00 per week. Pay checks had been delayed prior to the holiday season and the administrator had promised all men that their pay checks would be delivered for Christmas. Accordingly, the headquarters office was subjected to the taxing burden of endeavoring to get these pay checks out. Considerable comment was current at that time relative to the overworking of employes as numerous cases were represented as having collapsed at their work and it was necessary to send them to their homes in taxicabs.

We have evidence in our files of the **abuse of the franking privilege** of the W. P. A. administrator. Pay checks are mailed to the recipient and included in the same en-

velope was political propaganda and other literature intended to exploit the Democratic administration at Washington.

We have evidence in our files indicating wanton waste and extravagance. There appears to be a lack of organization, management and supervision. We have instances wherein employes were sent to work on projects and upon arrival there were no tools wherewith to work.

Among some of the approved projects under the W. P. A. program and for which this $4,880,000,000.00 is being spent, Pennsylvania has participated in the following:

Dancing lessons, sewing and knitting instruction, physical education, dramatic training, organization of baseball clubs, eradiction of gooseberry bush blister, etc.

TABLE OF MONTHLY EARNINGS BY COUNTIES OTHER THAN THOSE FOR BUILDING TRADES PER W. P. A. WAGE SCALE

County	Dist.	Largest Municipality	Population	Unskilled	Intermediate	Skilled	Prof. & Tech.
Adams	9	Gettysburg	5,584	48.40	55.00	63.00	69.00
Allegheny	15	Pittsburgh	669,817	60.50	71.50	85.00	94.00
Armstrong	13	Kittanning	7,808	48.40	55.00	63.00	69.00
Beaver	14	Aliquippa	89,755	57.20	66.00	75.00	83.00
Bedford	11	Bedford	2,953	44.00	49.50	55.00	61.00
Berks	7	Reading	111,171	60.50	71.50	85.00	94.00
Blair	11	Altoona	82,054	57.20	66.00	75.00	83.00
Bradford	8	Sayre	7,902	48.40	55.00	63.00	69.00
Bucks	4	Bristol	11,799	60.50	71.50	85.00	94.00
Butler	14	Butler	24,107	52.80	60.50	70.00	77.00
Cambria	11	Johnstown	66,993	57.20	66.00	75.00	83.00
Cameron	10	Emporium	2,929	44.00	49.50	55.00	61.00
Carbon	3	Lansford	9,632	57.20	66.00	75.00	83.00
Centre	10	Bellefonte	4,804	52.80	60.50	70.00	77.00
Chester	4	Coatesville	14,582	60.50	71.50	85.00	94.00
Clarion	12	Clarion	3,201	44.00	49.50	55.00	61.00
Clearfield	10	Du Bois	11,595	52.80	60.50	70.00	77.00
Clinton	10	Lock Haven	9,668	48.40	55.00	63.00	69.00
Columbia	8	Berwick	12,660	57.20	66.00	75.00	83.00
Crawford	12	Meadville	16,698	48.40	55.00	63.00	69.00
Cumberland	9	Carlisle	12,596	48.40	55.00	63.00	69.00
Dauphin	9	Harrisburg	113,544	60.50	71.50	85.00	94.00
Delaware	4	Chester	59,164	60.50	71.50	85.00	94.00
Elk	10	St. Marys	7,433	48.40	55.00	63.00	69.00
Erie	12	Erie	115,967	60.50	71.50	85.00	94.00
Fayette	16	Uniontown	19,544	52.80	60.50	70.00	77.00
Forest	12	Tionesta	670	44.00	49.50	55.00	61.00
Franklin	9	Chambersburg	13,788	48.40	55.00	63.00	69.00
Fulton	9	Mc Connellsburg	768	44.00	49.50	55.00	61.00
Greene	16	Waynesburg	4,915	44.00	49.50	55.00	61.00
Huntingdon	9	Huntingdon	7,558	48.40	55.00	63.00	69.00
Indiana	13	Indiana	9,569	48.40	55.00	63.00	69.00
Jefferson	10	Punxsutawney	9,266	48.40	55.00	63.00	69.00
Juniata	9	Mifflintown	1,027	44.00	49.50	55.00	61.00
Lackawanna	1	Scranton	143,433	60.50	71.50	85.00	94.00
Lancaster	7	Lancaster	59,949	57.20	66.00	75.00	83.00
Lawrence	14	New Castle	49,712	57.20	66.00	75.00	83.00
Lebanon	9	Lebanon	25,561	52.80	60.50	70.00	77.00
Lehigh	3	Allentown	92,563	60.50	71.50	85.00	94.00
Luzerne	2	Wilkes-Barre	115,319	60.50	71.50	85.00	94.00
Lycoming	8	Williamsport	58,497	57.20	66.00	75.00	83.00
McKean	10	Bradford	19,306	48.40	55.00	63.00	69.00
Mercer	14	Sharon	25,908	52.80	60.50	70.00	77.00
Mifflin	9	Lewistown	13,357	48.40	55.00	63.00	69.00
Monroe	3	E. Stroudsburg	6,099	48.40	55.00	63.00	69.00
Montgomery	4	Norristown	35,863	60.50	71.50	85.00	94.00
Montour	8	Danville	7,185	48.40	55.00	63.00	69.00
Northampton	3	Bethlehem	46,763	60.50	71.50	85.00	94.00
Northumb'l'nd	8	Shamokin	20,274	60.50	71.50	85.00	94.00
Perry	9	Marysville	1,922	44.00	49.50	55.00	61.00
Philadelphia	5	Philadelphia	1,950,961	60.50	71.50	85.00	94.00
Pike	1	Matamoras	1,784	44.00	49.50	55.00	61.00
Potter	10	Coudersport	2,740	44.00	49.50	55.00	61.00
Schuylkill	6	Pottsville	24,300	60.50	71.50	85.00	94.00
Snyder	8	Selinsgrove	2,797	44.00	49.50	55.00	61.00
Somerset	11	Windber	9,205	52.80	60.50	70.00	77.00
Sullivan	8	Dushore	715	44.00	49.50	55.00	61.00
Susquehanna	1	Forest City	5,209	48.40	55.00	63.00	69.00
Tioga	8	Wellsboro	3,643	44.00	49.50	55.00	61.00
Union	8	Lewisburg	3,308	44.00	49.50	55.00	61.00
Venango	12	Oil City	22,075	48.40	55.00	63.00	69.00
Warren	12	Warren	14,863	48.40	55.00	63.00	69.00
Washington	16	Washington	26,404	52.80	60.50	70.00	77.00
Wayne	1	Honesdale	5,490	48.40	55.00	63.00	69.00
Westmoreland	12	Monessen	20,268	52.80	60.50	70.00	77.00
Wyoming	1	Tunkhannock	1,973	48.40	55.00	63.00	69.00
York	7	York	55,254	57.20	66.00	75.00	83.00

STATEMENT SHOWING AMOUNT OF FUNDS SPENT FOR OUT-DOOR RELIEF BY COUNTY POOR BOARDS, BY UNIT COUNTIES, FROM SEPTEMBER, 1932 TO MAY 31, 1935

		9-1-32 to 12-31-32	1-1-33 to 12-31-33	1-1-34 to 12-31-34	1-1-35 to 5-31-35	Total
1.	Adams	$18,574.50	$13,785.13	$ 5,620.00	$ 2,864.00	$40,843.63
2.	Allegheny	367,412.02	852,772.41	380,173.60	110,037.16	1,710,395.19
3.	Armstrong	13,423.53	33,085.52	30,119.85	13,399.46	90,028.36
4.	Beaver	54 012 00	159,026.00	162,037.27	169,789.62	544,864.89
5.	*Bedford	.....	.....	.....	.....	.....
6.	Berks	333 454.61	417,573.41	175,049.64	64,599.93	990,677.59
7.	Blair	35,333 33	140,106.12	90,717.55	39,779.15	305,936.15
8.	Bradford	39,361.89	107,212.56	109,363.91	59,718.69	316,157.05
9.	Bucks	150.00	300.00	200.00	500.00	1,150.00
10.	Butler	6,929.00	60,513.85	41,953.09	52,940.74	162,336.68
11.	*Cambria	.....	.....	.....	.....	.....
12.	Chester	885.04	3,802.55	31,903.46	13,715.46	50,306.51
13.	*Clarion	.....	.....	.....	.....	.....
14.	Clearfield	30 478 50	17,188.22	32,979.14	14,205.33	94,851.19
15.	Clinton	14 756 98	32,237.84	32,745.40	13,868.37	93,608.59
16.	Crawford	5 771 68	32,428.29	35,619.04	17,565.73	91,384.74
17.	*Cumberland	.....	.....	.....	.....	.....
18.	Dauphin	22,349.10	83,055.01	94,893.81	49,347.38	249,645.30
19.	Delaware	47,846.03	189,112.12	280,746.61	120,393.18	638,097.94
20.	Elk	29,093.22	37,710.77	40,256.61	14,510.00	121,570.60
21.	Erie	112,160.57	487,248.43	89,042.15	41,678.89	730,130.04
22.	*Fayette	.....	.....	.....	.....	.....
23.	Forest	969 99	2,158.43	1,951.98	1,078.61	6,159.01
24.	Franklin	37,398.32	65,285.99	62,469.46	27,571.54	192,725.31
25.	Greene	not available		32,000.00	34,000.00	66,000.00
26.	*Huntingdon	.....	.....	.....	.....	.....
27.	Indiana	22 604.37	9,258.26	30,411.75	8,764.36	71,038.74
28.	*Jefferson	.....	.....	.....	.....	.....

* Did not reply to request.

STATEMENT SHOWING AMOUNT OF FUNDS SPENT FOR OUT-DOOR RELIEF
BY COUNTY POOR BOARDS, BY UNIT COUNTIES, FROM SEPTEMBER, 1932 TO MAY 31, 1935 (Continued)

		9-1-32 to 12-31-32	1-1-33 to 12-31-33	1-1-34 to 12-31-34	1-1-35 to 5-31-35	Total
29.	Lancaster	$2,289.00	$8,098.81	$8,868.46	$6,019.77	$25,276.04
30.	Lawrence	51,390.21	123,091.19	110,261.96	59,198.59	343,941.95
31.	Lebanon	.....	.....	.....	.....	.....
32.	Lehigh	89,059.52	157,655.93	164,540.36	99,942.62	511,198.43
33.	McKean	12,755.28	65,961.30	64,060.33	30,867.23	173,644.14
34.	Mercer	54,438.96	196,512.20	122,860.64	80,501.31	454,313.10
35.	Mifflin	7,296.67	18,214.48	34,339.57	42,098.29	101,949.01
36.	*Monroe	.....	.....	.....	.....	.....
37.	Montgomery	24,527.71	77,647.02	92,004.76	106,221.24	300,400.73
38.	Northampton	133 467.62	241,076.39	172,729.02	114,338.21	661,611.24
39.	Perry	4,933.52	4,583.66	6,557.62	2,196.21	18,271.01
40.	*Pike	.....	.....	.....	.....	.....
41.	Potter	5,555.50	6,183.27	8,388.93	4,605.50	24,733.20
42.	Schuylkill	124,610.91	119,819.75	106,456.75	104,043.72	454,931.13
43.	Somerset	49,380.53	52,633.32	49,614.08	21,999.43	173,627.36
44.	*Sullivan	.....	.....	.....	.....	.....
45	*Tioga	.....	.....	.....	.....	.....
46.	Venango	1,945.65	10,178.33	9,304.56	4,236.35	25,664.89
47.	Warren	13,738.20	22,665.93	29,331.05	16,736.95	82,472.13
48.	Washington	31,190.51	87,736.12	86,064.39	43,620.60	248,611.62
49.	Westmoreland	9,243.69	24,050.26	50,078.05	30,912.91	114,284.91
50.	Wyoming	10,200.00	26,245.15	31,749.53	16,576.14	84,770.82
51.	York	38,407.41	117,214.01	92,207.83	33,442.63	281,271.88
		1,857,895.57	4,103,428.03	2,999,672.21	1,687,885.29	10,648,881.10

NOTE: * Did not reply to request.
Beaver, Mifflin and Schuylkill Counties supplied figures for the full year of 1935.

TOTAL LOCAL TAX FUNDS SPENT FOR OUT-DOOR RELIEF TOWNSHIP AND BOROUGH DISTRICTS

	9-1-32 to 12-31-32	1-1-33 to 12-31-33	1-1-34 to 12-31-34	1-1-35 to 5-31-35	Total
CAMERON COUNTY					
Lumber Twp.	.....	.....	.....	$354.95	$354.95
Shippen Twp.	$1,493.75	$2,821.63	$2,935.11	1,391.80	8.642.29
Five districts not reported					
CARBON COUNTY					
Bowmantown Boro.	.....	.....	.....	.....	.....
Kidder Twp.	.....	.....	.....	.....	.....
Lehighton Boro.	425.00	1,058.00	1,955.98	842.00	4,280.98
Middle Coal Field	19,685.85	36,101.31	49,704.67	24,151.13	129,642.96
Packer Twp.	833.90	908.90	.....	.....	1,741.80
Palmerton Boro.	13,788.66	12,916.05	17,809.73	14,926.60	59,421.04
Parryville Boro.	300.00	424.50	360.00	494.00	1,588.50
Towamensing Twp.	.....	.....	.....	.....	.....
Seven districts not reported					
CENTRE COUNTY					
Bellefonte Boro.	3,457.91	7,704.53	5,450.18	1,222.56	17,835.18
Beggs Twp.	582.82	310.96	167.28	870.00	1,931.05
Centre Hall Boro.	83.70	365.11	353.61	175.22	977.64
College Twp.	554.41	2,293.01	2,302.11	1,117.51	5,767.04
Howard Twp.	39.97	.....	.....	48.22	88.19
Liberty Twp.	1,800.00	3,500.00	2,310.50	1,050.00	8,660.50
Marion Twp.	.....	.....	.....	.....	.....
Miles Twp.	.....	.....	.....	.....	.....
Penn Twp.	.....	.....	.....	.....	.....
Phillipsburg Boro.	1,645.12	6,078.37	6,445.84	5,167.56	19,336.89
Potter Twp.	.....	.....	.....	.....	.....
State College Boro.	.....	.....	.....	.....	.....
Unionville Boro.	.....	.....	.....	.....	.....
Walker Twp.	1,270.00	2,844.73	3,807.43	1,277.20	9,199.36
Worth Twp.	.....	.....	.....	.....	.....
All districts reported					
COLUMBIA COUNTY					
Beaver Twp.	533.83	948.59	1,408.11	602.45	3,492.96
Benton Boro.	298.23	139.16	.....	.....	437.39
Berwick Boro.	13,452.92	45,383.63	45,455.04	16,854.34	121,145.93
Bloom Poor Dist.	5,391.69	17,361.37	16,553.30	8,280.92	47,587.28
Briar Creek Twp.	292.34	1,907.79	1,939.35	533.04	7,372.52
Catawissa Boro.	.....	.....	.....	.....	.....
Cleveland Twp.	256.18	612.92	470.55	381.37	1,721.02
Franklin Twp.	1.77	424	15.07	1.98	23.06
Hemlock Twp.	453.10	1,022.76	925.55	211.71	2,613.12
Main Twp.	863.26	1,075.67	1,059.28	901.24	3,899.45
Mount Pleasant Twp.	142.06	456.96	287.68	892.83	1,779.53
Orangeville Boro.	.....	.....	.....	.....	.....
Pine Twp.	334.00	1,018.41	973.39	296.65	2,586.45
Stillwater Boro.	.....	.....	37.00	53.03	140.03
Thirteen districts not reported					

TOTAL LOCAL TAX FUNDS SPENT FOR OUT-DOOR RELIEF TOWNSHIP AND BOROUGH DISTRICTS (Continued)

	9-1-32 to 12-31-32	1-1-33 to 12-31-33	1-1-34 to 12-31-34	1-1-35 to 5-31-35	Total
FULTON COUNTY					
Bethel Twp.	.....	.....	.....	.....	.....
McConnellsburg Boro.	$120.00	$400.00	$425.00	$100.00	$1,045.00
Taylor Twp.	193.89	166.00	284.23	148.12	792.24
Union Twp.	.....	.....	.....	.....	.....
Eight districts not reported.					
JUNIATA COUNTY					
Mifflintown Boro.	548.99	2,537.95	2,302.11	643.02	6,032.07
Milford Twp.	.....	.....	.....	.....	.....
Susquehanna Twp.	249.64	897.38	897.38	281.56	2,325.96
Thompsontown Boro.	.....	.....	.....	27.50	27.50
Turbott Twp.	253.44	994.54	1,156.57	1,027.06	3,431.61
Walker Twp.	.....	.....	.....	.....	.....
Eleven districts not reported					
LACKAWANNA COUNTY					
Covington Twp.	81.48	538.58	447.76	217.88	1,285.70
Elmhurst Boro.	111.92	642.27	93.58	5.00	852.77
Fell Twp.	.....	.....	.....	.....	.....
Lake-View Poor Dist.	459.70	1,399.70	5,992.41	4,308.24	12,160.05
LaPlume Boro.	.....	.....	.....	.....	.....
Madison Twp.	.....	.....	.....	.....	.....
Scranton City Poor Dist.	49,331.20	111,364.92	143,218.76	52,926.95	356,841.83
Spring Brook Twp.	.....	.....	.....	.....	.....
Vandling Boro.	324.00	746.13	632.03	515.75	2,217.91
Twelve Districts not reported					
LUZERNE COUNTY					
Bear Creek Twp.	1,190.16	1,309.33	1,434.22	2,163.02	6,096.73
Butler Twp.	224.48	.....	.....	.....	224.48
Conyngham Twp.	2,487.56	6,901.67	5,259.51	1,958.50	16,607.24
Conyngham Boro.	.....	.....	.....	.....	.....
Dallas Boro.	567.08	780.41	547.02	599.56	2,494.07
Dennison Twp.	201.00	1,156.27	1,301.04	642.10	2,300.41
Dorrance Twp.	.....	.....	.....	.....	.....
Fairmount Twp.	690.62	1,988.65	837.11	287.79	3,804.17
Fairview Twp.	.....	295.83	35.15	234.17	565.15
Jackson Twp.	.....	.....	.....	.....	.....
Jackson Twp.	.....	.....	.....	.....	.....
Lake Twp.	793.90	3,533.06	5,071.12	1,666.83	11,064.91
Lehman Twp.	343.82	1,648.97	938.32	536.00	3,467.11
Nescopeck Twp.	.....	.....	1,588.89	1,815.11	3,404.00
Nuangola Boro.	82.51	232.00	3.00	.....	317.51
Ross Twp.	.....	.....	.....	.....	.....
Salem Twp.	1,500.00	4,627.58	5,515.86	1,774.14	13,417.59
Shickshinny Boro.	.....	.....	.....	.....	.....
West Pittston Boro.	2,996.21	7,488.50	7,041.89	2,245.25	19,771.85
Central Poor Dist.	283,203.85	236,840.53	231,535.63	108,522.72	860,102.73
Sixteen districts not reported					
LYCOMING COUNTY					
Brady Twp.	430.00	1,321.14	168.46	398.06	2,319.66
Cummings Twp.	.....	.....	290.00	286.00	576.00
DuBoistown Boro.	817.75	542.87	1,067.34	200.00	3,495.93
Eldred Twp.	.....	161.86	58.83	153.88	374.57
Kepburn Twp.	.....	.....	.....	.....	.....
Jersey Shore Boro.	3,537.00	6,751.00	7,200.00	2,200.00	19,688.00
Jordan Twp.	.....	.....	.....	.....	.....
Lewis Twp.	.....	.....	.....	.....	.....
Lycoming Twp.	1.89	.....	.....	.....	1.89
McHenry Twp.	.....	.....	.....	.....	.....
Mill Creek Twp.	251.66	216.75	166.34	37.85	672.60
Montoursville Boro.	463.03	1,707.92	1,474.06	768.73	4,413.74
Muncy Twp.	251.16	94.77	883.40	265.00	1,994.33
Pine Twp.	68.34	273.38	324.15	247.50	913.37
Sallasdasburg Boro.	6.00	16.62	35.93	3.00	61.55
Watson Twp.	48.20	178.35	185.90	144.14	556.69
Thirty-six districts not reported					
MONTOUR COUNTY					
Derry Twp.	157.49	280.24	195.46	61.50	694.69
Liberty Twp.	93.25	111.54	161.50	104.50	470.79
Valley Twp.	99.05	145.55	126.50	33.00	404.10
West Hemlock Twp.	.....	.....	.....	.....	.....
Six Districts not reported					
NORTHUMBERLAND COUNTY					
Delaware Twp.	.....	.....	.....	.....	.....
East Chillisquaque Twp.	316.96	1,102.27	891.87	847.88	3,158.98
Herndon Boro.	13.41	44.23	75.67	68.53	201.84
Jackson Twp.	.....	.....	.....	.....	.....
Lewis Twp.	412.29	671.36	1,100.00	400.00	2,583.65
Little Mahanoy Twp.	125.00	435.00	500.00	250.00	1,310.00
Lower Mahanoy Twp.	.....	.....	.....	.....	.....
Marion Heights Boro.	927.78	2,898.30	1,313.82	1,439.76	6,579.66
Milton Boro.	.....	.....	.....	.....	.....

TOTAL LOCAL TAX FUNDS SPENT FOR OUT-DOOR RELIEF TOWNSHIP AND BOROUGH DISTRICTS (Continued)

	9-1-32 to 12-31-32	1-1-33 to 12-31-33	1-1-34 to 12-31-34	1-1-35 to 5-31-35	Total
Mt Carmel Twp.	.....	.....	.....	.....	.....
Northumberland Boro.	$2,805.12	$3,506.40	$3,246.60	$1,173.00	$10,726.12
Shamokin Twp.	306.01	1,798.64	1,755.94	2,257.45	6,108.04
Snydertown Boro.	46.00	348.00	622.49	90.30	1,106.79
Sunbury City	4,593.04	12,584.21	9,078.03	2,360.82	28,614.10
Upper Mahanoy Twp.	194.47	183.41	.....	.....	377.88
Watsontown Boro.	.....	.....	.....	.....	.....
West Chillisquaque Twp.	.....	.....	.....	.....	.....
West Cameron Twp.	234.62	684.85	1,030.89	957.18	2,907.64
Zerbe Twp.	1,817.12	10,497.24	7,369.47	1,511.13	21,194.96
Seventeen districts not reported					
PHILADELPHIA COUNTY					
Bristol Twp.	16,500.00	62,000.00	64,000.00	64,000.00	206,500.00
Roxborough	720.00	1,387.34	1,788.03	1,375.43	5,270.80
Five districts not reported					
SNYDER COUNTY					
Adams Twp.	.....	.....	.....	.....	.....
Freeburg Boro.	250.00	765.00	840.00	450.00	2,305.00
Middlecreek Twp.	.....	.....	45.00	25.00	70.00
Perry Twp.	725.11	1,104.16	1,330.38	260.15	3,419.80
Selinsgrove Boro.	.....	.....	9,556.65	8,943.91	18,500.56
Shamokin Dam Boro.	95.88	320.10	238.00	168.86	822.84
Spring Twp.	.....	.....	.....	.....	.....
Union Twp.	.....	.....	.....	.....	.....
Washington Twp.	.....	.....	.....	.....	.....
West Perry Twp.	.....	.....	.....	.....	.....
Ten Districts not reported					
SUSQUEHANNA COUNTY					
Apolacon Twp.	.....	.....	5.00	6.37	11.37
Auburn and Rush Twp.	386.28	330.55	1,037.54	1,430.39	3,184.76
Bridgewater Twp.	.....	.....	1,190.32	587.00	1,777.32
Brooklyn Twp.	515.49	2,223.84	2,000.39	1,642.46	6,382.18
Clifford Twp.	.....	.....	.....	.....	.....
Dimock Twp.	.....	.....	.....	.....	.....
Forest City Boro.	1,317.67	2,807.02	3,457.16	3,192.00	10,773.85
Franklin Twp.	.....	.....	.....	.....	.....
Friendsville Boro.	.....	.....	.....	.....	.....
Hallstead Boro.	.....	.....	.....	.....	.....
Harmoney Twp.	.....	.....	.....	.....	.....
Herrick Twp.	.....	.....	.....	.....	.....
Hop Bottom Boro.	558.61	1,071.62	1,121.32	1,411.13	4,162.68
Jackson Twp.	80.00	80.00	86.00	86.50	332.50
Lathrop Twp.	284.99	881.33	619.85	320.80	2,106.97
Lenox Twp.	.....	.....	.....	.....	.....
Liberty Twp.	.....	.....	.....	.....	.....
Montrose Boro.	.....	.....	.....	.....	.....
Middletown Twp.	.....	.....	.....	.....	.....
New Milford Boro.	.....	.....	.....	.....	.....
New Milford Twp.	.....	.....	.....	.....	.....
Silver Lake Twp.	.....	.....	.....	.....	.....
Susquehanna Depot and Oakland County Poor Dist.	93.13	745.83	1,733.62	1,203.81	3,776.39
Thompson Boro.	.....	.....	.....	.....	.....
Uniondale Boro	.....	.....	.....	.....	.....
Eleven districts not reported.					
UNION COUNTY					
West Buffalo Twp.	.....	.....	.....	3,683.68	3,683.68
White Deer Twp.	.....	.....	.....	.....	.....
Twelve districts not reported.					
WAYNE COUNTY					
Berlin Twp.	.....	.....	.....	.....	.....
Bethany Boro.	.....	.....	.....	.....	.....
Buckingham Twp.	.....	.....	.....	.....	.....
Damascus Twp.	.....	.....	.....	.....	.....
Dyberry Twp.	.....	.....	.....	.....	.....
Honesdale Boro. and Texas Twp. Poor Dist.	2,707.45	2,048.58	2,740.70	2,983.19	18,449.64
Lebanon Twp.	.....	.....	.....	.....	.....
Lehigh Twp.	.....	.....	.....	.....	.....
Mt. Pleasant Twp.	362.49	2,290.50	1,829.65	567.38	5,050.02
Oregon Twp.	2.07	45.28	.....	.....	47.35
Palmyra Twp.	113.88	.....	.....	.....	113.88
Preston Twp	.....	.....	.....	.....	.....
Salem Twp.	110.10	522.48	712.80	337.05	1,682.43
Sterling Twp.	248.39	119.41	119.11	128.10	615.01
16 Counties, representing 170 districts out of a total of 372 districts	457,004.10	659,647.81	694,043.73	373,807.01	2,213,464.30

The following were received, and should be added to the above, while typing this:

COLUMBIA					
Mifflinville					
Mifflin Twp.	.....	.....	982.75	695.50	1,678.25
LUZERNE COUNTY					
Jackson Twp.	.....	.....	.....	.....	.....

AVERAGE MONTHLY RELIEF GRANT PER FAMILY FROM DIRECTORS OF THE POOR FOR OUTDOOR RELIEF

MARCH 31, 1936

Blair County	$ 9.38	
Bucks County	20.00	
Cambria County	10.50	
Dauphin County	31.75	
Delaware County	20.85	
Lehigh County	32.50	
Mercer County	20.37	not including rents
Montgomery County	24.00	
Washington County	11.00	
Westmoreland County	12.08	
Bristol Township, Philadelphia Co.	16.00	
Scranton Poor District	17.31	
Central Poor District, Wilkes-Barre, Luzerne County	15.05	

TOTAL PAYMENTS FOR RELIEF IN PENNSYLVANIA FOR DIRECT RELIEF, WORK RELIEF AND AUXILIARY RELIEF PROGRAMS—TO APRIL, 1936

1.	S. E. R. B.—To June 1, 1935	$319,737,533.64
	S. E. R. B.—June 1, 1935 to April 1, 1936	138,794,945.25
	TOTAL—S. E. R. B.	$458,532,478.89
	Mothers' Assistance to June 1, 1935	5,206,342.62
	Mothers' Assistance, June 1, 1935 to April 1, 1936	1,660,915.48
2.	County Contributions	6,967,258.10
	Old Age Pensions—To June 1, 1935	1,974,934.25
	Blind Pensions—To June 1, 1935	1,135,229.76
*	Old Age and Blind Pensions—To June 1, 1935	10,444,372.88
	C. W. A.—To March 31, 1935—	
	Federal	44,293,483.53
	Local Contributions	3,461,880.68
3.	C. C. C.—To April 1, 1936—	
	Federal	77,652,000.00
	P. W. A.—To April 1, 1936—	
	Federal	29,681,477.00
	Local	61,435,889.00
4.	W. P. A.—To March 15, 1936—	
	Federal	62,867,816.34
5.	County Poor Boards—To May 31, 1935	12,864,023.65
	TOTAL	$778,278,087.23

1. S. E. R. B.—Period September 1, 1932 to May 31, 1935.
2. Counties match amounts contributed by State.
3. Contributions by Local Communities where Project was promoted.

4. Cash Contributions	$32,139,769.00
Local Bond Subscriptions	29,296,100.00
	$61,435,869.00

5 Only 39 Counties reported, out of 51 County Units, and out of 16 Counties or 372 Township Districts, only 170 reported.

June 1, 1936, General Fund Appropriation combines payments to Old Age Assistance and Blind Pensions.

NOTE: In addition to the foregoing, Organized Charities raised more than $100,000,000.00 during the period of our survey, exclusive of over $50,000,000.00 raised for Flood Relief in March, 1936.

Of the Total Expended for Relief Programs, 59% was spent for Direct Relief and Work Relief by the S. E. R. B.

MISCELLANEOUS COMMENTS AND REMARKS

A petition from the Agricultural Council of Pennsylvania Farm Organizations. During the preparation of this report, your Committee received the following petition:

"Since there is general complaint throughout the State from farmers, that they are unable to hire laborers for farm work. This situation appears to be so serious that consideration should be given to it by those in control of relief. There is something wrong when huge amounts are being spent for unemployment relief, yet farmers are unable to hire help. Therefore, the Agricultural Council of Pennsylvania Farm Organizations petitions the Pennsylvania Relief Administration to take notice of this situation at once. Agricultural Council of Pennsylvania Farm Organizations. April 23, 1936."

High Cost of Administration Contended Necessary to Economical Operation.—It is contended that in order to keep down operating costs, that administrative costs should be increased. It is noted that a number of employes on the administrative payroll have been dismissed. Nevertheless, this did not reduce the administrative payroll. The rank and file, or employes receiving low pay, have been dismissed, but those in the higher brackets have been retained. There does not appear to be any effort made to centralize various bureaus or subdivisions under these high-bracket officials.

Relation of Relief to W. P. A.—While W. P. A. is a Federal project, and handled by the Federal Government, there devolves upon the State the responsibility of caring for employes of the W. P. A. during the period they must wait for their first pay checks. Also the State assumes responsibility for the W. P. A. employe upon his dismissal or when he is unemployed on a Federal project.

Forecast for Relief of Unemployment—The following information was supplied by authorities in scientific research:

According to the 1930 census, there were approximately 3,722,000 gainful workers in Pennsylvania, distributed as follows:

2,918,000 Men
804,000 Women

or a ratio of four men to one woman. These gainful workers were distributed in industry according to the following:

Manufacturing	1,400,000
Agricultural	250,000
Mining	300,000
Transportation	325,000
Trades	450,000
Public and professional service	300,000
Domestic and personal service	330,000
Clerical	330,000
Miscellaneous	203,000

Considering the W. P. A. employe as being unemployed, there are about 900,000 unemployed in Pennsylvania at the present time. It is anticipated that this volume of unemployment will steadily increase within the next two years. Absorption of unemployment by industry will be less than the growth of industry. In the recovery period after a depression, increase of output of goods exceeds the number given jobs because of the rise in the number of full time hours of work per week, and the shifting of part-time workers to full time. Only during prosperity when many new businesses spring up, then the best absorption of labor takes place.

Distribution of the Total Payments for Relief.—The total payments for relief and relief programs for the period September 1, 1932 to March 31, 1936, was the amount of $775,430,825.52. This amount was distributed in the following manner:

(1)	Payments by the State (approximately 20% of the total)	$152,367,563.61
(2)	Payments by local communities (approximately 11% of the total)	84,729,031.43
(3)	Paid by the Federal Government (approximately 69% of the total)	538,334,230.48

FINAL REPORT OF LEGISLATIVE COMMITTEE TO INVESTIGATE EMERGENCY RELIEF IN NORTHAMPTON COUNTY

To the Honorable Speaker and Members of the House of Representatives of the Commonwealth of Pennsylvania:

The undersigned constitutes the Legislative Committee appointed to investigate the Emergency Relief Board and the various other relief agencies and conditions of the County of Northampton, respectively report as follows:

That your Committee has heretofore filed a preliminary report at the last regular Session of your Honorable Body, wherein it was stated that your Committee would subsequently submit a more detailed report at the next Special or Regular Session of your Honorable Body.

The report of the Committee on the various phases of relief work has been substantiated by the reports of other independent committees and bodies, and your Committee reiterates its position. As set forth in said preliminary report the Committee further respectfully recommends for the consideration of the Assembly the recommendations made in said preliminary report.

The one phase of the relief investigation which your Committee felt would require more detailed attention was that set forth in paragraph nine of the preliminary report, dealing with the cases of compulsory labor. There has been submitted to the Committee the names and addresses of the parties who performed this involuntary work, together with the amounts due them as shown by work slips in their possession. These cases total an amount of $30,703.36. In addition the names and addresses of parties who performed this work, but who have no work slips to show for it, are also included. The amounts owing to these parties can in all probability be checked through the records of the State Highway Department at Harrisburg. In addition your Committee is attaching to the original report the statements of various men performing this involuntary servitude, and in some cases the statements of the surviving wife. The exhibits attached to the original report bring most forcibly to the attention of your Honorable Body the fact that there is no matter which should be rectified more willingly and quickly by your Honorable Body than this condition of practical slavery that existed, and for which no recompense was made.

There is no question but that the State of Pennsylvania received the labor of these men and in return paid nothing. Your Committee feels certain that it is not the intention of this Commonwealth to deprive any of its citizens of their just dues and that the condition arose through a misunderstanding in the early years of relief administration.

Your Committee respectfully urges that appropriate legislation be passed by the Senate and by the House to compensate the men for the services they rendered to the State of Pennsylvania, and that this legislation be an amount sufficient to pay the sum of $30,703.36, as well as an additional sum to take care of those cases where the amounts are yet to be proven.

Respectfully submitted,

WILLIAM SINWELL
CHARLES B. COAKLEY
HENRY K. VAN SICKLE

STATE ROAD SLIPS OF BETHLEHEM AND VICINITY

Name	Address	City	Amount
A.			
Adamek, Robert	1450 Fifth St.	Bethlehem	$70.00
Augentis, Steve	1180 Railroad St.	Bethlehem	72.00
August, Daniel	R. D. 3	Easton	108.80
Andrews, John	R. D. 3	Easton	108.80
Ahlum, Vincent	219 Monroe St.	Bethlehem	16.00
Almond, Wm.		Northampton	lost slips
Almond, David		Northampton	lost slips
Akrenty, Pelko		Northampton	lost slips
August, Clinton	824 Wyndott St.	Bethlehem	48.40
B.			
Berkit, Wm.	R. D. 3	Easton	64.00
Brown, Warren	Box 86	Stockertown	lost slips
Berkenstock, Abr.	513 Carlton Ave.	Bethlehem	29.20
Boksan, John	1613 E. Fourth St.	Bethlehem	16.00
Bednark, Frank	807 Hays St.	Bethlehem	8.00
Bobyak, John	419 Atlantic St.	Bethlehem	79.00
Burda, George	733 Jackson St.	Bethlehem	102.00
Barron, Steve	741 E. Sixth St.	Bethlehem	127.60
Bracko, Frank	806 Carlton Ave.	Bethlehem	106.20
Balsai, Andrew	520 Atlantic St.	Bethlehem	88.60
Bauder, Steward	1426 Hottle Ave.	Bethlehem	120.00
Bokan, Philip	614 E. Fifth St.	Bethlehem	113.80
Buddock, Steve	1531 E. Ninth St.	Bethlehem	53.80
Boletz, Frank	610 Evens St.	Bethlehem	88.40
Borak, Paul	1212 Railroad St.	Bethlehem	32.00
Boker, Mike	1821 E. Fifth St.	Bethlehem	146.60
Bradzkowsky, Ludwig	1506 E. Seventh St.	Bethlehem	22.80
Bolnar, George	407 Stouman St.	Bethlehem	54.40
Bell, Charles	828 Evens St.	Bethlehem	no slips

STATE ROAD SLIPS OF BETHLEHEM AND VICINITY (Continued)

Name	Address	City	Amount
Bluder, Charles	1510 E. Seventh St.	Bethlehem	$17.60
Bolisky, John	913 Jennings St.	Bethlehem	51.00
Bonner, Harry	1516 E. Fifth St.	Bethlehem	2[illegible]4
Bryant, James	R. D. 1	Bethlehem	12.60
Balays, Lucas	61 Juniata St.	Freemansburg	36.00
Bauder, Charles	216 Hobert St.	Bethlehem	no slips
Bresnak, John	R. D. 3	Easton	6[illegible]
Banfi, Frank	R. D. 3	Easton	80.00
Bodzsar, David	1510 E. Mechanic St.	Bethlehem	7[illegible]
Becker, Edward	233 Diamond St.	Bethlehem	no slips
Boyle, Nick	219 Prospect Ave.	Bethlehem	70.60
Broso, Steve	901 Mechanic St.	Bethlehem	[illegible]
Badinas, Steve		Northampton	3[illegible]
Bachman, Ervin		Northampton	53.[illegible]
Bartok, James		Northampton	no slips
Bowman, Sam		Northampton	no slips
Bartholmew, S.		Northampton	no slips
Beilder, Charles		Northampton	no slips
Beilder, Frank		Northampton	no slips
Bendas, Julia	1624 E. Third St.	Bethlehem	73.60
Bartek, Joseph	1322 E. Sixth St.	Bethlehem	32.00
Bishop, John		Northampton	no slips
Brett, Thomas		Catasaqua	no slips
Brosa, Andrew		Northampton	1[illegible]
Bachmack, Peter		Northampton	4[illegible]
Bark, James	1110 Third St.	Catasaqua	no slips
Brant, John	R. D. 1	Hellertown	102.[illegible]
Barthole, Thomas	1118 Orchard St.	Bethlehem	no slips
Bacak, Paul	749 E. Sixth St.	Bethlehem	no slips
Bayar, Louis	1724 E. Front St.	Bethlehem	no slips
Bornack, Gustav	922 Hilton St.	Bethlehem	no slips
Bilder, Joe	710 Main St.	Northampton	no slips
Bednar, Mike	733 E. Sixth St.	Bethlehem	no slips
Bayek, Alex	427 Packer Ave.	Bethlehem	no slips
Bobkie, John	Leeki, 419	Bethlehem	no slips
Bacak, Joe	235 Diamond St.	Bethlehem	no slips
Brodinger, Francis		Stockertown	no slips
Bachnock, Peter	Northampton	Northampton	1[illegible]
Battista, Catalaneotto	823 Lawfer St.	Bethlehem	no slips
Brandinger, Francis		Stockertown	no slips
Barthole, Thomas	1118 Orchard St.	Bethlehem	no slips
Bajeck, Alex	427 Packer Ave.	Bethlehem	no slips
Biman, Peter			
Basile, Joseph	646 Hayes St.	Bethlehem	no slips

C.

Catbo, Rogue	612 E. Third St.	Bethlehem	no slips
Ceron, Antonia	223 E. Third St.	Bethlehem	no slips
Cloo, George	746 Lawfer St.	Bethlehem	63.00
Check, George	1473 E. Fifth St.	Bethlehem	133.40
Czipoth, Frank	708 E. Sixth St.	Bethlehem	101.[illegible]
Ciedlicak, John	604 Aaron St.	Bethlehem	137.60
Chrek, John	714 Lawfer St.	Bethlehem	37.[illegible]
Chaikiwsky, Mike	1537 E. Fourth St.	Bethlehem	81.80
Cuzko, Mike	1709 E. Third St.	Bethlehem	47.[illegible]
Carenko, Frank	202 Webster St.	Bethlehem	32.20
Clauser, Wm.	629 Christen St.	Bethlehem	128.30
Chuchla, John	324 Lawfer St.	Bethlehem	76.[illegible]
Carrodo, Sam	907 E. Mechanic St.	Bethlehem	134.30
Coleman, Joseph	1041 Mechanic St.	Bethlehem	117.80
Cruchanti, Andrew	1623 E. Third St.	Bethlehem	27.60
Chesmanch, Anton	918 Mechanic St.	Bethlehem	32.00
Curotola, Carrmelo	941 Lawfer St.	Bethlehem	168.20
Campanello, Mike	603 Hays St.	Bethlehem	34.40
Cananella, Auther	1210 Railroad St.	Bethlehem	4.00
Cuch, Carl	801 E. Third St.	Bethlehem	no slips
Cininos, Pasqual	213 Diamond St.	Bethlehem	30.00
Csargar, Steve	807½ E. Morton St.	Bethlehem	69.00
Chrek, John	1244 E. Fourth St.	Bethlehem	31.20
Catolmotto, Battisti	823 Lawfer St.	Bethlehem	83.20
Cammody, Patty	Steel City	Freemansburg	57.80
Carrow, Claton	248 W. Greenwich St.	Bethlehem	18.80
Cope Charles	R. D. 3	Easton	71.80
Chrek, Paul	R. D. 3	Easton	81.00
Cope, Roland	1418 Monocacy St.	Bethlehem	no slips
Cope, Walter	207 Ninth St.	Miller Heights	46.20
Cammeron, George		Northampton	44.80
Catbo, Ruge	612 E. Third St.	Bethlehem	no slips
Christman, Bert		Stockertown	no slips

STATE ROAD SLIPS OF BETHLEHEM AND VICINITY (Continued)

Name	Address	City	Amount
D.			
Dorner, Steve		Stockertown	$207.86
Daniels, Daniels	Prospect Heights	Bethlehem	no slips
Doker, Andrew	528 E. Fifth St.	Bethlehem	no slips
De Angelis, Joseph	726 Shield St.	Bethlehem	no slips
Doenofo, Dominick	1250 E. Sixth St.	Bethlehem	no slips
Docetski, Harry	1352 E. Sixth St.	Bethlehem	142.40
Danko, Steve	328 E. Second St.	Bethlehem	38.00
Doydnya, George	1808 E. Second St.	Bethlehem	121.40
Daniels, Walter	829 Evens St.	Bethlehem	no slips
Donahez, Steve	741 Lawfer St.	Bethlehem	no slips
Dwiael, Harold	57 E. Walnut St.	Bethlehem	no slips
Dennis, Earnest	1133½ Fortuna St.	Bethlehem	30.20
Dicondo, John	948 E. Fifth St.	Bethlehem	41.60
Dewart, Ray	R. D. 1	Bethlehem	34.00
Desalvator, Oriza	712 Wood St.	Bethlehem	no slips
Doward, John	822 Ridge St.	Bethlehem	no slips
Davis, Marzellas	642 Jisohke	Bethlehem	16.00
Daniels, John	209 W. Fairview St.	Bethlehem	46.80
Dzigleski, Adam	320½ Carbon St.	Bethlehem	203.20
Demoter, Louis	934 Morton St.	Bethlehem	33.20
Danna, Andrew	1401 Daley Ave.	Bethlehem	104.40
Dorney, Harry	1409 Monacacy St.	Bethlehem	23.60
Donches, Frank	919 E. Fourth St.	Bethlehem	61.60
Dockey, Frank	122 E. Second St.	Bethlehem	33.80
Donches, Frank	617 Lawfer Ave.	Bethlehem	33.20
Delgresso, Dominick	812 E. Fifth St.	Bethlehem	68.60
Dudash, Joe	R. D. 3	Easton	56.40
Demko, Jacob	R. D. 2	Northampton	67.40
Deckits, John		Northampton	46.60
Dillinger, Henry		Northampton	16.00
Decarlo, Tony	731 E. Seventh St.	Bethlehem	123.20
Dozer, Steve	528 E. Fifth St.	Bethlehem	no slips
Donchez, Wm.	741 Lawfer St.	Bethlehem	no slips
Danieals, Danieals	Prospect Heights	Bethlehem	no slips
Dabages, Daniel		Bethlehem	no slips
Davis, Fred	329 Evens St.	Bethlehem	no slips
Dozer, Andrew	528 E. Fifth St.	Bethlehem	117.40
E.			
Esar, John	864 Shield St.	Bethlehem	no slips
Ewiak, Paul	944 Sixth St.	Bethlehem	no slips
Eyaweay, Tony	1809 Mechanic St.	Bethlehem	no slips
Evens, Joseph	425 Packer Ave.	Bethlehem	159.00
Ebinger, Frank	1446 E. Fifth St.	Bethlehem	79.20
Evens, Robert	1714 Monocacy St.	Bethlehem	62.60
Evins,		Northampton	no slips
Elliott, Walter	R. D. 4	Bethlehem	no slips
F.			
Fye, Claude	8 W. Spruce St.	Bethlehem	no slips
Frish, John		Northampton	14 00
Fuher, Ralph	1516 N. New St.	Bethlehem	no slips
Fellas, Kalman	1203 Railroad St.	Bethlehem	no slips
Fusisco, Charles	1515 Columbia St.	Bethlehem	no slips
Leonard, Filisetti	1041 Mechanic St.	Bethlehem	no slips
Frangley, Clark		Pen Argle	no slips
Frey, Oliver	535 Mechanic St.	Bethlehem	no slips
Fry, Howard	418 Milton St.	Bethlehem	39 60
Fatzin, John	781 E. Sixth St.	Bethlehem	40.00
Flammer, Walter	210 Mechanic St.	Bethlehem	33.80
Fink, Wesley	50 W. Spruce	Bethlehem	33.60
Fowling, Harvey	715 Hamilton St.	Bethlehem	64 80
Frencin, John	227 Columbia St.	Bethlehem	56.40
Frey, Clerance	528 Mechanic St.	Bethlehem	no slips
Franeni, Luigi	421 Buchanan St.	Bethlehem	279.60
Furman, Theo	201 E. Third St.	Bethlehem	8.00
Felker, John	1251 E. Third St.	Bethlehem	66.40
Felker, Steve	1251 E. Third St.	Bethlehem	24.00
Fortney, Ward	812 E. Fourth St.	Bethlehem	97.80
Frey, William	227 Raspberry St.	Bethlehem	no slips
Ferenco, John		Northampton	20 00
Filcovich, John		Northampton	11 40
Forich, Joe		Northampton	14 00
Fota, Mike		Northampton	no slips
Ference, John		Northampton	no slips
Fuhr, John		Bethlehem	22.80

STATE ROAD SLIPS OF BETHLEHEM AND VICINITY (Continued)

Name	Address	City	Amount
G.			
Glass, Norman	1817 E. Second St.	Bethlehem	$42.80
Goch, John	807 Shield St.	Bethlehem	218.20
Grooge, Mike	601 Ridge St.	Bethlehem	33.80
Greenas, John	218 Adams St.	Bethlehem	66.40
Geringler, Frank	1011 Mechanic St.	Bethlehem	106.60
Grims, Leroy	934 Lawfer St.	Bethlehem	10.80
Gerzanich, Mike	1515 Columbia St.	Bethlehem	84.00
Grskovich, Frank	1805 E. Second St.	Bethlehem	29.00
Gomboy, Louis	1280 E. Third St.	Bethlehem	64.80
Gauche, Joseph	1288 E. Third St.	Bethlehem	104.00
Gal, John	2256 Main St.	Northampton	18.40
Gerget, Steve		Northampton	no slips
Gorsky, Alex		Northampton	no slips
Graff, Joseph		Northampton	48.20
Green, Alfret		Northampton	52.20
Geiger, Lincln		Northampton	17.60
Gyongya, George	1808 Second St.	Bethlehem	no slips
H.			
Horvath, Mike	New Port Ave.	Northampton	no slips
Harple, Wm.	176 Washington Ave.	Bethlehem	108.40
Hazdinzak, Steve	126 Mechanic St.	Bethlehem	151.40
Hahn, Walter	272 Green St.	Freemansburg	51.40
Horvath, Louis	167 E. Third St.	Bethlehem	57.80
Hertzog, Julius	237 Diamond St.	Bethlehem	71.80
Hazzyn, Steve	726 Evens St.	Bethlehem	58.40
Horvath, Frank	327 Mechanic St.	Bethlehem	61.40
Horvath, Joe	622 Williams St.	Bethlehem	151.80
Herzog, Louis	1537 E. Eighth St.	Bethlehem	26.40
Hermanovich, Sam	1459 E. Sixth St.	Bethlehem	62.80
Hein, Wm.	431 Vineyard St.	Bethlehem	24.60
Horvath, Frank	711 Morton St.	Bethlehem	103.20
Hirik, Alex	235 Diamond St.	Bethlehem	12.00
Hock, James	1014 Mechanic St.	Bethlehem	19.60
Hammersmith, Robert	719 Evens St.	Bethlehem	19.40
Huerta, George	724 Evens St.	Bethlehem	16.00
Hrin, Andrew	630 Atlantic St.	Bethlehem	121.80
Hrinok, Andrew	1632 Mechanic St.	Bethlehem	22.80
Heft, Wallace	R. D. 1	Hellertown	79.60
Heft, George	R. D. 1	Hellertown	58.00
Haldaman, Howard	Wilson St.	Freemansburg	53.80
Hinkle, Raymond	728 Pawnee St.	Bethlehem	no slips
Hoey, John	119 Mechanic St.	Bethlehem	16.00
Hazler, Anthony	512 Hays St.	Bethlehem	no slips
Hess, Loyd		Northampton	323.20
Halderman, Floyd		Northampton	no slips
Hutters, Frank		Northampton	no slips
Hrcaluk, Mettro		Northampton	no slips
Holota, John		Northampton	no slips
Horatenski, Micolay		Northampton	no slips
Heider, Harold		Northampton	no slips
Handler, John		Northampton	no slips
Holota, Andrew		Northampton	34.40
Hunsberger, Frank		Northampton	10.80
Harrath, Mike		Northampton	89.40
Heckman, John		Hellertown	42.00
Horvath, Julious	303 Harrison St.	Bethlehem	no slips
Hornachek, Tony	606 Columbia St.	Bethlehem	no slips
Hawk, J. Clinton		Northampton	no slips
J.			
Jayn, Ofrianko	1643 E. Third St.	Bethlehem	111.80
Janaesko, Philip	738 Atlantic St.	Bethlehem	149.00
Julian, Ceeser	221 Diamond St.	Bethlehem	78.00
Jacoby, Earl	1535 Second St.	Bethlehem	4.00
Jacoby, Howard	640½ Ontario St.	Bethlehem	16.00
Jenkins, Lee	R. D. 1	Hellertown	12.00
Jastzenski, Joseph	1491 John St.	Bethlehem	129.60
Johnson, Amboy		Northampton	36.00
Jurasits, Frank		Northampton	64.60
Jones, Ohen	1037 Wood St.	Bethlehem	no slips
K.			
Kuehl, Stanley		Stockertown	56.80
Klump, George		Stockertown	no slips
Kamenski, Joseph	503 Seventh St.	Bethlehem	no slips
Kerezzan, Charles	1709 Second St.	Bethlehem	24.00
Kuplin, Peter	518 Morton St.	Bethlehem	104.00

STATE ROAD SLIPS OF BETHLEHEM AND VICINITY (Continued)

Name	Address	City	Amount
Karzan, Mike	235 Diamond St.	Bethlehem	$12.00
Kovack, George	1475 Fifth St.	Bethlehem	38.20
Kucsan, Steve	803 Evens	Bethlehem	66.80
Kacmar, Joe	827 E. Sixth St.	Bethlehem	106.00
Kiawzyn, Sigmind	734 Ontario	Bethlehem	83.20
Kalman, Wm.	Box 75	Butztown	28.00
Kalman, Peter	422 Adams St.	Bethlehem	6.00
Kittak, Joe	703 Evens St.	Bethlehem	28.00
Krapez, Frank	622 Atlantic St.	Bethlehem	139.80
Konkolics, Joe	202 Webster St.	Bethlehem	13.00
Kapchuk, Louis	632 Ridge St.	Bethlehem	317.60
Klotz, Floyd	7 Princeton Ave.	Bethlehem	48.40
Klotz, Sam	9 Princeton Ave.	Bethlehem	14.40
Karpovich, Mike	1514 E. Fifth St.	Bethlehem	138.60
Kozoe, George	1619 E. Third St.	Bethlehem	50.00
Kohut, Metro	716 Shield St.	Bethlehem	134.20
Korbel, Max	615 Carlton Ave.	Bethlehem	19.20
Koller, Wm.		Northampton	50.20
Kobal, Alfret		Northampton	14.40
Kohler, Pearly		Northampton	47.80
Kovics, Joe		Northampton	47 80
Keiser, Edwin		Northampton	16.00
Krause, Steve		Northampton	no slips
Kulp, Franklin		Northampton	no slips
Kulp, R. J.		Northampton	no slips
Kembel, Elmer	15 W. Broad St.	Bethlehem	no slips
Kuplin, Nicklus	712 Lawfer Ave.	Bethlehem	10.60
Kludges, Steven	R. D. 3	Easton	66.80
Keller, George		Northampton	no slips
Keller, John		Northampton	no slips
Keller, Harold		Northampton	no slips
Kulp, Harry	1318 W. Third St.	Catasaqua	no slips
Kerenak, Martin	626 Atlantic St.	Bethlehem	88 00
Kuka, John	1603 Second St.	Bethlehem	126.40
Kozar, Louis	905 Mechanic St.	Bethlehem	67.60
Krawzzyk, Martin	1620 E. Third St.	Bethlehem	96.60
Kadar, Joe	1618 E. Second St.	Bethlehem	21.60
Kessler, Charles	R. D. 4	Bethlehem	41.20
Kuzraryk, Steve	541 Jackson St.	Bethlehem	no slips
Kokesky	723 Sixth St.	Bethlehem	no slips
Kametz, Joe	1618 E. Second St.	Bethlehem	25.60
Krilp, William	815 E. North St.	Bethlehem	35.60
Kosics, Joe	1224 Railroad St.	Bethlehem	48.20
Kuseryk, Steve	541 Jackson St.	Bethlehem	180.60
Kohut, John	625 Ridge St.	Bethlehem	72.00
Kolori, Steve	710 E. Sixth St.	Bethlehem	33.00
Kutto, John	938 Morton St.	Bethlehem	5.20
Kaminski, Joe	1502 Seventh St.	Bethlehem	19.20
Koso, George	1619 E. Third St.	Bethlehem	14.40
Kriski, Steve	1467 E. Sixth St.	Bethlehem	63.70
Koasck, Joseph	207 E. Packer Ave.	Bethlehem	186.00
Korpias, Joe	1231 E. Fourth St.	Bethlehem	36.00
Krot, Peter	1530 E. Second St.	Bethlehem	116.80
Krossipik, Simon	624 Atlantic St.	Bethlehem	16.00
[illegible]patrick, Joseph	130 E. Union	Bethlehem	152.80
Knubbssi, Thomas	41 Juniata St.	Freemansburg	no slips
Koons, Benjiman	420 Wall St.	Bethlehem	no slips
Krusymusky, Sam	1517 Columbia St.	Bethlehem	no slips
Kursue, Steve	1415 E. Eight St.	Bethlehem	no slips
Karpa, Mike	621 Aaron St.	Bethlehem	no slips
Karch, Edward	131 Elizabeth Ave.	Bethlehem	no slips
Kolvacs, Frank	915 Daley Ave.	Bethlehem	10.60

L

Lawson, Charles	832 Scott St.	Northampton	no slips
Leipensberger, Wm.	806 Wyndott St.	Bethlehem	47.40
Lakovick, Fraphyn	1512 Columbia St.	Bethlehem	76.20
Lausesek, John	630 E. Fifth St.	Bethlehem	226.80
Long, Ervin	114 W. Fairview St.	Bethlehem	15.20
Litonnak, Mike	1531 E. Nineth St.	Bethlehem	7.20
Laski, Eugene	R. F. D. 3	Easton	154.20
Leitole, Frank	1537 Columbia St.	Bethlehem	22.80
Litoinak, Mike	1531 E. Nineth St.	Bethlehem	8.00
Lokay, Jacob		Northampton	51.00
Leizer, Steven		Northampton	6.80
Liskanick, Metro		Northampton	21.00
Lieberman, Wm.		Stockertown	no slips

STATE ROAD SLIPS OF BETHLEHEM AND VICINITY (Continued)

Name	Address	City	Amount
	M		
Mish, Martin	834 Hays St.	Bethlehem	no slips
Marrian, Andrew	534 Selfridge St.	Bethlehem	no slips
Mollozi, Joe	720 Evens St.	Bethlehem	no slips
Manamick	Box 128	Freemansburg	no slips
Michaylorya, Charles	1537 E. Nineth St.	Bethlehem	no slips
Meixner, Frank	54 W. Spruce St.	Bethlehem	no slips
Molnar, Mike	1165 Fortney St.	Bethlehem	$66.50
Makosky, Andrew	1405 Eight St.	Bethlehem	60.00
Martin, Dan	409 Mechanic St.	Bethlehem	102.60
Mikeoleion, Mike	611 Aaron St.	Bethlehem	199.20
Melinski, Stan	622 Sherrer St.	Bethlehem	102.80
Morgenello, Joseph	320 E. Fifth St.	Bethlehem	165.30
Milhalko, Alex	1633 E. Second St.	Bethlehem	120.60
Morgenolla, Mike	810 E. Fifth St.	Bethlehem	50.20
McMurtrie	56 Clearfield St.	Freemansburg	12.00
Molnar, Alex	1035 Mechanic St.	Bethlehem	148.80
Marcinin, John	733 Jackson St.	Bethlehem	14.40
McChain, David	526 Mechanic St.	Bethlehem	no slips
Manaizeck, Mike	Box 128 Washington St.	Freemansburg	51.00
Mellinger, Frank	1039 Mechanic St.	Bethlehem	no slips
Mansin, Andrew	534 Selfridge St.	Bethlehem	52.60
Martin, George	534 Selfridge St.	Bethlehem	no slips
Mudor, Mike	1731 E. Second St.	Bethlehem	122.60
Misko, Alex	1254 E. Third St.	Bethlehem	115.80
Markovich, Valos	1450 E. Fifth St.	Bethlehem	32.00
Messick, Charles	428 Mechanic St.	Bethlehem	19.80
McClure, Charles	1221½ E. Second St.	Bethlehem	38.80
Millisics, Steve		Northampton	111.60
Millisics, Joseph		Northampton	7.20
Meyshatin, Peter		Northampton	36.90
Molehang, Steve		Northampton	14.00
Mizur, Paul		Northampton	141.40
Meyers, George	140 S. Front St.	Northampton	no slips
Miller, Edwin	6 Miller Ave.	Northampton	no slips
Michkos, Paul		Northampton	no slips
Mull, John		Northampton	no slips
Mensinger, Jerry		Northampton	no slips
Moll, Earl		Northampton	no slips
Marks, Urick		Northampton	no slips
McCarty, James	R. D. 3	Easton	no slips
Meeko, John	1121 Railroad St.	Catasaqua	no slips
Masilick, Mike	1616 E. 2d St.	Bethlehem	no slips
Magner, Dan	E. 5th St.	Bethlehem	no slips
Meisner, Frank	53 W. Spruce St.	Bethlehem	no slips
Mikulse, Mike	1800 E. 2d St.	Bethlehem	no slips
Mesics, Steven	919 E. 4th St.	Bethlehem	no slips
	N		
Nagy, Alex	1508 Mechanic St.	Bethlehem	70.00
Nemmeth, Joe	1250 E. Mechanic St.	Bethlehem	25.20
Nemmeth, Frank	31 Juniata St.	Freemansburg	100.20
Novack, Petter	1409 E. Eight St.	Bethlehem	16.20
Nimith, George		Northampton	no slips
Norik, John		Northampton	20.00
	O		
Olena, George	725 Lawfer Ave.	Bethlehem	22.40
Oley, Joe	622 E. Fifth St.	Bethlehem	33.80
	P		
Pastelyak, Andrew	1444 E. Fifth St.	Bethlehem	no slips
Philips, Frank	1418 E. Fifth St.	Bethlehem	186.80
Pagats, Mike	176 Seventh St., R. D. 3	Easton	75.60
Povlinski, Joe	620 Hays St.	Bethlehem	43.60
Poniktra, Alex	1503 E. Seventh St.	Bethlehem	74.20
Pristas, Mike	1542 Front St.	Bethlehem	30.40
Panoinski, John	636 Hays St.	Bethlehem	56.80
Pinter, Frank	1039 Mechanic St.	Bethlehem	129.30
Petosky, Stan	1800 E. Third St.	Bethlehem	105.40
Parenti, Patsy	1224 E. Third St.	Bethlehem	no slips
Pandiak, John	1630 E. Second St.	Bethlehem	107.30
Polzak, Balent	719 Lawfer St.	Bethlehem	51.80
Poehler, Otto	321 Lehigh Ave.	Bethlehem	no slips
Proding, Mike	538 Selfridge St.	Bethlehem	32.00
Polak, John	226 Diamond St.	Bethlehem	41.40
Petra, John	1811 E. Third St.	Bethlehem	46.60
Paine, Roy	R. D. 3	Easton	114.40
Perlon, Philip	1800 E. Second St.	Bethlehem	224.80

STATE ROAD SLIPS OF BETHLEHEM AND VICINITY (Continued)

Name	Address	City	Amount
	R		
Potak, Panko		Northampton	no slips
Pesavese, Cesare		Northampton	no slips
Pozzie, Paul		Northampton	no slips
Polesi, John		Northampton	$40.80
Palaski, Mike		Northampton	70.00
Puzak, Mike	1613 Fourth St.	Bethlehem	no slips
Pezzi, Frank	1208 Railroad St.	Bethlehem	no slips
Polak, John	226 Diamond St.	Bethlehem	no slips
Ranek, Harry	1514 E. Nineth St.	Bethlehem	62.00
Rowe, Russell	632 Ontario St.	Bethlehem	no slips
Rosko, Mike	1723 Mechanic St.	Bethlehem	44.80
Rice, Auther	913 Mechanic St.	Bethlehem	170.00
Ruggiero, Mike	224 Diamond St.	Bethlehem	266.00
Raub, Charles	R. D. 3	Easton	57.00
Remaley, Norman	442 Maple St.	Bethlehem	175.00
Ryan, Mike	1717 Columbia St.	Bethlehem	18.00
Ripok, Alex	416 Mechanic St.	Bethlehem	3.80
Rigolo, August	Steel City	Freemansburg	46.20
Rayseley, John	417 Buttonwood St.	Catasaqua	no slips
Reznich, Ancrew		Northampton	85.70
Raba, Frank		Northampton	no slips
Ravinszia, Pitro		Northampton	no slips
Rosier, Paul		Northampton	170.60
Reichardt, Ignatz	R. D. 3	Easton	4.00
Ranfy, Frank			no slips
	S		
Smith, Mike	221 Third St., Beth	Bethlehem	no slips
Skomac, Adam	1633 Columbia St.	Bethlehem	no slips
Stankus, Charles	1478 Fifth St.	Bethlehem	no slips
Stankus, Standly	1478 Fifth St.	Bethlehem	no slips
Shook, Loyed		Stockertown	no slips
Scheppy, Ervin	R. D. 2	Hellertown	41.40
Synek, Frank	1450 E. Fifth St.	Bethlehem	no slips
Sicvake, Steve	929 Mechanic St.	Bethlehem	no slips
Schaffer, Paul	427 Rennig St.	Bethlehem	no slips
Smodich, John	331 Polk St.	Bethlehem	no slips
Setzer, Warren	1117 Getter St.	Bethlehem	no slips
Setzer, Paul	1117 Getter St.	Bethlehem	no slips
Sheller, James	1152 Minsi Trail	Bethlehem	no slips
Smith, Harold	Box 75	Stockertown	no slips
Smith, Mike	221 Third St.	Bethlehem	no slips
Sawouk, Charles	1401 John St.	Bethlehem	29.20
Shivko, John	338 Williams St.	Bethlehem	12.00
Szillanants, Alex	1517 Columbia St.	Bethlehem	31.60
Snarznski, John	1500 E. Seventh St.	Bethlehem	25.80
Snyder, Nathen	414 Milton St.	Bethlehem	39.60
Slodowink, John	901 Sixth St.	Bethlehem	12.60
Shiwek, Steve	R. D. 4 Saucon Park	Bethlehe	45.60
Soke, Louis	1256 Third St.	Bethlehem	144.50
Stankus, Joe	1478 E. Fifth St.	Bethlehem	164.00
Stern, Paul	1804 E. Second St.	Bethlehem	48.00
Stern, Floyd	1804 E. Second St.	Bethlehem	48.00
Shampa, Frank	107 Morton St.	Bethlehem	53.60
Sacariakis, George	222 Diamond St.	Bethlehem	61.60
Sabo, Joe	1041 Mechanic St.	Bethlehem	71.60
Sabo, Joe	1538 E. Second St.	Bethlehem	28.80
Shivko, John	1529 E. Seventh St.	Bethlehem	7.20
Solvo, Tony	1508 Columbia St.	Bethlehem	40.40
Santora, Gerger	1249 E. Third St.	Bethlehem	309.20
Sunback, Paul	67 Juniata St.	Freemansburg	151.00
Shive, Wm.	406 E. Geopp St.	Bethlehem	258.20
Sterner, Charles	409 Wall St.	Bethlehem	22.00
Strelecki, Ludwig	816 Evens St.	Bethlehem	79.80
Strelecki, Anthony	909 E. Mechanic St.	Bethlehem	21.60
Smith, Edward	120 W. Geopp St.	Bethlehem	41.00
Szkolny, Standly	1527 E. Geopp St.	Bethlehem	12.00
Safran, Frank	666 Atlantic St.	Bethlehem	78.60
Sanchez, Wm.	R. D. 3	Seidersville	113.60
Steifel, Clyde	925 State St.	Bethlehem	35.60
Stepanik, Mathew	544 Thomas St.	Bethlehem	19.80
Stroll, Ernest		Northampton	no slip
Shoemaker, James		Northampton	no slip
Sottolano, James		Northampton	no slip
Seldritsch, Joe		Northampton	no slip
Solodouski, Elko		Northampton	no slip
Spangler, Ray		Northampton	no slip

STATE ROAD SLIPS OF BETHLEHEM AND VICINITY (Continued)

Name	Address	City	Amount
Silfes, Wm.		Northampton	no slips
Sartee, Robert	R. D. 3	Bath	no slips
Shellock, Vincent		Northampton	no slips
Sandoy, Philip		Northampton	no slips
Sabo, John		Northampton	$53.20
Schaffer, Louis	R. D. 2	Northampton	53.20
Strohl, Harry		Northampton	54.00
Sharda, Mike		Northampton	19.90
Shaffer, Christian	2203 Main St.	Northampton	no slips
Shoup, Edward	754 Second St.	Catasaqua	no slips
Sesa, Charles		Northampton	101.00
Schaffer, Henry		Northampton	103.20
Sharer, Wm.	126 Washington Ave.	Bethlehem	12.90
Symodis, Frank	317 E. Third St.	Bethlehem	57.60
Seigfried, Albert	1733 Newport Ave.	Northampton	no slips
Sargo, Joe	688 Detweiler St.	Hellertown	89.60

T

Toth, Alex	R. D. 4	Bethlehem	137.20
Taligan, George	749 Lawfer St.	Bethlehem	87.30
Thoder, John		Bethlehem	63.00
Terry, George	1722 E. Front St.	Bethlehem	56.00
Toth, Raymond	Box 67	Butztown	42.40
Toth, John	Box 67	Butztown	21.60
Ternyik, Joe	1619 Columbia St.	Bethlehem	19.00
Tucci, Frank	Main St	Freemansburg	12.00
Tucci, Robert	415 Wall St.	Bethlehem	no slips
Tyler, Robert		Northampton	9.20
Takac, Joe	439 E. Twelfth St.	Northampton	no slips
Tyler, Vincent		Stockertown	no slips

U

Ungerer, Robert	1313 Geisinger St.	Bethlehem	10.80
Ulancy, Andrew	659 Atlantic St.	Bethlehem	51.60
Updegrove, Lester	No. 4 Miller Ave.	Northampton	no slips

V

Verez, Steve	1012 Mechanic St.	Bethlehem	101.80
Vennis, Thomas	100 E. Third St.	Bethlehem	no slips
Vargo, John	942 Evens St.	Bethlehem	157.40
Vadoren, George	440 Maple St.	Bethlehem	18.30
Van Billard, Henry	334 Water St.	Bethlehem	4.90
Vadone, Nick	87 Clearfield St.	Freemansburg	54.00
Valj, Joe	557½ Ryon St.	Bethlehem	76.80
Vogle, August	628 Ontario St.	Bethlehem	72.40
Vargin, John		Northampton	75.40
Vengrin, John		Northampton	29.80
Vengrin, Steve		Northampton	no slips
Vinanak, Alex		Northampton	no slips
Vetrosky, Andrew	612 Hays St.	Bethlehem	no slips
Vinkovich, John	939 E. Mechanic St.	Bethlehem	no slips
Vasko, George	320 E. 8th St.	Bethlehem	no slips

W

White, James	R. D. No. 1	Hellertown	29.40
Wolf, Harry	45 Juniata St.	Freemansburg	50.20
Wasilik, Mike	1627 Columbia St.	Bethlehem	86.30
Watson, John	831 Evens St.	Bethlehem	no slips
Weimer, Harvey	215 Monroe St.	Bethlehem	5.70
Wildrick, G. W.	Main St.	Hellertown	123.00
Wuchtor, Milton		Northampton	no slips
Wells, Bobbly	R. D. No. 4	Bethlehem	no slips

Y

Yurak, Joe	1623 E. Eight St.	Bethlehem	28.80
Yanza, Frank	807½ Morton St.	Bethlehem	24.00
Yob, Elmer	R. D. No. 1	Hellertown	72.20
Yanek, Ernest	730 Hays St.	Bethlehem	15.20

Z

Zoltanick, Charles	1632 E. Third St.	Bethlehem	72.00
Zimo, John		Northampton	no slips
Zimmerman, Russell		Northampton	no slips
Zych, Frank	1332 E. Seventh St.	Bethlehem	269.40

EASTON ADDRESS, FOR THE WORK SLIPS CASES TO WHICH ORIGINALS ARE KEPT

1.	Edward Moyer, 113 Delaware St., Easton, Pa.	$ 67.20
2.	John Werkhiser, 126 N. Green, St., Easton, Pa.	40.00
3.	Charles Ricker, 151 Main St., Glendon, Pa.	110.40
4.	Jeo. Siriani, 1230 Elm St., Easton, Pa.	93.80
5.	Emile Ory, 1122 Elm St., Easton, Pa.	60.00
6.	Harry Lutz, 948 Glendon Ave., Easton, Pa.	19.00
7.	Sam Sanginito, 141 Rose St., Easton, Pa.	82.00
8.	Albert Stublebine, 619 Stewart St., Easton, Pa.	88.00
9.	Ignazio Cicero, 431 Washington St., Easton, Pa.	136.00
10.	Joseph Sottosanto, 218 S. 5th St., Easton, Pa.	132.00
11.	Russel Avia, 386 West Canal St., Easton, Pa.	102.80
12.	James Arcodipane, 215 South 5th St., Easton, Pa.	103.00
13.	Ralph Angelo, 186 East Canal St., Easton, Pa.	45.60
14.	Alfonso Di Stefano, 709 Spruce St., Easton, Pa.	94.40
15.	Ignazio Di Elmo, 136 W Nesquehoning St., Easton, Pa.	20.00
16.	Angelo Liberty, 372 West Canal St., Easton, Pa.	36.00
17.	Leo Pitale, 212 West Madison St., Easton, Pa.	105.00
18.	Frank Ruta, 917 Spruce St., Easton, Pa.	54.20
19.	Joe Tomanio, 723 Pine St., Easton, Pa.	136.00
20.	Charles Bonora, 431 Washington St., Easton, Pa.	137.00
21.	Sam Terranova, 323 S. 5th St., Easton, Pa.	37.80
22.	George Cavallo, 706 Pine St., Easton, Pa.	148.60
23.	Harry Conger, 102 N. 4th St., Easton, Pa.	56.00
24.	Tony Chiarchiere, 401 Nesquehoning St., Easton, Pa.	100.00
25.	Collura Juseppe, 105 Apricot St., Easton, Pa.	126.00
26.	Thomas Igo, 319 Washington St., Easton, Pa.	25.60
27.	Philip Fortino, 153 S. Union St., Easton, Pa.	236.00
28.	Charles Bruyer, 223 Steward St., Easton, Pa.	64.00
29.	Sam Biffarella, 208 S. 5th St., Easton, Pa.	226.60
30.	Abramo Paciucci, 1337 Spruce St., Easton, Pa.	65.60
31.	Frank Azalina, 417 Spruce St., Easton, Pa.	78.00
32.	Sam Ballsimo, 139 S. Union St., Easton, Pa.	43.80
33.	Sam Dino, 210 S. Union St., Easton, Pa.	85.20
34.	Salvatore Schelero, 636 Nesquehoning St., Easton, Pa.	52.40
35.	Lewis Crementi, 1425 Spring St., Easton, Pa.	85.20
36.	Giachino La Monaca, 368 West Canal St., Easton, Pa.	51.40
37.	Morris Embordino, 228 Steward St., Easton, Pa.	42.00
38.	Bartolo Natolio, 152 S. 9th St., Easton, Pa.	51.40
39.	Tony Cerasi, 149 S. Union St., Easton, Pa.	119.00
40.	Mike Drago, Easton, Pa.	120.00
41.	Paul Musillani, 230 Steward St., Easton, Pa.	19.00
42.	Howard Wertly, 1333 Pine St., Easton, Pa.	48.60
44.	Herry Everett, 113 S. Mulberry St., Easton, Pa.	40.40
45.	Frank Elridge, 914 Bushkill St., Easton, Pa.	108.60
46.	Julio Consiglio, 174 W. Canal St., Easton, Pa.	11.40
47.	Pietro Principati, 838 Ferry St., Easton, Pa.	63.20
48.	William Hike, 55 N. 5th St., Easton, Pa.	180.80
49.	Lewis Cilli, 726 Pine St., Easton, Pa.	60.00
50.	Corrado Tortonato, 206 Wolf Court, Easton, Pa.	43.60
51.	Tony Brunio, 213 S. 5th St., Easton, Pa.	160.00
52.	Emilio Penna, 1014 Elm St., Easton, Pa.	76.00
53.	Joseph Vigliante, 139 W. St. Joseph St., Easton, Pa.	296.00
54.	John Alfieri, 215 S. 4th St., Easton, Pa.	92.00
55.	Clarence Daubert, 132 Veile St., Easton, Pa.	$ 57.00
56.	Alfonso Moreo, 434 W. Nesquehoning St., Easton, Pa.	80.00
57.	John Buttner, 619 Centre St., Easton, Pa.	32.00
58.	Frank Pulli, 904 Ferry St., Easton, Pa.	25.60
59.	Vincent Candito, 205 S. 5th St., Easton, Pa.	126.00
60.	Cologero Crisaffi, 144 S. Union St., Easton, Pa.	60.00
61.	Joe Fragassi, 23 S. Locust St., Easton, Pa.	161.00
62.	Peter Mazza, 680 Pine St., Easton, Pa.	84.80
63.	Lewis Martino, 945 Berwick St., Easton, Pa.	99.80
64.	James Salamite, 227 S. West St., Easton, Pa.	48.00
65.	Thomas Butte, 111 Apricot St., Easton, Pa.	200.00
66.	Vito Di Bilio, 902 Ferry St., Easton, Pa.	240.00
67.	Giacomo Ballanti, 1237 Butler St., Easton, Pa.	60.00
68.	Concore Joseph, 128 S. Rose St., Easton, Pa.	120.00
69.	Tony Finochio, 1015 Butler St., Easton, Pa.	148.00
70.	Steve Petoky, 125 S. Union St., Easton, Pa.	216.00
71.	Mikel Pitri, 915 Spruce St., Easton, Pa.	56.00
72.	Frank Amico, 115 S. Union St., Easton, Pa.	63.20
73.	George Zink, 28 S. Locust St., Easton, Pa.	96.00
74.	Cloude Silvester 108 N. Front St., Easton, Pa.	21.60
75.	Wayne Smith, 1120, Elm St., Easton, Pa.	120.00
76.	Isack McPeek, 116 Raynolds St., Easton, Pa.	32.00
77.	Harrison H. Spangler, 419 Spruce St., Easton, Pa.	22.60
78.	John Crisante, 306 S. 4th St., Easton, Pa.	56.00

Statement of Mrs. Elizabeth Fisher
1516 N. New Street, Bethlehem. Pa.

That her husband Ralph Fisher, in the fall of 1932, was called out to work on the State Highway. He having little clothing for outside work, and being undernourished due to living on relief which was not sufficient for the family's health. Mr. Fisher after working two weeks came home sick with a cold. He never regained sufficiently to be employed. After Mr. Fisher took sick the poor directors refused to give any relief to the family, until neighbors and the doctor appealed to the poor board, for the care of the family. The lack of food and milk at the time of my husband's illness only tended to weaken and shorten his life.

With the cold caught at his work he lingered until tuberculosis developed in his lungs. Suffering extended until 1934, when he departed from this world.

Leaving me with two boys and a girl, ages 10, 9, 6, I have applied for mothers' assistance for the care of the children, February, 1936. But to date no action or check arrived. Probably due to lack of funds for those children's care.

Signed MRS. ELIZABETH FISHER.

Witnessed: Russell G. Shuey
Witnessed: Mrs. Sophie Ahlum
Date—April 18, 1936.

F. H. LONG, M. D.

Coopersburg, Pa., April 18, 1936.

To Whom It May Concern:

This is to certify that I attended Ralph Fisher from 1932 to 1934. His condition was brought about by malnutrition.

Sincerely

DR. F. H. LONG.

Statement of Adam Dezlenski

320½ Carbon Street, Bethlehem, Pa.

I have a family of four. I received $2.50 food order from the Family Welfare Association in the year of 1932 and I was sent a card to report for work on the State Highway. I reported for work and was glad I had a job. Until after a time of work and seeing the promised checks for my work were not being sent to me, I complained. I was told to keep on working by the Family Welfare or I would get no more food order, or relief.

My son who was sick after pleading was sent to Mt. Alto for treatment for one year. He was in need of special care and special diet which I could not afford and was not furnished during the time I worked on the highways. But due to local interest of people in our city today, this boy aged 14, is now on the road to complete recovery. Only now if I was to get my money for the work done for the State, I could pay back bills to the grocer, because what was given me in 1932 and 1933, by the Family Welfare was not enough.

Signed ADAM DEZLENSKI.

Witnessed: Russell G. Shuey
Witnessed: Mrs. Sophie Ahlum
Date—April 22, 1936.

Statement of John Goch

811 Shields Street, Bethlehem, Pa.

I have a family of five. In the year of 1932 we were on relief getting $3.50 a week, from the Family Welfare Association. I was sent a post card to report for work on the highways. Signed by the Family Welfare Association. I went to work and completed the days required, when the week was finished another card was received to go out to work the following week again. When I complained that I had finished my work on the first card, I was told I should keep on and go out to work.

During this time my wife was confined I asked to stay home. After five days at home the case worker called at the home, and asked about the family and told me, now that the family was good I had to go to work the next morning. Leaving my wife in bed with other small children, I went to work. But I have never been paid my wages. And the time report promises that a check would be mailed for those reasons. I have asked an organization to fight for my wages.

Signed JOHN GOCH.

Witnessed: Russell G. Shuey
Witnessed: Mrs. Sophie Ahlum
Date—April 21, 1936.

Statement given by Mrs. Bebley Wells

R. D. No. 4, Bethlehem, Pa.

My husband was called out to work on the State Highway, by a post card, received from the Family Welfare Association. He worked during the years of 1932 and 1933. We did not get pay from the State for his work, we only received $2.50 food order per week, from the Family Welfare Association. At a store of their choice, they were instructed to furnish only limited amounts of commodities requested. The prices were above the average grocery store prices.

We were of the opinion checks would be mailed for the work done by my husband. Since his work reports gave his record of hours, rate of pay and stated that checks would be mailed.

Signed MRS. MARGARET WELLS.

Witnessed: Russell G. Shuey
Witnessed: Mrs. Sophie Ahlum
Date—April 20, 1936.

Statement of Mike Ruggiero

224 Diamond Street, Bethlehem, Pa.

I have a family of six. We were getting $4.00 food orders. Some weeks three and some weeks four-fifty. I was sent a card to start work on the Highway in 1932. I went out to work and kept on working without getting any money. My wife was sick and the doctors prescribed medicine for her. When I asked for an order to fill the doctor's order, it was refused several times.

I received coal in one-half ton lots very seldom. We could not keep the whole house warm.

I could not keep my family on the food orders and our merchants left me deal until the bill was about $150.00.

I will appreciate if the work done for the State is paid at this time, to enable me to square myself with those who trusted me.

Signed MICHELE RUGGIERO.

Witnessed: Russell G. Shuey
Witnessed: Mrs. Sophie Ahlum
Date—April 22, 1936.

Statement of Gergorio Santoro

1249 E. Third Street, Bethlehem, Pa.

I have a family of seven. I received food orders from the Family Welfare for some weeks. I received $2.00 per week, never more than $5.00 per week. I was sent a post card that I should report for work on the State Highways.

I have had sickness in my family which was brought on by not having proper food, clothing, and no coal to keep warm.

I was of the opinion that now I had a job and would be able to provide more for the comfort of my family.

But even though the time reports stated checks would be sent, I have never received any money for the work done for the State Highway of Pennsylvania.

If the State could now pay me what is due me, it would enable me to pay back bills to merchants who helped my family to live as what I was given by the Family Welfare was not sufficient, and I will testify that I never got in relief equal to the amount of money due me for my work.

Signed GREGORIO SANTORO.

Witnessed: Russell G. Shuey
Witnessed: Mrs. Sophie Ahlum
Date—April 21, 1936.

Statement of Louis Kupchuk

623 Ridge Street, Bethlehem, Pa.

I have a family of five. We were on relief in 1932—$3.00 per week, later raised to $4.00. I was sent a card to report for work on the State Highway. I went to work and was glad I now had a job. But after a time I saw that my check for my work was not coming.

When I went to the Family Welfare Association and asked about my money, they said, I was not to get any money, that I was working for my food order.

One of my sons took sick in 1927, kept getting worse, the doctor declared that it was tuberculosis. His suffering went until 1933, when he died, aged 21 years. My family subjected to this dreaded disease, and with undernourishment, lack of clothing, and coal to keep warm, surely shortens my people's lives.

We have had considerable trouble in the past few years, I will appreciate to get the money that is due me for my work on the State Highways.

Signed LOUIS KOPCHUK.
MARY KOPCHUK.

Witnessed: Russell G. Shuey
Witnessed: Mrs. Sophie Ahlum
Date—April 22, 1936.

Statement of Joseph Bejek

235 Diamond Street, Bethlehem, Pa.

I have a family of eleven. We were receiving food orders of $4.50 a week from the Family Welfare Association.

I received a post card the same year of 1932 to report for work on the Highways.

I went to work as instructed. I was of the opinion that checks would be mailed, and continued to work on the Highway. The $4.50 a week given in food order was not enough to keep my family.

My storekeeper advanced groceries until my store bill was above one hundred dollars.

We appealed for coal to the Welfare Workers but were not furnished coal. I found it necessary to go to the railroad yards and steal coal in the winter to warm my home. We had to sleep down stairs on the floor in the kitchen, closing all doors. The rooms upstairs were too cold.

I would not have stolen coal had I received money for my work. I will appreciate if the State pay my money. I can settle with the storekeeper and regain my credit.

Signed JOSEPH BEJEK.

Witnessed: Russell G. Shuey
Witnessed: Mrs. Sophie Ahlum
Date—April 21, 1936.

Statement of Auther Rice

1107 E. Fourth St., 1st Floor, Bethlehem, Pa.

May 18, 1935.

To Whom It May Concern:

During the fall and winter months of 1931, I, Auther Rice, was forced to work for my relief orders on the road known as the Applebutter Road, between Shimmersville and Glendon. On several occasions during this period, the regular paid road workers were sent home and we "free" workers were obliged to do their work. If desired, I can produce another witness who will also testify that "free" workers replaced regular paid workers.

Signed AUTHER RICE.

Signed by Auther Rice in my presence.
Charles M. Sandwick

Statement given by Mrs. Mary Carrodo

210 Hobart Street, Bethlehem, Pa.

Of the suffering in my family, commencing February, 1933, my husband was called out to work on the State Highway, to work for relief. We were receiving, $3.75 per week, for a family of five. At the time he was working, I was helpless and had to remain on a chair for seven months, after a period in the hospital for four weeks. My husband had to lock the doors when he left for work, leaving me in a chair with the children. We were of the opinion that the wages would be paid since the work records stated they should be held until the check was received. The $3.75 weekly food order given by the Family Welfare was not enough to feed my family. We had to get credit from our merchant. For those reasons my husband has given his work records to a committee of the Unemployed League of Bethlehem, to make a settlement with the State of Pennsylvania, so that we may regain our credit in our community.

Signed MARY CARRODO.

ROSTER OF STATE EMERGENCY RELIEF BOARD STAFF

Commonwealth of Pennsylvania,
State Emergency Relief Board,
Harrisburg, June 8, 1935.

The Honorable Roy E. Furman,
Speaker, House of Representatives,
Commonwealth of Pennsylvania,
Harrisburg, Pennsylvania.

My Dear Mr. Furman:

The House of Representatives, by Resolution No. 8 adopted May 26, 1936, requested "a list of the employes of the State Emergency Relief Board including those employed in counties and districts (a) whose residence at the time of appointment was outside Pennsylvania (b) the home address of such persons (c) the positions they fill (d) the length of time they have been employed and (e) the compensation to each averaged monthly."

The information requested in Resolution No. 8 is attached. On the list there are thirty-seven names, thirty of whom are on local staffs and seven on the State staff. Two of these persons have resigned, and five are native Pennsylvanians who were not State residents at the time of their appointment. The names of these seven persons are so indicated on the attached list. These thirty employes who were neither natives nor residents of Pennsylvania represent less than one-twentieth of one per cent of the 6905 employes of the State Emergency Relief Board as of May 16, 1936. These thirty persons are occupying supervisory or other positions requiring special skill and experience, and for which it is difficult to find qualified personnel.

It is also interesting to note that there are more Pennsylvanians employed in relief administration outside the State than there are out of State persons employed in the State Emergency Relief Board. It will be noted too that twenty-seven of the thirty out of State persons were employed prior to August 1, 1935 when the administrative staff was being expanded. In a staff which is remaining constant or decreasing in size, it is rarely necessary to go outside the staff itself to find competent and experienced personnel for key positions.

Sincerely yours,

KARL DE SCHWEINITZ,
Executive Director.

Members of County or Area Staffs Employed From Out of the State

NAME	ADDRESS AT TIME OF APPOINTMENT	HOME ADDRESS	DATE OF EMPLOYMENT	PRESENT CLASSIFICATION	AREA OR COUNTY	PRESENT AVER. MONTHLY COMPENSATION
Angell, Margaret	Brooklyn, N. Y.	34 N. Franklin St., Allentown, Pa.	6-10-35	Dist. Supervisor	Area 6	$175.00
Brandon, Addison	Milwaukee, Wisconsin	Philips Hotel, Philipsburg, Pa.	1-15-35	Exec. Director	Area 7	250.00
Chaffee, Mary Alice	Grand Rapids, Mich.	Tunkhannock, Pa.	7-1-35	Dist. Supervisor	Area 5	135.00
Daniel, Georgia	Alburquerque, New Mexico	Johnstown, Pa.	7-1-35	Dist. Supervisor	Area 18	170.00
Dildine, Martha	Lima, Ohio	52 E. High St., Carlisle	4-26-34	Jr. Supervisor	Area 4	135.00
Donnell, Charlotte	Atlanta, Georgia	20 9th St., Philipsbhrg, Pa.	11-1-35	Area Supervisor	Area 7	250.00
Fadden, Winifred	Brooklyn, N. Y.	52 Butler St., Pittston, Pa.	5-16-34	Jr. Supervisor	Luzerne	150.00
Forder, Ellen	New York, N. Y.	Y. W. C. A. 4th and Walnut Sts., Harrisburg	8-7-33	Dist Supervisor	Area 15	160.00
Garvin, James	Atlanta, Georgia	Johnstown, Pa.	4-27-36	Dist. Supervisor	Area 18	200.00
Glenn, Dorothy (Native of Pennsylvania)	Chicago, Illinois	815 Willow Ave., Altoona, Pa.	11-1-34	Dist Supervisor	Area 17	185.00
Goodyear, Esther	Cumberland, Maryland	College Club, Craig St., Pittsburgh, Pa.	3-11-35	Training Supervisor	Allegheny	200.00
Gray, Donald	New York City, N. Y.	230 King St., Northumberland, Pa.	9-1-34	Area Supervisor	Area 1	250.00
Grayson, Ferdinand (Native of Pennsylvania)	White Plains, N. Y.	Lewistown, Pa.	5-1-36	Area Supervisor	Area 14	200.00
Gould, Wm. George	Cleveland, Ohio	1635 17th St., New Brighton, Pa.	3-4-35	Dist Supervisor	Beaver	150.00
Hare, Edgar	Wilmington, Delaware	123 N. Lime St., Lancaster, Pa.	11-5-34	Exec. Director	Lancaster	225.00
Humphrey, Blanche	Bridgeport, Connecticut	R. D. 2, Slippery Rock	3-25-35	Area Supervisor	Area 10	225.00
Jones, William (Native of Pennsylvania)	Leonia, New Jersey	Altoona, Pa.	10-8-35	Exec. Director	Area 17	275.00
Kaplow, Herman L.	New York City, N. Y.	243 S. Market St., Shamokin, Pa.	4-15-35	Dist. Supervisor	Area 1	175.00
Knobloach, Dorothea	Kenosha, Wisconsin	4629 Bayard Ave., Pittsburgh, Pa.	1-5-34	Supervisor of Non-Family Man Dept.	Allegheny	250.00
Lamb, Howard	Grand Rapids, Michigan	110 2d Street, DuBois, Pa.	1-14-35	Dist. Supervisor	Area 7	175.00
Leger, Edith	Rochester, New York	N. Main St., Lewistown, Pa.	12-24-34	Dist. Supervisor	Berks	175.00
McDaniel, Clara (Resigned 5-22-36)	Dallas Co., Texas	120 Mellon Ave., Patton, Pa.	7-8-35	Dist. Supervisor	Area 18	175.00
Matlack, William	Moorestown, New Jersey	Four Pine Farm Camp, Pottstown, Pa.	5-1-35	Farm Superintendent	Philadelphia	125.00 (and main.)
Miles, Helen	Cleveland, Ohio	154 S. Water St., Kittanning, Pa.	10-9-33	Jr. Supervisor	Area 11	135.00
Sheema, Mrs. Naomi	Elyria, Ohio	Galena Bldg., Liberty St., Franklin, Pa.	6-1-33	Area Supervisor	Area 8	215.00
Shields, Permelia	Roanoke, Virginia	71 W. Katherine Ave., Washington, Pa.	3-27-35	Area Supervisor	Area 12	225.00
Smith, Alice Lucille	Indianapolis, Indiana	Indiana, Pa.	1-16-34	Area Supervisor	Area 11	250.00
Vennard, Elizabeth	S. Manchester, Conn.	438 E. Allen's Lane, Chestnut Hill, Pa.	5-14-35	Sr. Supervisor	Philadelphia	175.00
Weatherwax, Helen	Grand Rapids, Mich.	917 Presqueisle St., Philipsburg, Pa.	11-5-35	Dist. Supervisor	Area 7	160.00
Yates, Margaret D.	Chicago, Illinois	239 North Street, Harrisburg, Pa.	1-27-36	Area Supervisor	Area 15	275.00

Members of State Staff Employed From Out of the State

NAME	ADDRESS AT TIME OF APPOINTMENT	HOME ADDRESS	PRESENT CLASSIFICATION	DATE OF EMPLOYMENT	PRESENT AVER. MONTHLY COMPENSATION
Anderson, Edmund T. (Native of Pennsylvania)	Cleveland, Ohio	49 S. Main St., Montrose, Pa.	Field Representative	2-1-34	$300.00
Bradbury, Ruth (Native of Pennsylvania)	531 E. Lincoln Ave., Mt. Vernon, New York	239 North St., Harrisburg, Pa.	Supervisor of Relief Budget	5-19-33	250.00
Brooke, Margaret	21 Elm Road Caldwell, New Jersey	1121 N. Front St., Harrisburg, Pa.	Regional Supervisor	6-19-33	300.00
Carter, Elizabeth	1006 157th Street Beechhurst, L. I., N. Y.	211 N. Front St., Harrisburg, Pa.	Instructor	9-4-35	225.00
Cole, Ernest H. (Resigned 6-8-36 Noon)	61 Niagara Street Dumont, New Jersey	2014 E. Market St., Harrisburg, Pa.	Field Representative — Acting Head of Relief Correspondence Department	12-12-33	275.00
Dudman, Edith M.	1312 Hope Street Grand Rapids, Michigan	2608 N. Fifth St., Harrisburg, Pa.	Field Representative	9-10-34	250.00
Galehouse, Donald C.	315 Michigan Avenue, Charleston, W. Va.	2207 Walnut St., Harrisburg, Pa.	Assistant Administrator and Director of Relief Division	4-8-35	375.00

COMMUNICATIONS FROM STATE EMERGENCY RELIEF BOARD

Commonwealth of Pennsylvania,
State Emergency Relief Board,
Harrisburg, June 2, 1936.

The Honorable Thomas L. Kennedy,
President of the Senate,
Harrisburg, Pennsylvania.

My Dear Mr. Kennedy:

The Senate, by resolution adopted May 26, 1936 requested that the following information be furnished to the Senate:

"(a) Number of cases during the month of January to April, inclusive, of the year 1936, where relief was granted to persons or families without any property;

"(b) Number of cases during the said months of January to April, inclusive, of the year 1936, where relief was granted to persons or families without any income;

"(c) The amount of relief granted during the said months of January to April, inclusive, where the person or family had an income up to $5.00 per week;

"(d) The amount of relief granted during the said months of January to April, inclusive, where the person or family, had an income between $5.00 and $10.00 per week;

"(e) The amount of relief granted during the said months of January to April, inclusive, where the person or family, had an income between $10.00 and $15.00 per week;

"(f) The amount of relief granted during the said months of January to April, inclusive, where the person or family, had an income above $15.00 per week;

"(g) The total amount paid for relief in each of the said months of January to April, inclusive, for relief in the above classifications, as contained in (a) to (f) inclusive."

The information requested would require time and considerable expense to compile. However, we have available in our files some very significant information relative to the extent of relief supplementation of earnings from part-time private employment. I am submitting immediately the information which we have available.

On December 9, 1935 there were 43,029 cases throughout the state receiving direct relief to supplement earnings from private part-time employment. This number represented 16 per cent of the 271,559 cases on relief at that time. The balance of the case load, 228,530, were without income. This provides item (b) of the information requested except that the data apply to the date December 9, 1935 rather than to the period January—April, 1936.

During the first week of February, 1936 a study was made of all cases receiving supplementary relief in Luzerne County. At the time there were 8,627 cases on the relief rolls, and 1,554, or 18 per cent of them were receiving supplementary relief.

Items (b)—(g) of the information requested in the resolution can be furnished, therefore, for Luzerne County as of the first week of February.

(b) Number of cases where relief was granted to persons or families without any income: 7,073.

(c) Amount of relief granted during the week where the person or family had an income up to $5.00 per week: $5,401.68.

(d) Amount of relief granted during the week where the person or family had an income between $5.00 and $10.00 per week: $4,528.43.

(e) Amount of relief granted during the week where the person or family had an income between $10.00 and $15.00 per week: $1,199.26.

(f) Amount of relief granted during the week where the person or family had an income above $15.00 per week: $64.50.

(g) Total amount of relief granted during the week including both cases with income and cases without income: $69,437.64.

The families receiving supplementary relief in Luzerne County average 5.5 persons per family as compared with 3.9 persons per family among those having no income. It is, therefore, not only the smallness of the income received, but also the largeness of the families that leads to supplementation of part-time earnings. The families with incomes between $10.00 and $15.00 per week receiving supplementary relief average 7.7 persons per family.

The policy of supplementing part-time earnings has resulted in conserving relief funds. If supplementary relief were not given to these cases they would be forced to decline part-time employment and odd jobs that do not yield sufficient income to meet their minimum requirements. The result would be that these cases would be on full relief instead of partial relief. The saving to the State Emergency Relief Board of this policy is nearly equal to the amount of the part-time earnings, since the standards of relief plus income for those with part-time employment is only slightly higher than for those without income.

It would be extremely difficult to obtain the information requested by the Senate for the period January to April. The records of all cases not currently receiving are placed in an inactive file. In order to obtain the information requested it would be necessary to search the inactive as well as the active files to locate the records of all cases that received relief between January 1 and April 30, 1936. There are in excess of 1,000,000 cases that have received relief at some time since the establishment of the State Emergency Relief Board. The records of all these cases would have to be inspected to determine whether or not they received relief between January and April. The expense involved would be very large.

I would suggest, therefore, if the Senate agrees, that the information requested be supplied for the present active case load, and that the period covered by the study should be a current week.

I sincerely believe that the information so furnished would be more pertinent as well as much more readily obtained.

I wish, further, to seek the advice of the Senate as to the information requested in item (a). Is "property" to be construed to mean personal property such as furniture, household effects, clothing, bedding, et cetera, or real property such as their own home, a farm, et cetera?

I would appreciate receiving the advice of the Senate on the following points:

(1) Is the available information supplied in this letter adequate for their purposes, or shall current data for the entire state be compiled?

(2) If current information on a state-wide basis is requested, will the Senate agree to accept data for the active case load only and for a current week?

(3) If additional information is requested, what definition of "property" shall be used?

Sincerely yours,

KARL DE SCHEWEINITZ,
Relief Administrator.

Commonwealth of Pennsylvania,
State Emergency Relief Board,
Harrisburg, June 29, 1936.

The Honorable Frederick T. Gelder,
Senator for Susquehanna County,
Senate Chambers,
Harrisburg, Pennsylvania.

Dear Senator Gelder:

I am glad to furnish the information requested in your letter of June 24.

Taking into consideration the number of families—173,657 now on the relief rolls and allowing for a progressive reduction in this number, I would estimate $6,346,000 as required for the month of July. This estimate is based on an average of 167,000 cases for July as against an estimate average of 173,000 during June. In line with the procedure which has been followed in May and in June, I would suggest that, until the Legislature decides upon the amount it shall appropriate through January 31, the standard of relief be kept at the present level. The estimate of $6,346,000, therefore, does not include the payment of additional rent and other needed items.

In your letter you requested that the direct relief budget for July be classified by type of relief item. The State Emergency Relief Board does not allocate funds separately for each type of direct relief such as food, clothing, shelter, et cetera, but makes an allocation to each county to cover its entire relief needs. This practice is followed in order to avoid the administrative waste and inefficiency that would be inherent in breaking down the allocation to each county into specific forms of relief. Due to the fact, however, that we have expenditures in past months classified by form of relief it is possible to estimate very closely the amount of the total direct relief budget that will be expended for each type of relief. The following tabulation shows direct relief expenditures classified for the months of April and May and the estimated classification of the July budget.

Relief Item	April Amount	May Amount	July Estimated Amount
Food	$1,844,038.53	$1,765,490.45	$1,820,000.00
Fuel	152,775.72	65,199.13	65,000.00
Clothing	271,896.30	324,524.06	386,000.00
Medical Care	92,919.14	99,202.79	85,000.00
Rent	155,360.71	153,229.04	165,000.00
Water and Light	16,556.72	16,955.97	19,000.00
Cash	3,189,850.63	2,876,881.26	2,960,000.00
Other	3.00	5.17	.....
Total	$5,723,397.75	$5,301,487.87	$5,500,000.00
Direct Relief			
Indirect Relief	144,991.59	55,000.00*	46,000.00*
Administration	833,086.17	807,514.41	800,000.00
Grand Total	$6,701,475.51	$6,164,002.28	$6,346,000.00

On June 13, Governor Earle addressed a letter to me in which he stated that the Federal Works Progress Administration had made possible the employment on W. P. A. projects of 30,000 additional persons now on direct relief rolls. He asked me to prepare a revised estimate of direct relief requirements until January 31, 1937 taking into consideration the increased W. P. A. employment of relief persons. In accordance with the Governor's letter, I prepared a revised estimate amounting to $55,000,000 for the period May 1, 1936 through January 31, 1937.

Except for the omission of additional rent and other items for the month of July, I would now estimate our requirements for the period May 1, 1936 to January 31, 1937 at the same figure. The following table shows the average number of families per month, the average relief per case per month, which varies with the time of the year and also according to the number of order writing days in the month, the estimated cost of direct relief, of administration, of indirect relief as represented by camps for local homeless, administration of surplus commodity distribution, and the appropriation to the Veterans Commission. It also shows the cost of additional rent and other items in the proposed increase of relief standards. The omission of these latter items in the month of July reduces the total for the period by $792,000 bringing the net requirement to $54,294,000.

* Does not include expenditures out of ear-marked Federal Funds. Checks and orders are written and issue five days a week, Mondays to Fridays inclusive. Some months therefore have more writing days than others and thus the same number of families in one month may involve a larger expenditure than in another month.

TABLE I

STATE EMERGENCY RELIEF BOARD
Estimate of Case Load and Expenditures

Month	Average Number of Direct Relief Cases	Average Monthly Grant	Direct Relief Expenditures	Administration	Indirect Relief	Total	Increase in Adequacy: Rent	Increase in Adequacy: Other Grants	Grand Total
May, 1936	176,000	30.15	$ 5,301,500	$ 807,500	$ 55,000	$ 6,164,000	.....	.....	$ 6,164,000
June	173,000	31.45	5,440,000	801,000	46,000	6,296,000	.....	.....	6,296,000
July	167,000	32.90	5,500,000	800,000	46,000	6,346,000	.....	.....	6,346,000
August	150,000	30.50	4,575,000	775,000	70,000	5,420,000	300,000	420,000	6,140,000
September	150,000	32.00	4,480,000	750,000	70,000	5,300,000	289,000	392,000	5,972,000
October	145,000	32.80	4,756,000	725,000	80,000	5,561,000	290,000	406,000	6,257,000
November	155,000	31.30	4,852,000	725,000	80,000	5,657,000	310,000	434,000	6,401,000
December	165,000	35.40	5,841,000	725,000	85,000	6,651,000	330,000	462,000	7,443,000
January, 1937	165,000	32.30	5,330,000	750,000	90,000	6,170,000	330,000	462,000	6,962,000
Total			$46,075,500	$6,867,500	$622,000	$53,565,000	$1,840,000	$2,576,000	$57,981,000
						Less: Balance May 1 1936			3,687,000
									$54,294,000

Checks and orders are written and issued five days a week, Mondays to Fridays inclusive. Some months, therefore, have more writing days than others, and thus the same number of families in one month may involve a larger expenditure than in another month.

In your letter you ask whether the time has not arrived for a new and searching investigation of the relief rolls.

Only by some such measure can we hope to maintain the relief activities of the State Emergency Relief Board to January 31, at our estimated expenditure of $55,000,000.

The basis of sound relief administration is the quality of the relationship established by the visitor with the family and the obtaining of information about wages, savings, and other resources from employers, banks, public departments, and the like. Checks of relief operations that have been made at various times show that the greatest reduction in the relief rolls come about through information which the families themselves give to our visitors. The next most important source of information is the employer. Though the utilization of these various contacts we are able to discontinue each month ten per cent of the number of families on relief. The proportion of applications rejected now is 50% greater than it was a year ago.

With a large expenditure for administration our visitors could reach families and collateral sources of infromation more frequently and could accelerate somewhat the discontinuance of relief to families when eligibility ceases. There is, however, a point at which returns from administrative expenditure diminish and the savings in relief is not worth the additional overhead involved in making the saving.

Last summer we reduced the number of families on relief by requiring a reapplication from each family then receiving assistance. This summer we are again preparing to follow a somewhat similar procedure. This is particularly important in a time when improving industrial conditions are providing employment for more people.

Another important factor in reducing the relief rolls is by transfer to the W. P. A. and other Federal works activities. The name of each employable person in each family accepted for relief is registered with the United States Employment Service and is also reported to the W. P. A. so that the people on relief are immediately and continually available for employment. Since last September 272,000 families have been drawn from the list of persons thus registered and have been transferred to the Works Program.

Counteracting these efforts to keep the relief rolls to a minimum is the need of those who despite improved industrial conditions continue to require assistance. During the past two months we have accepted each week on an average of 7,500 families which after investigation have been found to be without sufficient means to maintain the barest existence. Our average grant of 31 cents per day, per person, indicates the low scale on which relief is provided. It has been the experience of previous depressions that many months must pass before the unemployed are reabsorbed into industry and we face in this depression the additional fact of technological changes which continue to throw people out of work.

In the last analysis it is employment either in industry or failing this in the Federal Works Program which determines the reduction in the relief rolls. Efforts to reduce the relief rolls beyond those which we are constantly carrying out, can only be accomplished through depriving the destitute of the minimum necessities of life. I am endeavoring to practice every economy in administration and care in the selection of families for relief and will continue to do so. It is impossible to forecast surely what relief needs will be, but I believe that in the present premises $54,294,000 to January 31st, including $4,416,000 for additional rent and other items is a minimum. If any funds remain they can be applied in the period after January 31st, thus leaving the Legislature at its regular session time to consider the relief program without having to face the necessity of emergency appropriations such as have characterized the present session. I cannot recommend any smaller amount without jeopardizing the very existence of the unemployed. Certainly, I have no desire to add to the burdens of the taxpayers, however, on the other hand, I do not believe that the people of the State want to refuse help to their destitute neighbors.

Sincerely yours,

KARL DE SCHWEINITZ,
Executive Director.

REPORT OF THE COMMITTEE TO INVESTIGATE THE PENNSYLVANIA WORKING HOME FOR BLIND MEN IN PHILADELPHIA

To the Members of the House of Representatives:

Pursuant to House Resolution No. 29, Printer's No. 162, which provided for a Committee of five to investigate the Pennsylvania Working Home for Blind Men in Philadelphia, your Committee respectfully reports as follows:

HISTORY OF THE PROCEEDINGS

A Committee representing the inmates of the Pennsylvania Working Home for Blind Men presented a petition to the House of Representatives in which petition it is set forth, inter alia, that the Board of Managers, without just cause and warrant, endeavored to increase the rate of the board of the men who live in the home from $4.00 per week to $6.00 per week, the additional $2.00 to be deducted or taken out of the blind pensions which the men are receiving. The sixty-two inmates contended that the increase was not necessary nor just in view of the various appropriations and contributions which were made to the home, in that it is amply provided with financial support from the Commonwealth of Pennsylvania, the City of Philadelphia, the Welfare Association and from private contributions.

The Board of Managers, being apprized of the petition presented on behalf of the inmates and the pending resolution to investigate the conditions, passed a resolution welcoming the survey and agreed to temporarily refrain from putting into effect the increase until there was had an expression of opinion from the House Committee regarding the subject matter under discussion.

STATEMENT OF FACTS

Immediately after the Committee was appointed by the Speaker on June 30, 1936, it organized and began to function. The Committee engaged Messrs. Thompson and Markel, of Philadelphia, as their accountants and auditors.

Four public hearings were held in Philadelphia in the auditorium of the Home at Thirty-Sixth and Lancaster Avenue. The first hearing was held Friday, July 17, 1936, at 3:00 p. m.; the second hearing was held Friday, July 24, 1936, at 2:30 p. m.; the third hearing was held

Saturday, July 25, 1936, at 10:00 a. m.; and the fourth hearing was held Friday, July 31, 1936, at 2:30 p. m.

At these hearings many witnesses appeared in support of the petition as well as those on behalf of the management of the home and the workshop.

Without analyzing the testimony of individual witnesses, we shall present a resume of the facts as stated before the Committee.

The Pennsylvania Working Home for Blind Men was chartered as a corporation on July 23, 1874, by the Court of Common Pleas for Philadelphia County.

The object of this corporation, as stated by the charter, is the organization of workshops and a home for homeless blind mechanics, teaching useful trades to blind men, giving employment also to those blind men who have homes, and the selling of the manufactured products of the corporation for its benefit and advantage.

It shall be supported by donations; by legacies; by inmates and their friends, by annual subscriptions; and by such other aids as may be available for its charitable objects.

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The thirteen members of the Board, five of whom are also the officers of the corporation, and the year in which each member was originally elected to the Board, are as follows:

J. Henry Scattergood, President	1906
A. Reed McIntire, Vice President	1916
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The Board of Managers holds monthly meetings in addition to the annual meeting held the last Tuesday of December of each year. Five members constitute a quorum for all ordinary business.

The average attendance at the annual meeting for the past two years has been eight, and at the monthly meeting seven.

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There are a number of structures on this property, one of which is the Home for the inmates, one is a four-story factory building in which there is located a retail store for the sale of articles manufactured by the blind men, and the office is also located in this building. The third building, a three-story dwelling, is occupied by the Superintendent and his family. There are also four three-story dwellings facing on Warren Street. Those latter properties are rented to blind employes.

The Home was acquired in 1874 and is believed to have been erected approximately one hundred years ago. All activities of the organization were originally conducted in this building, which was subsequently enlarged by the addition of wings. This building is now used exclusively as a home for the inmates and for certain of the employes of the home who live there.

We understand that the factory building and the Superintendent's dwelling were erected about the year 1890. The Treasurer's report for the year 1889, 1891 and 1894 indicate that appropriations totalling $25,000.00 were received from the Commonwealth of Pennsylvania for this purpose. A subsequent report of the Treasurer for the fiscal year 1895-1896 indicates that a mortgage for $50,000 was placed on the property. Payments on account over a period of years reduced the mortgage to $20,000.00 as of April 16, 1919. An additional loan of $30,000.00 was made on October 13, 1921, increasing the mortgage to $50,000.00. On June 25, 1936, this amount was paid in full with the proceeds of a specific bequest for this purpose.

On November 30, 1935, the corporation's investment in real estate, buildings, machinery and furniture and fixtures was stated on the books at a gross value of $252,604.63, less depreciation reserves of $60,950.56, or a net book value of $191,654.07. The real estate on that date was subject to a mortgage of $50,000.00 which further reduced the book equity of these assets to $141,654.07.

The Board of Managers maintain a home for blind men and operate a factory primarily for the employment of blind men. The board received from inmates of the home and the sale of articles manufactured in the factory are insufficient to cover the expenses, and both departments are conducted with heavy losses.

These losses are provided for in part by appropriations received from the Commonwealth of Pennsylvania, the City of Philadelphia and the United Campaign. In addition to this, contributions and bequests are received from private sources. The corporations also derives an income from certain endowment funds, the principal of which is stated on the books at slightly in excess of $50,000.00.

The income received as board for the inmates of the home is applied as a credit against the costs of that department. The income received from the sale of manufactured articles is applied as a credit against the cost of operating the factory. Income received from the other sources enumerated above is placed in the general fund of the corporation and is used to pay the losses of the home and factory; the general overhead expenses of the corporations; capital expenditures; debt retirement and as current working capital.

There does not appear to be any provision regarding the application of these funds as between the home and the factory. On account of this condition it is quite possible that in the distribution of these funds the benefits derived by one department may be inequitable as compared with the benefits derived by the other department.

It was contended by the management that in recent years the home had deficits, and in 1935 the deficit was approximately $14,500.00 over and above all incomes from

whatever source. That in order to continue, the institution must get more income, and also try to cut its costs, if possible. It was stated by the President of the Board that the loss in manufacturing, the costs of the handicaps of the blind as compared with the competition of sighted workmen must of necessity be heavy and that the loss in the boarding department (what is known as the home) amounts to about $15,000.00 per year.

On the other hand, the inmates of the home feel that there should be no increase in the board since the management was able to continue operations thus far without any increase. The testimony as to cleanliness and proper facilities, kind of treatment accorded the men, both in the workshop and in the home, is conflicting. The Committee has inspected the home and plant and found conditions as well as may be expected under present circumstances. However, the Committee will enumerate certain recommendations later in the report.

It was also stated by witnesses, both by those outside of the home as well as by those who live in the home, that in the past men were compelled of necessity to go out on the street to beg in order to make up deficiencies in their wages so as to be able to pay $4.00 per week board. The management, although having knowledge of the facts, were either helpless to stop the bad practice or shut their eyes to the condition. The management was also accused of lack of sympathy for the blind and in some instances signs of favoritism was apparent.

All men in the home and most men working in the shop agreed that no increase in the board for the men should be made at this time.

Many witnesses repeated testimony which had been previously stated by some other witness.

The most important testimony taken before the Committee was the report and statements of our auditors who presented their report at the last hearing. At this time it is well to state that the facts and figures presented by the auditors and accountants are merely based on the figures as found in the books and through the accounting system of the home itself. Time did not permit a verification as to the authenticity or correctness of these figures. From the preliminary survey presented by our auditors it may be noted that no depreciation reserve has been provided for such portion of the real estate account as is represented by buildings. It will also be noted that excessive depreciation has been charged on the sprinkler system in the amount of $3,113.20, on the machinery, $14,096.00, and on the home furniture and fixtures, $4,458.33, or a total of $21,767.53.

This method of handling the depreciation of the fixed assets has resulted in an overstatement of the expenses for the years 1935, 1934, 1933, 1932 and 1931 of $3,531.48 per year; for 1930, $2,667.97; for 1929, $1,317.28 and for 1928, $124.88. At the same time the expenses have been understated by the amount of depreciation which should have been charted on the buildings, if any. All of the buildings would have been fully depreciated at the end of the year 1930, if a depreciation rate of 2½% per annum had been used.

And further, it may be observed that on November 30, 1935, the net capital of the corporation, as shown by the books, exclusive of endowment funds of $50,541.51, amounted to $151,565.33, a decrease of $1,020.15, as compared with the net capital as of November 30, 1929. This is after deduction of depreciation of $21,642.65, which, in our opinion, should not have been deducted on assets which were fully depreciated as of November 30, 1928, including all such assets purchased to date. By eliminating this latter item the capital accounts shows a net increase for the period of $20,622.50.

It may be further noted that on November 30, 1929, the current liabilities exceeded the gross working capital in the amount of $9,962.99, and on November 30, 1935, the gross working capital exceeded the current liabilities in the amount of $9,911.26, a net improvement of the working capital position of $19,874.25, in addition to which the corporation was able to purchase fixed assets in the amount of $3,171.13.

Operations for the year ended November 30, 1935, after elimination of the depreciation item above referred to, resulted in a net loss of $10,091.58. Operations for the previous year, after elimination of the depreciation item, resulted in a net gain of $8,607.33. From a comparative standpoint it will be noted that the results for the year ended November 30, 1935 show a decrease of $18,698.91.

The summary of operations, as set forth on Exhibit "B", page 14, of the Auditor's Report, hereto attached and marked Exhibit "A", shows that the loss incurred for the year ended November 30, 1935 was the first net loss suffered by the corporation in the past seven years.

This was due in part to a decrease in income from public, private and investment sources. The principal cause of this condition, however, was the factory department. It will be recalled that this loss for the year ended November 30, 1935 was $13,223.99 greater than for the previous year.

The home was operated for the year ended November 30, 1935 at a total cost of $28,726.66, including overhead charges of $7,637.33, or approximately 26% of the total.

The average number of inmates in the home during the year figured on an exact weekly basis, was 65-33/10. Of this number, an average of 8-1/3 were members of the Retreat.

The per capital cost per week was $8.43, of which $3.59 was expended for supplies and direct expenses of the home; $2.62 was expended for salaries and wages, and $2.22 was charged as the proportionate share of the overhead.

Total expenditures for supplies and direct expenses of the home amounted to $12,187.68 as follows:

Food Supplies	$8,440.30
Light and Fuel	873.46
Physicians' Services	200.00
Drugs and Prescriptions	256.03
Laundry	328.36
Exterminating	300.00
Telephone	43.40
Taxes and Water Rents	16.80
Tobacco	75.00
Christmas Candy	44.73
Funeral Expense	109.50
Miscellaneous	14.24
Petty Cash Expenditures	1,485.77

Salaries and wages paid to employes of the home amounted to $8,901.65. There are fourteen sighted employes of the home who receive an average wage of $11.00 per week and their meals. Five or six of these

employes live in the home. This department employs two blind men; one on a part time basis. These men receive $8.50 per week for this work, which is supplemented by $4.00 per week paid to the part time employe for his work in the factory.

The overhead expenses of $7,637.33 are detailed on Exhibit "L," page 24, of the Auditors' Report hereto attached, and will be referred to later.

Total board received during the year, at the rate of $4.00 per week per man, amounted to $13,487.87. Of this amount $1,728.00 was received for the board of the inmates in the Retreat, from the Pennsylvania Retreat for Blind Mutes and Aged and Infirm Persons, a separate corporation but affiliated with this corporation. Inmates of the home, too infirm or otherwise unable to earn and pay their board, are the usual beneficiaries of this organization.

The net loss of the home for the year, after taking into consideration bad debts of $25.89, amounted to $15,264.68, as detailed on Exhibit "C", page 15, of the Auditors' Report.

The factory was operated for the year ended November 30, 1935, at a total cost of $221,323.90.

The comparison by departments is as follows:

	Year Ended Nov. 30, 1935	Year Ended Nov. 30, 1934	Increase Decrease
Broom Department	$24,068.98	$18,073.46	$5,995.52
Weaving Department	28,323.45	19,761.24	8,562.21
Cane Department	1,117.48	1,016.84	100.64
Mop Department	174.08	1,608.46	1,434.38
	$53,683.99	$40,460.00	$13,223.99
Depreciation, not distributed	3,531.48	3,531.48	.....
Total	$57,215.47	$43,991.48	$13,223.99

Bold face type indicates decrease.
Light face type indicates increase.

The sales of the broom department for the year ended November 30, 1935, amounted to $132,718.83, an increase of $2,461.34 as compared with the previous year. The loss on this business, before deduction of overhead charges, amounted to $482.13 as compared with a profit for the previous year of $7,606.80, or a net decrease of $8,088.93.

Due to the limited time available no attempt as yet was made to ascertain the direct cause of this difference. From an examination of Exhibit "F," page 18, of the Auditors' Report, it is apparent that practically the entire amount is accounted for by the increased cost of materials used and direct expenses. We believe that a further analysis of these accounts should be made.

With respect to the weaving department, an analysis of which is shown on Exhibit "H", page 20, of the Auditors' Report, it will be noted the loss of this department, before deduction of overhead expenses, for the year ended November 30, 1935, amounted to $23,315.42, or 101 9/10% of the sales. In other words, the sales of this department amounted to slightly less than 50% of the cost of producing the merchandise.

Therefore, the increased loss for the year ended November 30, 1935, in the amount of $7,695.61, can be directly attributed to the increased sales of $7,885.69.

It may be noted that approximately the same ratio of loss was sustained during the fiscal years 1933 and 1934. Prior to those years the ratio of loss was considerably, lower, ranging from 35.69% in 1929 to 74.38% in 1932.

As pointed out above, time did not permit us to make any attempt to determine the causes for these variations.

The operations of the cane and mop departments are set forth on Exhibits "I" and "J", respectively, of the Auditors' report.

No production records are kept and in order to determine the quantities of articles sold it would be necessary to make a complete analysis of the sales records.

The following is a condensed summary of this Exhibit:

	Year Ended Nov. 30, 1935	Year Ended Nov. 30, 1934
Total Income from all Sources	$239,672.39	$232,545.92
Expenses		
Wages of Blind Employes	58,506.85	52,807.41
Pensions of Blind Employes	486.00	2,517.34
Salaries and Wages of Sighted Employes	36,610.24	34,980.82
Material Used and Direct Factory Expenses	117,174.89	95,589.24
Supplies Used and Direct Home Expenses	12,187.68	13,435.75
Overhead and Other Expenses	*28,329.79	*30,139.51
Total Expenses	$253,295.45	$227,470.07
Surplus or **Deficit** for Year	**$13,623.06**	$5,075.85

* Including depreciation of $3,531.48 on fully depreciated assets.

Bold face type indicates deficit.

An analysis was made of the wages paid to blind employes for the year ended November 30, 1935. The averages are based upon the wages paid to fifty-eight employes living in the home and fifty-six employes living outside of the home, all of whom were employed six months or more. For this purpose we selected one weekly payroll in each month, three being the first week of the month, three being the second week, three being the third week and three being the fourth week.

The average weekly wage classified as to the age of the worker is is follows:

	In the Home			Out of Home		
	No.	Average Age.	Average Wage	No.	Average Age.	Average Wage
Under 35	9	29	$9.82	12	30	$11.36
35 to 45	7	41	10.45	14	39	10.58
45 to 55	15	50	8.16	6	50	15.39
55 to 65	7	60	8.91	14	58	13.11
Over 65	20	70	7.55	10	71	9.11
Total	58	50	$8.98	56	49	$11.91

The average age of all blind employes is 51 years, and the average wage is $10.08 per week. Information as to the ages of the various employes was obtained from the superintendent and in some instances were estimated.

It will be noted that the outside employes number slightly less than 50% of the total in number. They receive approximately 57% of the total wages paid to blind employes.

Classification was made of the average wage of these workers by departments as shown on Exhibit "N", page 26, of the Auditors' Report.

As previously stated, this is a preliminary report and is incomplete as to certain pertinent information which will be included in the final report. This will include among other things a more detailed analysis of operations and of the financial transactions.

It is also intended to include in the final report the result of a detailed audit of the transactions from November 30, 1935, to date. We understand that during this period certain large bequests and endowments have been received which will have a material effect upon future operations, a study of which will be necessary in considering the future financial policy of this corporation.

QUESTIONS INVOLVED

1. Was the management justified in proposing an increase of $2.00 per week on the board for the men who live in the home, and who are receiving State pensions?

2. Does the home and the workshop justify its existence?

3. Should there be a change in the method and procedure in managing the affairs of the institution?

DISCUSSION OF QUESTIONS INVOLVED

1. Was the management justified in proposing the increase of $2.00 per person per week on the board for the men who live in the home and who are receiving State pensions?

The Committee feels that at the present time the management should not make that increase. This conclusion is based on the following:

(a) An increase of the board which would of course supplement the income generally would be inequitable since it means that the men living in the home would bear more than their proportionate share of the loss sustained by the workshops. Our analysis shows that the loss sustained in the operation of the shop and the home is in a 3 to 1 ratio. This would mean that out of every $2.00 added, three-fourths of that amount would help defray the operation costs of the workshop.

(b) In deducting an additional $2.00 from the men who are receiving blind pensions, it would deprive these men of part of the benefits which the Legislature intended for them to have, to wit: a higher standard of living. An increase such as is proposed would defeat the very purpose of the grant made by the State to the blind persons. It would also mean an indirect increase in the appropriation made by the State to the institution in the amount of $6000.00 per year, a proposition which the Committee is as yet not prepared to pass upon.

(c) As a substitute for the increase sought the Committee suggests that the management use the saving of $3000.00 in the overhead, which amount is now made available by the repayment of the $50,000.00 mortgage which was placed on the buildings. This $50,000.00 was made possible through an outright bequest recently turned over to the institution. This, together with the fact that an additional amount which will be derived from the income of the other $50,000.00 arising out of the same bequest, should be available for general purposes. We have also pointed out that the error including depreciation on fixed assets in the expenses of running the institution would decrease these expenses by about $3500.00 per year, thus decreasing the annual overhead to an amount approximating between $8000.00 and $9000.00. This aggregate amount would be more than sufficient to overcome the contemplated increase of $6000.00 in the board from the men of the home.

2. Does the home and the workshop justify its existence?

The Committee is as yet not ready to report recommendations involving this vital problem. Testimony was presented both for and against the proposition that it was not necessary to have a workshop for blind persons to make them contented as much as possible. This is so in view of the fact that the blind pensions are now available to them whereas previously no such grant was made.

The pressure for time in order that we may prepare a preliminary report to be presented at this Extraordinary Session did not allow the Committee or its auditors to properly and fully analyze the situations upon which the Committee could base recommendations along those lines. The problem requires further survey and study and it is the intention of the Committee so to do.

Comparisons must be made with other institutions of like or similar character both in this State and places outside of our Commonwealth. The relationship of the expenditures made through public funds on this institution must be taken into account in allocating for blind pensions or grants in the future. A more comprehensive study will be made by this Committee in order to enable it later to make a further report bearing on that question.

3. Should there be a change in the methods and procedure in managing the affairs of the institution?

The Committee is justified in making the recommendation that the Board of Managers should add at least two other members to the board, one member who will be representing the blind persons and who wish to be sponsored by a responsibile blind organization of this State; the other member should be appointed by the Governor who will represent the Commonwealth since the State is a heavy contributor to this private corporation.

The Committee intends to study further the problems of a possible separation of the home from the workshop so that the proper burden of losses and proportionate contributions can be charged to both the home and the workshop. Perhaps one or the other may properly be eliminated without harm to the blind persons effected. It may even redound to their benefit.

A further study should also be made with the view of ascertaining whether it would be feasible, practicable and profitable to the institution for it to locate in such an environment which would be more beneficial to the blind people, taking the safety and health of the inmates into consideration. For that purpose an impartial report should be made regarding the value of the land and the improvements thereon of the present site as compared to the possible cost and removal to a site in a less congested area.

The Committee at this time is not as yet prepared to make any recommendations regarding the present management of the home and the workshop. A further study and verification is required. This will be embodied in a subsequent report.

RECOMMENDATIONS

The Committee, therefore, recommends as follows:

1. That the amount of the board charged to the men should not be increased as proposed by the Board of Managers.

2. That the Board of Managers should be increased by two members, one recommended by a responsible blind organization and the other by the Governor of this Commonwealth.

3. This Committee should continue to function so that it may further report findings involving the following problems:

(a) Does the home and workshop justify its existence?

(b) Should or should there not be a separation made between the home and the workshop?

(c) Is it practical to move the plant and home to a more favorable site?

(d) Does the present management conduct the institution in the best interests of the inmates and the blind persons?

These latter queries can only be answered after further study, research and verification. It is, therefore, the intention of this Committee to continue in its work so as to enable it to prepare a further and more comprehensive report to the House of Representatives.

Respectfully submitted,

(Signed) JOSEPH OMINSKY, Chairman
(Signed) JOHN J. FINNERTY
(Signed) JOSEPH A. SCANLON
(Signed) MARSHALL L. SHEPARD
(Signed) CHARLES C. A. BALDI, Jr.

August 6, 1936.

COMPARATIVE FINANCIAL STATEMENT FOR THE SEVEN YEARS ENDED NOVEMBER 30, 1935

FOREWORD

On June 30, 1936, in the House of Representatives, Harrisburg, Pennsylvania, the following Committee was appointed to make investigation of the Pennsylvania Working Home for Blind Men, of Philadelphia:

Joseph Ominsky, Chairman; Charles C. A. Baldi, John L. Finnerty, Joseph A. Scanlon, Marshall Shepard.

Senator John J. McCreesh, is a member ex-officio. The Accounting Firm of Thompson and Markel of Philadelphia was engaged by this Committee to examine the books and records of the Pennsylvania Working Home for Blind Men, of Philadelphia. A partial examination, covering the seven year period ended November 30, 1935, was made and a Preliminary Report has been prepared for that period. An additional report will be rendered following the completion of the engagement.

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Exhibit "E"—Comparative Statement of Income and Profit and Loss—Broom Department
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Exhibit "G"—Comparative Statement of Income and Profit and Loss—Weaving Department
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THOMPSON & MARKEL
Accountants—Auditors
1411 Walnut Street
Philadelphia

Committee to Make Investigation of the Pennsylvania Working Home for Blind Men of Philadelphia

Gentlemen:—

We have made a preliminary survey of the books and records of the Pennsylvania Working Home for Blind Men for the seven year period ended November 30, 1935, and submit herewith comparative financial and operating statements prepared from the books and accountants reports. Due to the limited time at our disposal, we did not make a detailed audit of the Balance Sheet or of the transactions but have confined ourselves to test checking certain accounts.

The Pennsylvania Working Home for Blind Men was chartered as a corporation, on July 23, 1874, by the Court of Common Pleas for Philadelphia County.

The object of this corporation, as stated by the charter, is the organization of workshops and a home for Homeless Blind Mechanics, teaching useful trades to blind men, giving employment also to those blind men who have homes, and the selling of the manufactures of the corporation for its benefit and advantage.

It shall be supported by donations; by legacies; by inmates and their friends; by annual subscriptions; and by such other aids as may be available for its charitable objects.

The constitution provides that the government of the corporation shall be vested in a Board of Managers which shall consist of sixteen persons. The Board shall have power to fill all vacancies in their body, which may occur during the year, and to elect their successors at the annual meeting. There are three vacancies on the Board at the present time.

The thirteen members of the Board, five of whom are also the officers of the corporation, and the year in which each member was originally elected to the Board, are as follows:

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The Board of Managers holds monthly meetings in addition to the annual meeting held the last Tuesday of December of each year. Five members constitute a quorum for all ordinary business.

The average attendance at the annual meetings for the past two years has been eight, and at the monthly meetings seven.

The members of the Board of Managers serve without compensation.

The corporation owns the property located at the southeast corner of 36th Street and Lancaster Avenue, Philadelphia, Pennsylvania, which extends on 36th Street from Lancaster Avenue to Warren Street.

There are a number of structures on this property, one of which is the home for the inmates, one is a four story factory building in which there is located a retail store for the sale of articles manufactured by the blind men, and the office is also located in this building. The third building, a three-story dwelling, is occupied by the Superintendent and his family. There are also four three-story dwellings facing on Warren Street. These latter properties are rented to blind employes.

The home was acquired in 1874, and is believed to have been erected approximately one hundred years ago. All activities of the organization were originally conducted in this building, which was subsequently enlarged by the addition of wings. This building is now used exclusively as a home for the inmates and for certain of the employes of the home who live there.

We understand that the factory building, and the Superintendent's dwelling, were erected about the year 1890. The Treasurer's reports for the years 1889, 1891 and 1894, indicate that appropriations totaling $25,000.00 were received from the Commonwealth of Pennsylvania for this purpose. A subsequent report of the Treasurer for the fiscal year 1895-1896, indicates that a mortgage for $50,000.00 was placed on the property. Payments on account over a period of years reduced the mortgage to $20,000.00 as of April 16, 1919. An additional loan of $30,000.00 was made on October 13, 1921, increasing the mortgage to $50,000.00. On June 25, 1936, this amount was paid in full with the proceeds of a specific bequest for this purpose.

On November 30, 1935, the corporation's investment in real estate, buildings, machinery and furniture and fixtures was stated on the books at a gross value of $252,604.63, less depreciation reserves of $60,950.56, or a net book value of $191,654.07. The real estate on that date was subject to a mortgage of $50,000.00, which further reduced the book equity of these assets to $141,654.07.

The following summary sets forth these items in detail:

	Gross Book Value	Reserve for Depreciation	Mortgage	Net Book Value
Real Estate	213,421.60	.....	50,000.00	163,421.60
Sprinkler System	4,422.73	7,535.93	.....	3,113.20
Machinery	23,337.11	37,433.11	.....	14,096.00
Home Furniture and Fixtures	11,423.19	15,981.52	.....	4,558.33
	252,604.63	60,950.56	50,000.00	141,654.07

Bold face type indicates decrease.

From the above it will be noted that no depreciation reserve has been provided for such portion of the real estate account as is represented by buildings. It will also be noted that excessive depreciation has been charged on the sprinkler system in the amount of $3,113.20, and on the machinery $14,096.00, and on the home furniture and fixtures, $4,458.33, or a total of $21,767.53.

This method of handling the depreciation of the fixed assets has resulted in an overstatement of the expenses for the years 1935, 1934, 1933, 1932 and 1931 of $3,531.48 per year; for 1930, $2,667.97; for 1929, $1,317.28 and for 1928, $124.88. At the same time the expenses have been understated by the amount of depreciation which should have been changed on the buildings, if any. All of the buildings would have been fully depreciated at the end of the year 1930, if a depreciation rate of 2½% per annum had been used.

The Board of Managers maintains a home for blind men and operates a factory primarily for the employment of blind men. The board received from inmates of the home and the sale of articles manufactured in the factory are insufficient to cover the expenses, and both departments are conducted with heavy losses.

These losses are provided for in part by appropriations received from the Commonwealth of Pennsylvania, the City of Philadelphia, and the United Campaign. In addition to this, contributions and bequests are received from private sources. The Corporation also derives an income from certain endowment funds, the principal of which is stated on the books at slightly in excess of $50,000.00.

The income received as board for the inmates of the home is applied as a credit against the costs of that department. The income received from the sale of manufactured articles is applied as a credit against the cost of operating the factory. Income received from the other sources enumerated above is placed in the general fund of the corporation and is used to pay the losses of the home and factory; the general overhead expenses of the corporation; capital expenditures; debt retirement and as current working capital.

There does not appear to be any provision regarding the application of these funds as between the home and the factory. On account of this condition it is quite possible that in the distribution of these funds the benefits derived by one department may be inequitable as compared with the benefits derived by the other department.

On November 30, 1935, the net capital of the corporation, as shown by the books, exclusive of endowment funds of $50,541.51, amounted to $151,565.33, a decrease of $1,020.15, as compared with the net capital as of November 30, 1929. This is after deduction of depreciation, which in our opinion should not have been deducted, of $21,642.65, on assets which were fully depreciated as of November 30, 1928, including all such assets purchased to date. By eliminating this latter item the capital account shows a net increase for the period of $20,622.50.

The comparative financial condition as of the above dates, as reflected by the books, giving effect to the adjustment of the depreciation reserve is stated below:

	Nov. 30, 1935	Nov. 30, 1929	Increase Decrease
Current Assets:			
Cash	326.71	308.83	17.88
Accounts Receivable	24,107.07	16,553.80	7,553.27
Inventories	42,253.96	55,818.98	13,565.02
Perpetual Insurance	1,005.00	1,005.00	.....
Appropriations Receivable	.....	5,687.50	5,687.50
Travel Fund	.....	25.00	25.00
Total Current Assets	$67,692.74	$79,399.11	$11,706.37
General and Reserve Funds	$416.81	$29,525.80	$29,108.99
Gross Working Capital	68,109.55	108,924.91	40,815.36
Endowment Funds	50,541.51	50,223.46	318.05
Other Funds	.....	2,422.88	2,422.88
Fixed Assets (Net of Depreciation)	213,296.72	210,125.59	3,171.13
Total Assets	$331,947.78	$371,696.84	$39,749.06
Current Liabilities			
Bank Loans	7,400.00	55,500.00	48,100.00
Bills Payable	28,972.70	36,989.37	8,016.67
Accounts Payable	21,825.59	26,398.53	4,572.94
Total Current Liabilities	$58,198.29	$118,887.90	$60,689.61
Mortgage Payable	50,000.00	50,000.00	.....
Total Liabilities	$108,198.29	$168,887.90	$60,689.61
Endowment Fund	50,541.51	50,223.46	318.05
Net Capital, exclusive of Endowment Fund	173,207.98	152,585.48	20,622.50
Total Liabilities and Capital	$331,947.78	$371,696.84	$39,749.06

Bold face type indicates decrease.
Light face type indicates increase.

From the above it will be observed that on November 30, 1929, the current liabilities exceeded the gross working capital in the amount of $9,962.99, and on November 30, 1935, the gross working capital exceeded the current liabilities in the amount of $9,911.26, a net improvement of the workng capital position of $19,874.25, in addition to which the corporation was able to purchase fixed assets in the amount of $3,171.13.

The Balance Sheet of the corporation in comparative form is set forth on Exhibit "A," page 13.

Operations for the year ended November 30, 1935, after elimination of the depreciation item above referred to, resulted in a net loss of $10,091.58. Operations for the previous year, after elimination of the depreciation item, resulted in a net gain of $8,607.33. From a comparative standpoint, it will be noted that the results for the year ended November 30, 1935, show a decrease of $18,698.91.

The income and operating accounts for these two periods are summarized below:

	Year Ended Nov. 30, 1935	Year Ended Nov. 30, 1934	Increase	Decrease
Income				
From Public Sources	$53,950.00	$54,513.00		$563.00
From Private Sources	2,162.04	8,701.63		6,539.59
From Investments	3,020.12	4,415.85		1,395.73
Sundry Income and Adjustments	215.25	.....	$214.25	
Total Income	$59,346.41	$67,630.48		8,284.07
Losses From Operations				
Home Department	15,264.68	16,028.81		764.13
Manufacturing and Trading	53,683.99	40,460.00	13,223.99	
Total Losses from Operations	68,948.67	56,488.81	12,459.86	
Other Charges				
Pensions	486.00	2,517.34		2,031.34
Sundry Taxes	3.32	17.00		13.68
	489.32	2,534.34		2,045.02
Total Deductions	69,437.99	59,023.15	10,414.84	
Net Surplus or Deficit For the Year	10,091.58	8,607.33		18,698.91

Bold face type indicates decrease.
Light face type indicates increase.

The summary of operations, as set forth on Exhibit "B," page 14, of this report, shows that the loss incurred for the year ended November 30, 1935, was the first net loss suffered by the corporation in the past seven years.

This was due in part to a decrease in income from public, private and investment sources. The principal cause of this condition, however, was the increased loss incurred in the manufacturing and trading activities of the factory department. It will be recalled that this loss for the year ended November 30, 1935, was $13,223.99 greater than for the previous year.

The operations of the home and of the factory are commented on in more detail below.

The home was operated for the year ended November 30, 1935 at a total cost of $28,726.66, including overhead charges of $7,637.33, or approximately, 26% of the total.

The average number of inmates in the home during the year, figured on an exact weekly basis, was 65 3-10. Of this number an average of 8 1-3 were members of the Retreat.

The per capita cost per week was $8.43, of which $3.59 was expended for supplies and direct expenses of the home; $2.62 was expended for salaries and wages and $2.22 was charged as the proportionate share of the overhead.

Total expenditures for supplies and direct expenses of the home amounted to $12,187.68 as follows:

Food Supplies	$8,440.30
Light and Fuel	873.46
Physicians Services	200.00
Drugs and Prescriptions	256.03
Laundry	328.36
Exterminating	300.00
Telephone	43.40
Taxes and Water Rents	16.89
Tobacco	75.00
Christmas Candy	44.73
Funeral Expense	109.50
Miscellaneous	14.24
Petty Cash Expenditures	1,485.77
Total	$12,187.68

Salaries and wages paid to employes of the home amounted to $8,901.65. There are fourteen sighted employes of the home who receive an average wage of $11.00 per week and their meals. Five or six of these employes live in the home. This department employs two blind men, one on a part time basis. These men receive $8.50 per week for this work, which is supplemented by $4.00 per week paid to the part time employe for his work in the factory.

The overhead expenses of $7,637.33 are detailed on Exhibit "L", page 24, and will be referred to later.

Total board received during the year, at the rate of $4.00 a week per man, amounted to $13,487.87. Of this amount, $1,728.00 was received for the board of the inmates in the Retreat, from the Pennsylvania Retreat for Blind Mutes and Aged and Infirm Persons, a separate corporation. Inmates of the home too infirm or otherwise unable to earn and pay their board are the usual beneficiaries of this organization.

The net loss of the home for the year after taking into consideration bad debts of $25.89 amounted to $15,264.68, as detailed on Exhibit "C," page 15.

The factory was operated for the year ended November 30, 1935 at a total cost of $221,323.90.

The following is a comparative summary of operations for the past two years:

	Year Ended Nov. 30, 1935	Year Ended Nov. 30, 1934	Increase Decrease
Materials used and Direct Expenses	$117,174.89	$93,589.24	$23,585.65
Productive Labor —Blind Employes	56,660.85	50,961.41	5,699.44
Productive Labor —Sighted Employes	15,777.46	13,563.30	2,214.16
Supervision—Sighted Employes	1,505.50	1,560.00	54.50
	$191,118.70	$159,673.95	$31,444.75
Less: Increase or Decrease in Finished Goods Inventory	$2,729.68	$2,738.17	$5,467.85
Total Direct Cost of Goods Sold	188,389.02	162,412.12	25,976.90
Overhead Charges	28,483.35	29,057.92	574.57
Depreciation	3,531.48	3,531.48	.....
Bad Debts	920.05	1,687.18	767.13
Total Costs	$221,323.90	$196,688.70	$24,635.20
Sales Amounted to	164,108.43	152,697.22	11,411.21
Resulting in a Net Loss from Operations for the Year of	$57,215.47	$43,991.48	$13,223.99

Bold face type indicates decrease.
Light face type indicates increase.

The comparison by departments is as follows:

	Year Ended Nov. 30, 1935	Year Ended Nov. 30, 1934	Increase Decrease
Broom Department	$24,068.93	$18,073.46	$5,995.52
Weaving Department	28,323.45	19,761.24	8,562.21
Cane Department	1,117.48	1,016.84	100.64
Mop Department	174.03	1,608.46	1,434.38
	$53,683.99	$40,460.00	$13,223.99
Depreciation, not distributed	3,531.48	3,531.48	.....
Total	$57,215.47	$43,991.48	$13,223.99

Bold face type indicates decrease.
Light face type indicates increase.

The sales of the Broom department for the year ending November 30, 1935 amounted to $132,718.83, an increase of $2,461.34 as compared with the previous year. The loss on this business, before deduction of overhead charges, amounted to $482.13 as compared with a profit for the previous year of $7,606.80, or a net decrease of $8,088.93.

Due to the limited time available, we made no attempt to ascertain the direct cause of this difference. From an examination of Exhibit "F", page 18, it is apparent that practically the entire amount is accounted for by the increased cost of materials used and direct expenses. We believe that a further analysis of these accounts should be made.

With respect to the weaving department, an analysis of which is shown on Exhibit "H", page 20, it will be noted that the loss of this department, before deduction of overhead expenses, for the year ended November 30, 1935, amounted to $23,315.42, or 101 9/10% of the sales. In other words, the sales of this department amounted to slightly less than 50% of the cost of producing the merchandise.

Therefore, the increased loss for the year ended November 30, 1935, in the amount of $7,695.61, can be directly attributed to the increased sales of $7,885.69.

You will note that approximately the same ratio of loss was sustained during the fiscal years 1933 and 1934. Prior to those years the ratio of loss was considerably lower, ranging from 35.69% in 1929 to 74.38% in 1932.

As pointed out above, time did not permit us to make any attempt to determine the causes of these variations.

The operation of the Cane and Mop Departments are set forth on Exhibits I and J, respectively.

No production records are kept and in order to determine the quantities of articles sold it would be necessary to make a complete analysis of the sales records.

General overhead expenses for the year amounted to $36,120.68, as detailed on Exhibit "K", page 23, which was distributed to the various departments as shown on Exhibit "L," page 24.

The amount of this expense charged to the various departments of the factory amounted to $28,483.35, and to the home, $7,637.33. This latter figure is detailed below, showing the proportionate amount of the total which was charged to the home.

Insurance	$74.46	Actual amount applicable to home
Fuel, Light and Power	717.02	One-quarter of total
Repairs and Maintenance	1,282.89	Actual amount applicable to home
Administration and Management	2,260.50	One-half of total
Office Expense	* 934.54	Approximately one-quarter of total
Janitors	1,367.92	One-half of total
Interest	1,000.00	Approximately one-fifth of total
	$7,637.33	*Exclusive of collection expense

On Exhibit "M", page 25, we have summarized the income and expense of all departments, in comparative form, for the two years ended November 30, 1935, showing the receipts from all sources and the expenses by classifications regardless of the departments to which they are applicable.

The following is a condensed summary of this Exhibit:

	Year Ended Nov. 30, 1935	Year Ended Nov. 30, 1934
Total Income from all Sources	$239,672.39	$232,545.92
Expenses		
Wages of Blind Employes	58,506.85	52,807.41
Pensions of Blind Employes	486.00	2,517.34
Salaries and Wages of Sighted Employes	36,610.24	34,980.82
Materials used and direct Factory Expenses	117,174.89	93,589.24
Supplies used and direct Home Expenses	12,187.68	13,435.75
Overhead and Other Expenses	* 28,329.79	* 30,139.51
Total Expenses	$253,295.45	$227,470.07
Surplus or Deficit for the Year	$13,623.06	$5,075.85

* Including depreciation of $3,531.48 on fully depreciated assets.

Bold face type indicates deficit.

For your information we have made an analysis of the wages paid to blind employes for the year ended November 30, 1935. The averages are based upon the wages paid to fifty-eight employes living in the home and fifty-six employes living outside the home, all of whom were employed six months of more. For this purpose we selected one weekly payroll in each month; three being the first week of the month; three being of the second week; three being of the third week and three being of the fourth week.

The average weekly wage, classified as to the age of the worker, is as follows:

	In the Home			Out of the Home		
	No.	Average Age	Average Wage	No.	Average Age	Average Wage
Under 35	9	29	$9.82	12	30	$11.36
35 to 45	7	41	10.45	14	39	10.58
45 to 55	15	50	8.16	6	50	15.39
55 to 65	7	60	8.91	14	58	13.11
Over 65	20	70	7.55	10	71	9.11
Total	58	54	$8.98	56	49	$11.91

The average age of all blind employes is 51 years, and the average wage is $10.08 per week. Information as to the ages of the various employes was obtained from the Superintendent, and in some instances were estimated.

It will be noted that the outside employes number slightly less than 50% of the total in number. They receive approximately 57% of the total wages paid to blind employes.

We have further classified the average wage of these workers by departments, as shown on Exhibit "N," page 26.

As previously stated, this is a Preliminary Report and is incomplete as to certain pertinent information which will be included in our Final Report. This will include among other things a more detailed analysis of operations, and of the financial transactions.

We will also include in our final report the result of a detailed audit of the transactions from November 30, 1935, to date. We understand that during this period certain large bequests and endowments have been received which will have a material effect upon future operations, a study of which will be necessary in considering the future financial policy of this corporation.

We wish to express our appreciation to the Board of Managers and the employes for their complete cooperation during the course of our engagement.

Respectfully submitted,

THOMPSON & MARKEL
By Gideon H. Markel
Certified Public Accountant

July 31, 1936

COMPARATIVE BALANCE SHEET

ASSETS	Nov. 30, 1935	Nov. 30, 1934	Nov. 30, 1933	Nov. 30, 1932	Nov. 30, 1931	Nov. 30, 1930	Nov. 30, 1929
Current Assets							
Cash in Bank	$26.71	$116.82	$10.70	$54.56	$12.14	$61.17	$6.83
Petty Cash Fund	300.00	300.00	300.00	300.00	300.00	300.00	300.00
Customers Accounts Receivable	23,832.07	23,940.10	19,351.39	12,415.40	16,223.04	17,951.15	16,435.66
Inmates Accounts Receivable	23.00	62.79	63.33	448.87	83.85	102.57	118.14
Pennsylvania Retreat	252.00	124.00	196.00	.....	.....	.....	.....
Inventories: Materials, Supplies, Mdse.	39,633.81	50,321.03	48,568.69	40,278.84	39,596.77	35,701.71	55,818.98
Materials in Transit	2,620.15	.....	.....	.....	.....	16,517.15	.....
Perpetual Insurance	1,005.00	1,005.00	1,005.00	1,005.00	1,005.00	1,005.00	1,005.00
Appropriations Receivable	.....	.....	.....	.....	3,781.63	1,666.00	5,687.50
Travel Fund	.....	.....	.....	.....	.....	.....	25.00
Total Current Assets	67,692.74	75,869.74	69,495.11	54,502.67	61,002.43	73,304.75	79,399.11
General and Reserve Funds	416.81	2,767.64	27,746.25	28,288.80	28,288.80	29,525.80	29,525.80
Endowment Funds	50,541.51	51,013.25	54,063.25	51,445.48	51,035.46	50,015.46	50,223.46
Other Funds (Cash)	.....	.....	.....	.....	.....	.....	2,422.88
Fixed Assets							
Real Estate	213,421.60	213,421.60	213,421.60	213,421.60	213,421.60	212,921.60	211,171.60
Sprinkler System	4,422.73	4,422.73	4,422.73	4,422.73	4,422.73	4,422.73	4,422.73
Machinery	23,337.11	23,337.11	23,322.11	23,322.11	23,028.07	22,857.75	22,358.26
Home Furniture and Equipment	11,423.19	11,423.19	11,423.19	11,423.19	11,423.19	11,423.19	10,500.16
Office Equipment	.....	.....	.....	.....	.....	.....	83.03
New Equipment (Factory and Home)	.....	.....	.....	.....	.....	.....	1,351.49
Total Fixed Assets	252,604.63	252,604.63	252,589.63	252,589.63	252,295.59	251,625.27	249,887.27
Less: Depreciation Reserve	* 60,950.56	* 57,419.08	* 53,887.60	* 50,356.12	* 46,824.64	* 43,293.16	* 39,761.68
Net Fixed Assets	191,654.07	195,185.55	198,702.03	202,233.51	205,470.95	208,332.11	210,125.59
Total Assets	$310,305.13	$324,836.18	$350,006.64	$336,470.46	$345,797.64	$361,178.12	$371,696.84
LIABILITIES AND CAPITAL							
Current Liabilities							
Bank Overdraft	.....	.....	$408.72	.....	.....	.....	.....
Bank Loans	$7,400.00	$4,500.00	37,000.00	$41,000.00	$42,500.00	$49,500.00	$55,500.00
Bills Payable	28,972.70	39,918.05	32,465.80	23,922.59	29,453.43	21,605.27	36,989.37
Accounts Payable	21,825.59	14,216.49	15,901.43	11,890.22	13,454.92	33,624.43	26,398.53
Total Current Liabilities	58,198.29	58,634.54	85,775.95	76,812.81	85,408.35	104,729.70	118,887.90
Funded Debt—Mortgage Payable	50,000.00	50,000.00	50,000.00	50,000.00	50,000.00	50,000.00	50,000.00
Miscellaneous Liabilities	.....	.....	54.90	.....	.....	.....	.....
Total Liabilities	108,198.29	108,634.54	135,830.85	126,812.81	135,408.35	154,729.70	168,887.90
Endowment Funds	50,541.51	51,013.25	54,063.25	51,445.48	51,035.46	50,015.46	50,223.46
Capital—(Exclusive of Endowment Funds) as represented by excess of Assets over Liabilities							
General and Reserve Funds	416.81	2,767.64	27,746.25	28,288.80	28,288.80	29,525.80	29,525.80
Sundry Contributors	188,010.13	184,910.13	152,410.13	148,210.13	146,710.13	139,440.13	134,440.13
Accumulated Deficit	36,861.61	22,489.38	20,043.84	18,286.76	15,645.10	12,532.97	11,380.45
Net Capital	151,565.33	165,188.39	160,112.54	158,212.17	159,353.83	156,432.96	152,585.48
Total Liabilities and Capital	310,305.13	324,836.18	350,006.64	336,470.46	345,797.64	361,178.12	371,696.84
* Including excessive depreciation on fully depreciated Assets of	$21,767.54	$18,236.05	$14,704.57	$11,173	$7,641.61	$4,110.13	$1,442.16

EXHIBIT "A"

Bold face type indicates deficit.

COMPARATIVE STATEMENT OF INCOME, PROFIT AND LOSS AND CAPITAL

	Year Ended Nov. 30, 1935	Year Ended Nov. 30,1934	Year Ended Nov. 30, 1933	Year Ended Nov. 30, 1932	Year Ended Nov. 30, 1931	Year Ended Nov. 30, 1930	Year Ended Nov. 30. 1929
Income							
From Public Sources							
State of Pennsylvania	$22,750.00	$22,750.00	$27,102.91	$18,397.09	$22,750.00	$22,750.00	$22.562.50
City of Philadelphia	19,500,00	18.000.00	18.506.00	18,334.00	20,000.00	20,000.00	19,992.00
Welfare Federation	11,700.00	13.763.00	16,749.00	19,952.40	21,246.78	22,096.78	21,190.98
Total from Public Sources	$53,950.00	$54,513.00	$62,357.91	$56,683.49	$63,996.78	$64,846.78	$63,745.48
From Private Sources							
Sundry Contributions and Bequests:							
Credited to Capital Account on Books	$749.17	$7,521.39	$3,657.45	$1,500.00	$6.033.00	$5,000.00	$10,274.37
Credited to Income Account on Books	1.412.87	1.180.24	1,522.19	1,888.00	2.338.79	2,467.42	1,728.39
Total from Private Sources	$2.162.04	$8,701.63	$5,179.64	$3,388.00	$8,371.79	$7,467.42	$12.002.76
From Investments							
Net Rentals	648.48	335.67	27.92	314.88	583.78	99.31	649.35
Endowment and Reserve Funds	2,371.64	4.080.18	5,053.08	4,627.52	5,349.04	5,023.37	4.586.44
Total from Investments	3,020.12	4,415.85	5,025.16	4,942.40	5,932.82	4,924.06	5.235.79
Sundry Income and Adjustments	214.25	.....	.....	.....	.....	40.73	4.00
Total from Above Sources	$59,346.41	$67,630.48	$72.562.71	$65,013.89	$78.301.39	$77,278.99	$80,988.03
Losses from Operations							
Home Department Deficit	15,264.68	16,028.81	15,039.86	$15,674.62	$20,401.21	$19,366.06	$20,389.15
Manufacturing and Trading Deficit	* 57.215.47	* 43,991.48	* 52,711.00	* 49,519.63	* 51,863.32	* 50,456.10	* 41,281.30
Total Losses from Operations	$72,480.15	$60,020.29	$67,750.86	$65,194.25	$72,264.53	$69,822.16	$61,670.45
Other Charges							
Pensions	$486.00	$2.517.34	$2.547.66	935.00	3,115.99	3,609.35	3,462.38
Sundry Taxes	3.32	17.00	363.82	26.30	.....	.....	12.09
Total Other Charges	489.32	2,534.34	2,911.48	961.30	3.115.99	3,609.35	3.474.47
Total Deductions	72,969.47	62,554.63	70,662.34	66,155.55	75.380.52	73,431.51	65,144.92
Net Surplus or **Deficit** for the Year	13,623.06	5,075.85	1,900.37	1,141.66	2,920.87	3,847.48	15.843.11
Balance of Capital Beginning of Year	165,188.39	160.112.54	158,212.17	159,353.83	156,432.96	152,585.48	136,742.37
Balance of Capital End of Year	$151,565.33	$165,188.39	$160,112.54	$158,212.17	$159,353.83	$156,432.96	$152,585.48
* Including excessive depreciation on fully depreciated Assets of	$3,531.48	$3,531.48	$3,531.48	$3,531.48	$3,531.48	$2,667.97	$1,317.28

EXHIBIT "B"

Bold face type indicates deficit and losses.

COMPARATIVE STATEMENT OF INCOME AND PROFIT AND LOSS

HOME DEPARTMENT

	Year Ended Nov. 30, 1935	Year Ended Nov. 30, 1934	Year Ended Nov. 30, 1933	Year Ended Nov. 30, 1932	Year Ended Nov. 30, 1931	Year Ended Nov. 30, 1930	Year Ended Nov. 30, 1929
Income							
Inmates Board	$13,487.87	$14,956.39	$14,721.99	$16,327.89	$18,195.50	$19,376.92	$18,306.32
Cost of Operations							
Inventory of Supplies—Beginning of Period	$523.61	$766.66	$636.64	$583.39	$567.63	$533.61	$617.92
Purchases during Period	12,078.94	13,192.70	12,754.91	14,695.09	18,029.55	19,207.86	19,936.78
	12,602.55	13,959.36	13,391.55	15,278.48	18,597.18	19,741.47	20,554.70
Inventory—Close of Period	414.87	523.61	766.66	636.64	583.39	567.63	533.61
Material Cost	12,187.68	13,435.75	12,624.89	14,641.84	18,013.79	19,173.84	20,021.09
Salaries and Wages	3,901.65	9,316.75	8,945.13	9,492.53	9,853.55	9,474.37	9,555.91
Proration of General Expense	7,637.33	8,232.70	8,205.16	7,834.83	10,679.44	9,899.58	9,118.47
Total Expenses	16,538.98	17,549.45	17,150.29	17,327.36	20,532.99	19,373.95	18,674.38
Total Cost	$28,726.66	$30,985.20	$29,775.18	$31,969.20	$38,546.78	$38,547.79	$38,695.47
Operating Deficit	15,238.79	16,028.81	15,053.19	15,641.31	20,351.28	19,170.87	20,389.15
Miscellaneous Credits and Charges							
Credits							
Tobacco Fund	.....	.....	85.00	.....	.....	.....	.....
	$15,238.79	$16,028.81	$14,968.19	$15,641.31	$20,351.28	$19,170.87	$20,389.15
Charges							
Worthless Accounts	$25.89	.....	$71.67	$33.31	$49.93	$195.19	.....
Depreciation	.....	.....	.....	.....	.....	.....	.....
Total Deficit for Period	$15,264.68	$16,028.81	$15,039.86	$15,674.62	$20,401.21	$19,366.06	$20,389.15
Average Number of Inmates	65.3	72.5	70.8	78.5	87.5	93.1	88
Per Capita Weekly Costs							
Supplies and Expenses	$3.59	$3.56	$3.43	$3.54	$3.96	$3.95	$4.37
Salaries and Wages	2.62	2.47	2.43	2.33	2.17	1.95	2.09
General Expenses	2.22	2.18	2.23	1.92	2.35	2.04	1.99
	$8.43	$8.21	$8.09	$7.79	$8.48	$7.94	$8.45

EXHIBIT "C"

COMPARATIVE STATEMENT OF INCOME AND PROFIT AND LOSS

COMBINED MANUFACTURING AND TRADING ACTIVITIES

	Year Ended Nov. 30, 1935	Year Ended Nov. 30, 1934	Year Ended Nov. 30, 1933	Year Ended Nov. 30, 1932	Year Ended Nov. 30, 1931	Year Ended Nov. 30, 1930	Year Ended Nov. 30, 1929
Income From Sales	$164,108.43	$152,697.22	$115,096.89	$106,303.89	$130,729.68	$150,538.00	$157,276.25
Cost of Sales							
Inventories Materials, etc.—Beginning of Period	$47,139.56	$42,105.75	$31,263.37	$32,039.39	$27,713.59	$47,357.28	$33,678.09
Purchases for Period	103,663.48	98,408.80	80,128.42	61,205.45	86,121.06	78,047.77	109,653.31
	150,803.04	140,514.55	111,391.79	93,244.84	113,834.65	125,405.05	143,331.40
Inventories Materials, etc.—End of Period	33,628.15	46,925.31	42,105.75	31,263.37	32,039.39	27,713.59	47,357.28
	117,174.89	93,589.24	69,286.04	61,981.47	81,795.26	97,691.46	95,974.12
Labor: Productive—Blind Employes	56,660.85	50,961.41	47,949.59	46,902.77	48,166.38	45,868.75	44,100.29
Productive—Sighted Employes	15,777.46	13,563.30	13,023.42	13,602.79	14,886.99	15,405.20	14,789.04
Supervision—Sighted Employes	1,505.50	1,560.00	1,378.50	1,573.44	1,805.24	1,805.24	1,770.62
Prime Cost	191,118.70	159,673.95	131,637.55	124,060.47	146,653.87	160,770.65	156,634.07
Inventory Finished Goods—Beginning of Period	2,672.11	5,410.28	7,985.83	6,748.99	7,210.49	7,452.59	11,975.91
	193,790.81	165,084.23	139,623.38	130,809.46	153,864.36	168,223.24	168,609.98
Inventory Finished Goods—End of Period	5,401.79	2,672.11	5,410.28	7,985.83	6,748.99	7,210.49	7,452.59
Cost of Goods Sold	$188,389.02	$162,421.12	$134,213.10	$122,823.63	$147,115.37	$161,012.75	$161,157.39
Loss on Sales	$24,280.59	$9,714.90	$19,116.21	$16,519.74	$16,385.69	$10,474.75	$3,881.14
Charges Against Operation							
Operating Expenses	$28,483.35	$29,057.92	$28,024.09	$26,528.28	$30,235.64	$35,446.40	$32,336.19
Depreciation	3,531.48	3,531.48	3,531.48	3,531.48	3,531.48	3,531.48	3,531.48
Bad Debts	920.05	1,687.18	2,039.22	2,940.13	1,710.51	1,003.47	1,532.49
Total Charges	$32,934.88	$34,276.58	$33,594.79	$32,999.89	$35,477.63	$39,981.35	$37,400.16
Total Deficit from Manufacturing and Trading Activities	$57,215.47	$43,991.48	$52,711.00	$49,519.63	$51,863.32	$50,456.10	$41,281.30

EXHIBIT "D"

COMPARATIVE STATEMENT OF INCOME AND PROFIT AND LOSS

BROOM DEPARTMENT

	Year Ended Nov. 30, 1935	Year Ended Nov. 30, 1934	Year Ended Nov. 30, 1933	Year Ended Nov. 30, 1932	Year Ended Nov. 30, 1931	Year Ended Nov. 30, 1930	Year Ended Nov. 30, 1929
Income From Sales	$132,718.83	$130,257.49	$96,573.16	$86,794.04	$106,612.92	$123,558.36	$126,663.20
Cost of Sales							
Inventories Materials, etc.—Beginning of Period	$43,501.46	$39,304.22	$27,673.75	$29,059.41	$25,326.24	$44,505.99	$31,019.13
Purchases for Period	74,431.58	81,124.14	66,679.94	48,009.81	72,473.24	61,959.50	93,053.53
	117,933.04	120,428.36	94,353.69	77,069.22	97,799.48	106,465.49	124,072.66
Inventories Materials, etc.—End of Period	30,084.42	43,501.46	39,304.22	27,673.75	29,059.41	25,326.24	44,505.99
	87,848.62	76,926.90	55,049.47	49,395.47	68,740.07	81,139.25	79,566.67
Labor: Productive—Blind Employes	39,720.04	38,578.82	35,879.82	34,382.30	36,074.49	33,030.82	31,962.68
Productive—Sighted Employes	6,824.40	7,005.30	7,140.03	7,648.36	8,165.42	8,741.05	8,347.76
Prime Cost	134,393.06	122,511.02	98,069.32	91,426.13	112,979.98	122,911.12	119,877.11
Inventory Finished Goods—Beginning of Period	876.83	1,016.50	3,405.32	2,979.56	3,015.41	2,357.58	3,826.95
	135,269.89	123,527.52	101,474.64	94,405.69	115,995.39	125,268.70	123,704.06
Inventory Finished Goods—End of Period	2,068.93	876.83	1,016.50	3,405.32	2,979.56	3,015.41	2,357.58
Cost of Goods Sold	133,200.96	122,650.69	100,458.14	91,000.37	113,015.83	122,253.29	121,346.48
Profit or Loss on Sales	482.13	7,606.80	3,884.98	4,206.33	6,402.91	1,305.07	5,316.72
Charges Against Operations							
Operating Expenses	$22,663.19	$24,152.03	$25,027.71	$22,526.37	$24,528.99	$29,116.85	$28,334.89
Bad Debts	923.66	1,528.23	1,984.01	2,846.60	1,659.58	974.86	.....
Total Charges	23,586.85	25,680.26	27,011.72	25,372.97	26,188.57	30,091.71	28,334.89
Total Deficit for Period	$24,068.98	$18,073.46	$30,896.70	$29,579.30	$32,591.48	$28,786.64	$23,018.17

EXHIBIT "E"

Bold face type indicates Loss.

ANALYSIS OF OPERATIONS—BROOM DEPARTMENT

	Year Ended Nov. 30, 1935	Year Ended Nov. 30, 1934	Year Ended Nov. 30, 1933	Year Ended Nov. 30, 1932	Year Ended Nov. 30, 1931	Year Ended Nov. 30, 1930	Year Ended Nov. 30, 1929
Income from Sales for Year	$132,718.83	$130,257.49	$96,583.16	$86,794.04	$106,612.92	$123,558.36	$126,663.20
Increase or Decrease in Finished Goods Inventory	1,192.10	139.67	2,388.82	425.76	35.25	657.83	1,469.37
Total Produced during Year	$133,910.93	$130,117.82	$94,184.34	$87,219.80	$106,577.07	$124,216.19	$125,193.83
Ratio of Raw Materials Used and Direct Expenses to	$87,848.62	$76,926.90	$55,049.47	$49,395.47	$68,740.07	$81,139.25	$79,566.67
Total Produced during Year	65.63	59.12	58.45	56.63	64.49	65.32	63.55
Ratio of Labor—Blind Employes to	39,720.04	38,578.82	35,879.82	34,382.30	36,074.49	33,030.82	31,962.68
Total Produced during Year	29.66	29.65	38.10	39.42	33.85	26.59	25.53
Ratio of Labor—Sighted Employes to	6,824.40	7,005.30	7,140.03	7,648.36	8,165.42	8,741.05	8,347.76
Total Produced during Year	5.10	5.38	7.58	8.77	7.66	7.03	6.66
Ratio of Gross Profit or Loss on Sales	482.13	7,606.80	3,884.98	4,206.33	6,402.91	1,305.07	5,316.72
	.36	5.84	4.02	4.83	6.06	1.05	4.19

EXHIBIT "F"

Bold face type indicates Decrease and Loss.

COMPARATIVE STATEMENT OF INCOME AND PROFIT AND LOSS

WEAVING DEPARTMENT

	Year Ended Nov. 30, 1935	Year Ended Nov. 30, 1934	Year Ended Nov. 30, 1933	Year Ended Nov. 30, 1932	Year Ended Nov. 30, 1931	Year Ended Nov. 30, 1930	Year Ended Nov. 30, 1929
Income From Sales	$22,879.56	$14,993.87	$12,042.82	$14,776.59	$19,412.38	$21,804.23	$25,146.21
Cost of Sales							
Inventories Materials, etc.—Beginning of Period	$1,675.14	$1,779.29	$2,373.49	$2,747.38	$2,105.22	$2,481.36	$2,155.99
Purchase of Period	24,683.02	12,271.39	8,539.63	9,693.43	12,345.87	14,145.57	14,700.21
	26,358.16	14,050.68	10,913.12	12,440.81	14,451.09	16,626.95	16,856.20
Inventories Materials, etc.—End of Period	2,336.77	1,675.14	1,779.29	2,373.49	2,747.38	2,105.22	2,481.38
	24,021.39	12,375.54	9,133.83	10,067.32	11,703.71	14,521.73	14,374.82
Labor: Productive—Blind Employes	14,209.28	9,072.43	8,775.36	9,697.51	9,600.97	10,385.71	9,381.41
Productive—Sighted Employes	7,928.48	5,687.60	4,896.14	4,961.98	5,832.57	5,775.15	5,705.28
Supervision—Sighted Employes	1,505.50	1,560.00	1,378.50	1,573.44	1,805.24	1,805.24	1,770.62
Prime Cost	47,664.65	28,695.57	24,183.83	26,300.25	28,942.49	32,487.83	31,232.13
Inventory Finished Goods—Beginning of Period	1,419.19	3,337.30	4,223.05	3,689.50	4,055.53	4,714.87	7,602.42
	49,083.84	32,032.87	28,406.88	29,989.75	32,998.02	37,202.70	38,834.55
Inventory Finished Goods—End of Period	2,888.86	1,419.19	3,337.30	4,223.05	3,689.50	4,055.53	4,714.87
Cost of Goods Sold	46,194.98	30,613.68	25,069.58	25,766.70	29,308.52	33,147.17	34,119.68
Loss on Sales	$23,315.42	$15,619.81	$13,026.76	$10,990.11	$9,896.14	$11,342.94	$8,973.47
Charges Against Operations							
Operating Expenses	$5,020.04	$4,007.17	$2,580.32	$3,481.13	$5,233.10	$5,803.43	$3,647.82
Bad Debts	12.01	134.26	37.95	79.60	30.09	20.55	.....
Total Charges	$5,008.03	$4,141.43	$2,618.27	$3,560.73	$5,263.19	$5,828.98	$3,647.82
Total Deficit for Period	$28,323.45	$19,761.24	$15,645.03	$14,550.84	$15,159.33	$17,171.92	$12,621.29

EXHIBIT "G"

Bold face type indicates Bad Debts.

ANALYSIS OF OPERATIONS—WEAVING DEPARTMENT

	Year Ended Nov. 30, 1935	Year Ended Nov. 30, 1934	Year Ended Nov. 30, 1933	Year Ended Nov. 30, 1932	Year Ended Nov. 30, 1931	Year Ended Nov. 30, 1930	Year Ended Nov. 30, 1929
Income from Sales for Year	$22,879.56	$14,993.87	$12,042.82	$14,776.59	$19,412.38	$21,804.23	$25,146.21
Increase or Decrease in Finished Goods Inventory	1,469.67	1,918.11	885.75	535.55	366.03	659.34	2,887.55
Total Produced During Year	$24,349.23	$13,075.76	$11,157.07	$15,310.14	$19,046.35	$21,144.89	$22,258.66
Ratio of Raw Materials Used and Direct Expenses to	$24,021.39	$12,375.54	$9,133.83	$10,067.32	$11,703.71	$14,521.73	$14,374.82
Total Produced During Year	98.65	94.64	81.86	65.75	61.44	68.68	64.58
Ratio of Labor—Blind Employes to	14,209.28	9,072.43	8,775.36	9,697.51	9,600.97	10,385.71	9,381.41
Total Produced During Year	58.35	69.39	78.65	63.33	50.41	49.12	42.14
Ratio of Labor—Sighted Employes to	7,928.48	5,687.60	4,896.14	4,961.98	5,832.57	5,775.15	5,705.28
Total Produced During Year	32.56	43.49	43.88	32.40	30.62	27.31	25.63
Ratio of Labor—Sighted Supervision to	1,505.50	1,560.00	1,378.50	1,573.44	1,805.24	1,805.24	1,770.62
Total Produced During Year	6.18	11.93	12.35	10.27	9.47	8.53	7.95
Ratio of Loss on Sales	23,315.42	15,619.81	13,026.76	10,990.11	9,896.14	11,342.94	8,973.47
	101.90	104.18	108.17	74.38	50.98	53.55	35.69

EXHIBIT "H"

Bold face type indicates decrease.

COMPARATIVE STATEMENTS OF INCOME AND PROFIT AND LOSS

CANE DEPARTMENT

	Year Ended Nov. 30, 1935	Year Ended Nov. 30, 1934	Year Ended Nov. 30, 1933	Year Ended Nov. 30, 1932	Year Ended Nov. 30, 1931	Year Ended Nov. 30, 1930	Year Ended Nov. 30, 1929
Income from Sales	$2,851.68	$3,205.75	$2,600.39	$3,326.24	$4,331.35	$4,644.24	$4,872.29
Cost of Sales							
Inventories Materials, etc.—Beginning of Period	$219.78	$238.52	$245.68	$232.60	$282.13	$369.91	$502.97
Purchases for Period	515.56	498.57	379.10	834.46	1,057.66	1,587.50	1,472.53
	735.34	737.09	624.78	1,067.06	1,339.79	1,957.41	1,975.50
Inventories Materials, etc.—End of Period	207.49	219.78	238.52	245.68	232.60	282.13	369.91
	527.85	517.31	386.26	821.38	1,107.19	1,675.28	1,605.59
Labor: Productive—Blind Employes	1,991.10	2,369.80	1,964.73	2,121.70	2,490.92	2,452.22	2,756.20
Productive—Sighted Employes	1,024.58	870.40	903.95	965.00	889.00	889.00	736.00
Cost of Goods Sold	$3,543.53	$3,757.51	$3,254.94	$3,908.08	$4,487.11	$5,016.50	$5,097.79
Profit or Loss on Sales	**$691.35**	**$551.76**	**$654.55**	**$581.84**	**$155.76**	**$372.26**	**$225.50**
Charges Against Operations							
Operating Expenses	$417.23	$440.39	$416.06	$520.78	$473.55	$521.12	$353.48
Bad Debts	8.40	24.69	17.26	13.98	20.84	8.06	.....
Total Charges	425.63	465.08	433.32	$534.71	$494.39	$529.18	$353.48
Total Deficit for Period	$1,117.48	$1,016.84	$1,087.87	$1,116.55	$650.15	$901.44	$578.98

EXHIBIT "I"

Bold face type indicates Loss.

COMPARATIVE STATEMENT OF INCOME AND PROFIT AND LOSS

BRUSH AND MOP DEPARTMENTS

	Year Ended Nov. 30, 1935	Year Ended Nov. 30, 1934	Year Ended Nov. 30, 1933	Year Ended Nov. 30, 1932	Year Ended Nov. 30, 1931	Year Ended Nov. 30, 1930	Year Ended Nov. 30, 1929
Income from Sales	$5,658.36	$4,240.11	$3,380.52	$1,407.02	$373.03	$531.17	$594.55
Cost of Sales							
Inventories Materials, etc.—Beginning of Period	$1,743.18	$783.72	$970.45	.....	.....	.....	.....
Purchases for Period	4,033.32	4,514.70	4,529.75	$2,667.75	$244.29	$355.20	$427.04
	5,776.50	5,298.42	5,500.20	2,667.75	244.29	355.20	427.04
Inventories Materials, etc.—End of Period	999.47	1,528.93	783.72	970.45	.....	.....	.....
	4,777.03	3,769.49	4,716.48	1,697.30	244.29	355.20	427.04
Labor: Productive—Blind Employes	740.43	940.36	1,329.68	701.26	.....	.....	.....
Sighted Employes	.....	.....	83.30	27.45	.....	.....	.....
Prime Cost	5,517.46	4,709.85	6,129.46	2,426.01	244.29	355.20	427.04
Inventory Finished Goods—Beginning of Period	376.09	1,056.48	357.46	79.93	139.55	380.14	546.54
	5,893.55	5,766.33	6,486.92	2,505.94	383.84	735.34	973.58
Inventory Finished Goods—End of Period	444.00	376.09	1,056.48	357.46	79.93	139.55	380.14
Cost of Goods Sold	5,449.55	5,390.24	5,430.44	2,148.48	303.91	595.79	593.44
Profit or Loss on Sales	**208.81**	**1,150.13**	**1,549.92**	**741.46**	**69.12**	**64.62**	**1.11**
Charges Against Operations							
Operating Expenses	$382.89	$458.33	.....	.....	.....	.....	.....
Total Surplus or Deficit for Period	**$174.08**	**$1,608.46**	**$1,549.92**	**$741.46**	**$69.12**	**$64.62**	**$1.11**

EXHIBIT "J"

Bold face type indicates Loss and Deficit.

COMPARATIVE STATEMENT OF INDIRECT OPERATING EXPENSES

ALL DEPARTMENTS COMBINED

	Year Ended Nov. 30, 1935	Year Ended Nov. 30, 1934	Year Ended Nov. 30, 1933	Year Ended Nov. 30, 1932	Year Ended Nov. 30, 1931	Year Ended Nov. 30, 1930	Year Ended Nov. 30, 1929
Insurance:							
Home	.....	$98.50	$143.50	$80.00	$480.80	$15.00	.....
Trucks	$214.45	216.45	222.70	236.60	234.60	278.54	.....
Sprinkler System	.....	50.50	23.80	23.80	23.80	23.80	.....
Compensation and Liability	692.61	620.56	484.56	725.50	617.00	787.78	.....
Factory Bldg's & Machinery	14.77	426.71	416.86	219.70	384.30	341.01	.....
Admin. & Management	.....	40.00	.....	.....	.....	.....	.....
Merchandise	197.00	23.54	466.00	76.66	353.89	209.79	.....
Total Insurance	1,118.83	1,485.26	1,757.42	1,362.26	2,094.39	1,655.83	1,075.86
Fuel, Light and Power	2,868.08	3,343.12	2,948.98	3,206.58	3,656.34	3,615.41	3,598.23
Repairs and Maintenance	2,659.67	2,587.66	4,147.21	3,166.48	5,726.43	5,236.58	3,168.06
Wages, Etc:							
Shipping and Sales Depts.	$3,096.78	$2,913.72	$2,841.08	$2,936.50	$3,882.36	$4,706.78	$5,158.35
Transportation Outward	3,850.95	3,598.34	2,868.01	2,804.71	1,913.53	4,305.53	2,630.17
Shipping Expense	.....	.....	.....	72.23	168.32	120.09	104.94
Selling Commission and Expense	5,728.19	5,269.34	3,554.56	2,510.92	2,884.83	3,273.31	2,988.13
Exhibits	67.13	121.82	132.70	99.39	89.95	125.08	.....
Traveling	65.33	.....	.....	.....	.....	.....	.....
Total Wages, Etc.	12,808.38	11,903.22	9,446.35	8,423.75	8,938.99	12,530.84	10,881.59
Administration and Management	$4,521.01	$4,757.42	$4,612.99	$4,529.40	$5,242.25	$5,653.44	$5,237.52
Office Expense:							
Salary	$2,539.00	$2,483.70	$2,512.56	$2,893.00	$3,695.50	$3,863.00	$3,313.20
Supplies and Expense	879.70	923.70	845.84	1,139.61	872.41	923.61	1,698.75
Telephone	319.48	323.73	302.06	290.88	319.64	304.15	306.87
Collection Expense	315.95	329.87	482.20	438.84	637.30	607.14	402.27
Total Office Expense	4,054.13	4,061.00	4,142.66	4,762.33	5,524.85	5,697.90	6,256.09
Janitors	2,735.85	3,089.35	2,885.35	2,701.34	2,806.88	2,809.00	2,713.33
Interest	5,354.23	6,063.59	6,288.29	6,210.97	6,924.95	8,146.98	8,523.98
Total	$36,120.68	$37,290.62	$36,229.25	$34,363.11	$40,345.08	$45,345.98	$41,454.66

EXHIBIT "K"

COMPARATIVE STATEMENT OF INDIRECT OPERATING EXPENSES BY DEPARTMENTS

	Year Ended Nov. 30, 1935	Year Ended Nov. 30, 1934	Year Ended Nov. 30, 1933	Year Ended Nov. 30, 1932	Year Ended Nov. 30, 1931	Year Ended Nov. 30, 1930	Year Ended Nov. 30, 1929
Broom Dept.							
Insurance	$695.81	$943.83	$1,412.94	$965.08	$1,252.90	$1,144.85	$653.58
Fuel, Light & Power	1,353.66	1,927.71	3,607.06	3,241.71	2,228.11	2,265.57	2,302.56
Repairs and Maintenance	866.31	874.27	.....	.....	2,076.11	2,125.80	1,288.30
Wages, etc.	10,869.02	10,654.37	9,062.52	7,608.88	6,799.14	9,827.53	9,868.44
Administration & Management	1,828.07	1,806.06	2,013.62	1,707.62	2,149.33	2,327.87	2,121.20
Office Expense	2,580.25	2,454.64	2,314.56	3,055.39	3,397.79	3,520.48	3,857.93
Janitors	860.84	1,172.56	1,208.72	1,116.72	1,080.66	1,137.77	1,098.90
Interest	3,609.23	4,318.59	4,908.29	4,830.97	5,544.95	6,766.98	7,143.98
Total Broom Department	22,663.19	24,152.03	25,027.71	22,526.37	24,528.99	29,116.85	28,334.89
Weaving Dept.							
Insurance	$295.33	$262.76	$168.48	$276.15	$319.87	$312.29	$129.10
Fuel, Light & Power	688.34	454.31	963.16	934.01	578.73	604.18	483.46
Repairs & Maintenance	440.57	304.08	.....	.....	539.25	571.69	254.47
Wages, etc.	1,731.45	1,021.37	315.48	715.08	2,139.85	2,703.31	1,013.15
Admin. & Management	315.12	440.50	240.72	483.77	393.17	411.44	419.00
Office Expense	391.49	518.13	341.36	521.00	621.54	621.03	771.58
Janitors	437.74	286.02	191.12	191.12	280.69	224.44	217.06
Interest	720.00	720.00	360.00	360.00	360.00	360.00	360.00
Total Weaving Department	$5,020.04	$4,007.17	$2,580.32	$3,481.13	$5,233.10	$5,808.43	$3,647.82
Cane Dept.							
Insurance	$37.56	$41.49	$32.50	$41.03	$40.32	$59.87	$24.22
Fuel, Light & Power	87.55	54.83	127.36	138.76	86.81	92.74	79.73
Repairs & Maintenance	56.13	57.03	.....	.....	80.89	87.07	47.71
Wages, etc.	69.87	101.10	68.35	99.79	.....	.....	.....
Admin. & Management	39.33	58.73	52.15	73.31	78.63	87.41	78.56
Office Expense	51.12	69.09	72.87	105.06	124.31	131.89	62.56
Janitors	55.67	38.12	42.83	42.83	42.09	42.14	40.70
Interest	20.00	20.00	20.00	20.00	20.00	20.00	20.00
Total Cane Department	$417.23	$440.39	$416.06	$520.78	$473.55	$521.12	$353.48
Brush & Mop Dept.							
Insurance	$15.67	$30.03	.....	.....	.....	.....	.....
Fuel, Light & Power	21.51	70.49	.....	.....	.....	.....	.....
Repairs & Maintenance	13.77	19.00	.....	.....	.....	.....	.....
Wages, etc.	138.54	126.38	.....	.....	.....	.....	.....
Admin. & Management	77.99	73.42	.....	.....	.....	.....	.....
Office Expense	96.73	86.36	.....	.....	.....	.....	.....
Janitors	13.68	47.65	.....	.....	.....	.....	.....
Interest	5.00	5.00	.....	.....	.....	.....	.....
Total Brush and Mop Department	$382.89	$458.33	.....	.....	.....	.....	.....
Home Department							
Insurance	$74.46	$207.15	$143.50	$80.00	$480.80	$138.82	$268.96
Fuel, Light & Power	717.02	835.78	2,398.61	2,058.58	762.69	652.92	732.48
Repairs & Maintenance	1,282.89	1,333.28	.....	.....	3,030.18	2,452.02	1,577.58
Admin. & Management	2,260.50	2,378.71	2,306.50	2,264.70	2,621.12	2,826.72	2,618.76
Office Expense	934.54	932.78	913.87	1,080.88	1,381.21	1,424.45	1,564.02
Janitors	1,367.92	1,545.00	1,442.68	1,350.67	1,403.44	1,404.65	1,356.67
Interest	1,000.00	1,000.00	1,000.00	1,000.00	1,000.00	1,000.00	1,000.00
Total Home Department	**7,637.33**	**8,232.70**	**8,205.16**	**7,834.83**	**10,679.44**	**9,899.58**	**9,118.47**
Total All Departments	$36,120.68	$37,290.62	$36,229.25	$34,363.11	$40,915.08	$45,345.98	$41,454.66

EXHIBIT "L"

COMPARATIVE STATEMENT OF INCOME AND EXPENSES
ALL DEPARTMENTS

	Year Ended Nov. 30, 1935	Year Ended Nov. 30, 1934
Income		
From Public Sources	$53,950.00	$54,513.00
From Private Sources	2,162.04	8,701.63
From Investments	3,020.12	4,415.85
Sundry Income and Adjustments	214.25	.....
From Board of Inmates of Home	13,487.87	14,956.39
From Sale of Goods Manufactured	164,108.43	152,697.22
Increase or Decrease in Finished Goods Inv.	2,729.68	2,738.17
Total Income From All Sources	$239,672.39	$232,545.92
Expenses		
Wages of Blind Employes:		
Factory	$56,660.85	$50,961.41
Home	442.00	442.00
Sales and Shipping	1,404.00	1,404.00
	$58,506.85	$52,807.41
Wages of Sighted Employes:		
Factory	$17,282.96	$15,123.30
Home	8,459.65	8,874.75
Sales and Shipping	1,692.78	1,509.72
Administration	3,900.00	3,900.00
Office	2,539.00	2,483.70
Janitors	2,735.85	3,089.35
	$36,610.24	$34,980.82
Material Used and Direct Factory Expenses	$117,174.89	$93,589.24
Supplies Used and Direct Home Expenses	12,187.68	13,435.75
Overhead Expenses	23,849.05	24,903.85
Pensions	486.00	2,517.34
Sundry Taxes	3.32	17.00
Depreciation	*3,531.48	*3,531.48
Bad Debts—Factory	920.05	1,687.18
Bad Debts—Home	25.89	.....
Total Wages and Expenses	$253,295.45	$227,470.07
Surplus or Deficit for the Year	$13,623.06	$5,075.85

* Depreciation on fully Depreciated Assets.
Bold face type indicates deficit

EXHIBIT "M"

PAYROLL STATISTICS OF BLIND EMPLOYES
FOR FISCAL YEAR ENDED NOVEMBER 30, 1935

	Inside Employes				Outside Employes				Combined Averages	
	Wages		Age		Wages		Age		Wages	Age
	Average	Range	Average	Range	Average	Range	Average	Range		
Department										
Broom Winders	$8.92	$4.36 to $12.90	43	25 to 67	$10.36	$4.51 to $16.58	44 4/15	27 to 72	$9.64	43 19/29
Broom Floormen	9.30	6.30 to 16.00	54 1/7	43 to 73	12.76	7.20 to 20.43	51	30 to 75	11.22	52 7/15
Broom Sizers	6.35	3.61 to 9.01	57	47 to 73	6.40	3.55 to 10.53	36 4/9	25 to 55	6.38	41 7/12
Broom Sewers					22.83	18.70 to 25.65	56 2/6	48 to 67	22.83	56 2/6
Whisk and Toy Sewers	8.07	1 Employe	47	1 Employe	13.04	5.92 to 20.16	57 1/2	50 to 65	11.38	54
Whisk and Toy Winders	6.42	4.80 to 7.64	56 1/3	54 to 61	8.14	5.11 to 12.52	48 3/5	26 to 63	7.45	51 1/2
Whisk Floormen					18.28	1 Employe	40	1 Employe	18.28	40
Shipping and Sales	10.00	1 Employe	68	1 Employe	17.00	1 Employe	36	1 Employe	13.50	52
Rag Department	6.30	5.70 to 6.60	63 5/6	50 to 79	5.19	2.70 to 6.48	66 1/3	55 to 77	6.02	64 6/9
Weavers	9.76	5.82 to 14.07	59 4/11	39 to 72	11.15	7.08 to 14.37	55 1/4	36 to 71	10.11	58 4/15
Rug Carpet Knotting and Winding	7.90	4.50 to 13.46	61 1/2	32 to 75	6.03	5.65 to 6.40	67	56 to 78	7.43	54 1/2
Caning Department	13.70	10.34 to 17.06	33 1/2	28 to 39	Only work part time				13.70	33 1/2
Mop Department	6.91	4.00 to 10.73	47 1/3	29 to 65					6.91	47 1/3
Janitors, etc.	6.25	6.00 to 6.50	55 1/2	34 to 77					6.25	55 1/2
Totals	$8.57		54		$11.63		49		$10.08	51

EXHIBIT "N"

REPORT OF THE JUDICIARY GENERAL COMMITTEE, TO THE HOUSE OF REPRESENTATIVES IN THE MATTER OF THE PETITION TO IMPEACH THE HONORABLE BENJAMIN C. ATLEE

August 6, 1936.

To the Speaker and Members of the House of Representatives:

A petition was presented to the House of Representatives on July 13, 1936, by the Honorable Marshall L. Shepard and the Honorable Homer S. Brown, Members of the House of Representatives. The petition set forth that sitting as a Judge in the Court of Quarter Sessions of the Peace of the Second Judicial District of Pennsylvania, Honorable Benjamin C. Atlee in imposing sentence on a prisoner on July 10, 1936, made the following statement:

"This is one of the most despicable offenses ever brought before the local court. It is no credit to the people of Columbia that they allowed you to be here in Court today. Had they lynched you they would have been justified. I say that although I am sitting here to administer justice, it is most fortunate for you that the offense occurred North of the Mason-Dixon line. No court has to bother with cases of your kind south of that line."

It is contended by the petitioners that these remarks were made under circumstances which make the Judge liable to impeachment.

The petition was referred to the Judiciary General Committee of the House of Representatives on July 13, 1936, and after a meeting of said committee a sub-committee comprised of Honorables Eugene A. Caputo, Chairman, Leo A. Achterman, Joseph Ominsky, Al Tronzo, L. Kenneth Harkins, J. Gordon Mason, and John H. McKinney, was appointed to hold hearings, investigate the charges and report its findings and conclusions to the Committee on Judiciary General.

Subsequently the said sub-committee filed with this

committee a majority and minority report on the question submitted to it, and the committee on Judiciary General adopted the minority report with amendments. A copy of the report adopted is here to attached as part hereof.

The Judiciary General Committee was of the opinion that the remarks uttered required censure and apology. Judge Atlee appeared before the committee and made a statement and apology, which is hereto attached as part hereof. The committee determined that the remarks did not constitute so gross an impropriety as to warrant the presentation of a bill of impeachment and that no further proceedings be had.

The committee after deliberation concludes:

1. That the remarks of Judge Benjamin C. Atlee were contrary to the spirit of the constitution and the laws of the Commonwealth of Pennsylvania.

2. That the remarks of Judge Benjamin C. Atlee were injudicious and intolerant. They constitute one of that class of judicial improprieties which, while the committee believed in this instance did not constitute an impeachable offense, are such as under other circumstances might subject a Judge to impeachment proceedings.

3. That remarks of this nature tend toward the breakdown and disruption of the orderly process of law and order which every judge is sworn to uphold and are of such import and gravity to the citizens of the Commonwealth of Pennsylvania that they should not go without stern reprimand.

4. The Committee does censure and reprimand Judge Benjamin C. Atlee for the impropriety that he committed, and in doing so has in mind that this censure and reprimand is only in the instant case and is not intended as a precedent.

Respectfully submitted

EUGENE A. CAPUTO, Chairman,
Committee on Judiciary General.

REPORT OF THE JUDICIARY GENERAL SUB-COMMITTEE APPOINTED TO INVESTIGATE THE CHARGES AGAINST HONORABLE BENJAMIN C. ATLEE.

To the Judiciary General Committee of the House of Representatives of the Commonwealth of Pennsylvania:

Your sub-committee appointed under the resolution of July 13, 1936, to investigate the charges preferred by the Honorable Marshall L. Shepard and the Honorable Homer S. Brown against the Honorable Benjamin C. Atlee, one of the judges of the Court of Common Pleas of the Second Judicial District, Lancaster County, and report its findings as to the truth of the allegations named in the complaint, together with testimony taken, and present the same to your committee, respectfully reports as follows:

In pursuance of this resolution your committee proceeded in the performance of its duties by giving due and timely notice to the complainants and respondents of the time and place of hearing, and has inquired into the matter by holding a public meeting in the House Caucus Room in the Capitol building at Harrisburg, Pennsylvania, by calling witnesses who had been subpoened to the fullest extent, as suggested by either the complainants or the respondent; also by calling and examining witnesses who had been suggested by either party, who were thought to be unbiased in their opinions as to the truth of the matters in question.

Each, the complainants and the respondent, were represented by eminent counsel. Herbert E. Millen, Esq., of Philadelphia, appeared for the complainants, and Honorable B. J. Myers and S. R. Zimmerman, Esq., of Lancaster, appeared for the respondent.

The taking of testimony was completed on Tuesday, July 21, 1936, and counsel for both the complainants and respondent submitted their briefs to this committee on Thursday, July 23, 1936, both parties having waived oral argument.

Charges

It is alleged by the complainants, Honorable Marshall L. Shepard and Honorable Homer S. Brown, that Honorable Benjamin C. Atlee, while acting in his capacity as Judge of the Court of Common Pleas of the Second Judicial District of Lancaster County, on July 10, 1936 made the following remarks in passing sentence on a prisoner in his court:

"This is one of the most despicable offenses ever brought before the local court. It is no credit to the people of Columbia that they allowed you to be here in court today.

"Had they lynched you they would have been justified I say that although I am sitting here to administer justice It is most fortunate for you that this offense occurred north of the Mason and Dixon line. No court has to bother with cases of your kind south of that line."

Impeachable Offenses

The Constitution of the Commonwealth of Pennsylvania being silent as to the causes for which a judge may be impeached, your sub-committee proceeded in its consideration of the evidence under the general rule adopted in the proceedings filed against the Honorable Charles N. Brunn before the House of Representatives of this State in the year 1913, which briefly stated, is as follows:

"A judge may be impeached not only for crimes for which an indictment may be brought, but for gross political offenses, corruption, maladministration or neglect of duty involving moral turpitude, arbitrary and oppressive conduct, and even gross improprieties by judges and high officers of State, although such offenses may not be of a character to render the offenders liable to an indictment, either at common law or under statute."

Therefore the allegations named in the complaint are material for consideration so far as any evidence has been produced to substantiate the same.

Findings of Fact

1. Your sub-committee finds that in substance the Honorable Benjamin C. Atlee did on July 10, 1936, while passing sentence on a prisoner in his court say: "This is one of the most despicable offenses ever brought before the local court. It is no credit to the people of Columbia that they allowed you to be here in court today. Had they lynched you they would have been justified. I say that although I am sitting here to administer justice. It is most fortunate for you that this offense occurred north of the Mason and Dixon line

No court has to bother with cases of your kind south of that line."

2. Judge Atlee has never heretofore been accused of making prejudicial remarks.

3. No rioting, disorder, unrest or undue commotion were caused by the remarks of Judge Atlee.

Character of the Respondent

It is not the purpose, neither is it within the province of your sub-committee, to certify as to the good qualities or the unimpeachable character of Judge Atlee except insofar as the evidence itself shall warrant. There appears to be no complaint except in regard to the remarks as alleged in the present proceedings.

Discussion

Judge Atlee is accused of making only this one injudicious and improper statement, undoubtedly made in the face of the heinousness of the particular offense, and not because Judge Atlee himself believed in anything but the orderly processes of the law. The remarks as made were addressed to the defendant, and, although in public, not to the public at large.

Although in the making of these remarks Judge Atlee has been hasty in his conclusions and bitter in his denunciation of the defendant, and although his judgment was erroneous and the remarks were injudicious, the evidence most certainly does not indicate any conduct on his part involving any moral turpitude or gross impropriety. There is no doubt that the statement was injudicious, but the sub-committee, in the exercise of sound discretion and good judgment, does not believe that the statement as made, under all the surrounding circumstances, amounts to an impeachable offense.

Recommendation

A review of the specific charge leads your committee to the conclusion that there are no grounds for the presentment of charges of impeachment against Honorable Benjamin C. Atlee, one of the Judges of the Court of Common Pleas of the Second Judicial District, Lancaster County, Pennsylvania, and the House of Representatives of the Commonwealth of Pennsylvania should proceed no farther.

Respectfully submitted

LEO A. ACHTERMAN
J. GORDON MASON
JOHN H. McKINNEY

Statement of Benjamin Champneys Atlee, Judge of the Second Judicial District comprising the county of Lancaster, to the Judicial General Committee of the House of Representatives of the Commonwealth of Pennsylvania.

The remarks I made in sentencing Samuel Watson were made by reason of the fact that I was thoroughly aroused and incensed at the gravity of the offense and the heinous nature of the crime, of which he had pleaded guilty, and not by reason of the race or color of the defendant.

I have no prejudice due to race, color or creed. All defendants stand equally before me in Criminal Court and receive equal justice under the law. I am opposed to mob violence.

The remarks were indiscreet and injudicious and I regret exceedingly that I made them. I regret the inconvenience caused your Committee and the House of Representatives and I offer my sincere apology for the language used.

BENJ. C. ATLEE

Dated at Harrisburg, August 6, 1936.

Remarks Extended

The following report is extended in the Appendix as part of the remarks of Mr. Homer S. Brown, pursuant to the instructions of the Speaker. (Legislative Journal Vol. 19, No. 49, August 6, 1936, Page 1480.)

REPORT OF THE JUDICIARY GENERAL SUB-COMMITTEE APPOINTED TO INVESTIGATE THE CHARGES AGAINST HONORABLE BENJAMIN C. ATLEE.

August 5, 1936.

The following is the report of the undersigned members of the sub-committee of the committee on Judiciary General selected to investigate certain charges against one Judge Benjamin C. Atlee, Second Judicial District, of Lancaster County, and to report to the said Judiciary General Committee its findings and conclusions.

History of the Proceedings

These findings are based upon a petition presented to the House of Representatives on July 13, 1936, by the Honorable Marshall L. Shepard and the Honorable Homer S. Brown, members of the House of Representatives, who are also the petitioners and the affiants, in which petition it is set forth that sitting as a committing Judge in the Court of Common Pleas of the Second Judicial District of Pennsylvania, Benjamin C. Atlee, in imposing sentence on one Samuel Watson on July 10, 1936, made the following statement before imposing that sentence:

"This is one of the most despicable offenses ever brought before the local court. It is no credit to the people of Columbia that they allowed you to be here in Court today. Had they lynched you they would have been justified. I say that although I am sitting here to administer justice. It is most fortunate for you that the offense occurred north of the Mason-Dixon line. No court has to bother with cases of your kind south of that line."

It is contended by the petitioners that these remarks were made under circumstances which make the Judge liable to impeachment.

The Honorable Benjamin C. Atlee was appointed Judge of the Court of Common Pleas of the Second Judicial District, comprising the County of Lancaster, on the 6th day of November, 1930, to fill the vacancy created by the resignation of the Hon. Charles I. Landis. He was elected at the Municipal Election in November, 1931, and on December 4, 1931, was commissioned for the full term of ten years, beginning the first Monday of January, 1932. He was commissioned President Judge of his Court on September 1, 1932.

The petition was referred to the Judiciary General Committee and after a meeting of said Committee, a subcommittee was appointed to hold hearings, investigate charges and report its findings and conclusions to the Committee on Judiciary General.

The sub-committee on July 21, 1936, held a public hearing in the House Caucus Room at which hearing thirteen witnesses appeared. The petitioners, as well as the respondent were represented by counsel. However, the respondent himself did not appear.

At the hearing at least four witnesses testified that Judge Atlee made the statement attributed to him. Some testified that those remarks were substantially correct, and still others stated that some of the words were used and that other words they did not hear or they were not uttered by Judge Atlee.

Questions Involved

1. Did Judge Atlee make the statement attributed to him?

2. If the statement alleged to have been made is substantially correct, is it an impeachable offense?

Discussion

1. Did Judge Atlee make the statement attributed to him?

Reviewing the evidence in its entirety and evaluating it with reference to any possible bias, personal interest on the part of the witnesses who appeared and the general circumstances surrounding this case, the entire subcommittee is agreed that the remarks as stated in the petition and attributed to the respondent were substantially correct.

The testimony of Charles W. Eaby, District Attorney of Lancaster County, is not very much at variance with that of any other witness. He practically recalled everything that Judge Atlee said with the exception of the word "lynch" and possibly one other sentence. Beatrice H. Pollock who was one of the Juvenile Court Officers of Lancaster County, and Charles Aument, Deputy Clerk of the Quarter Sessions Court, of the same County, did not fully remember the remarks in their entirety. However, we must remember that even though these witnesses are servants of the people, they are under the direct supervision of Judge Atlee. Their testimony is characterized with vagueness and equivocation in important details, but concise and definite in relatively unimportant matters.

We must, therefore, look to the testimony of S. V. Hosterman, Esq., who has been a member of the Bar of Lancaster County for the past thirty-six years, and William G. Johnstone, Jr., Esq., and James Lightner, Esq., also members of the Lancaster County Bar, who were positive and unequivocal in their testimony that Judge Atlee uttered substantially every word which the petition sets forth.

There were two other lay witnesses who heard Judge Atlee make the remarks alleged in the petition. The testimony of the rest of the witnesses was indefinite, but all agreed that some of the words were made by the judge.

The above testimony, together with the fact that Judge Atlee neither denied the statements which first appeared in the newspapers and later were charged to him in the petition for impeachment, nor appeared before the Committee can lead to no other conclusion than that the statements were made by the Judge.

We are mindful of the fact that the accused person need not testify in any proceedings against him wherein he is charged with a crime, but these proceedings in our opinion are not a trial in that sense of the word, but constitute an investigation wherein wide latitude is proper in the acceptance and presentation of evidence.

Since the committee has decided that the answer to the first question, to wit: Did Judge Atlee make the statement substantially as attributed to him,—is in the affirmative, of necessity it follows that we must consider the second question involved, which is—

The sub-committee having determined that Judge Atlee did make substantially the remarks alleged in the petition, the only question for the sub-committee to decide is whether those remarks constitute an offense for which this sub-committee should properly recommend that a bill of impeachment be presented.

To decide this question it is necessary to consider and answer the following:

(a) Does misdemeanor in office as used in the Constitution of Pennsylvania, Article 6, Section 3, mean an indictable offense?

The committee is of the opinion that the term "misdemeanor in office" as used in the Constitution does not necessarily mean an indictable offense.

(b) Are the remarks of Judge Atlee of such a nature and of sufficient gravity to justify the presentation of a Bill of Impeachment?

The committee is of the opinion that the above must be answered in the affirmative.

Article 6, Section 3 of the Constitution of Pennsylvania of 1873, relating to impeachment and removal from office provides:

Section 3. "Officers liable to impeachment, Judgment The Governor and all other civil officers shall be liable to impeachment for any misdemeanor in office."

Since there is little, if any, precedent in our jurisprudence in Pennsylvania whereby misdemeanor in office is interpreted, we must look elsewhere for guidance. We thus turn to the Federal Impeachment proceedings as well as to England's Impeachment proceedings. In one Pennsylvania case, which the committee examined, namely the impeachment proceedings against Judge Charles N. Brumm, 21st Judicial District of Pennsylvania, in 1913, in which he was charged with bias, unfair rulings and decrees, prejudice towards attorneys, arbitrary and offiensive rulings, etc., it is noted that the interpretation of a misdemeanor in office as used in our Constitution is taken from the definition thereof in the Federal proceedings in the impeachment of Judge Archbald. In that case, the term "impeachable offense" is substantially defined as follows:

"A Judge may be impeached not only for crimes for which indictments may be brought, but for gross political offense, corruption, maladministration, or neglect of duty involving moral turpitude, arbitrary and oppressive conduct and even gross improprieties by judges and high officers of State, although such offense may not be of a character to render the offender liable to an indictment, either at common law or under statutes."

And further, Alexander Simpson, Jr., a member of the Philadelphia County bar, in his treatise on Federal Impeachment (1916) on page 33, states that "The word misdemeanor has at least two meanings: one criminal and the other social, and if interpreted in the latter sense, as in England, it often was, to cover offenses not necessarily indictable, * * *", and still further in the same

book, on page 35, it is set forth that "in the construction of the Constitution, we must look to the history of the times and examine the state of things existing when it was framed and adopted to ascertain the old law, the mischief and the remedy (Rhode Island vs. Mass. 12 Peters 58)."

In all cases where high crimes and misdemeanors are charged, so far as the records show, no respondent was ever acquitted because the offenses named in the article were not indictable, and in many English cases the respondents were convicted of the offenses not indictable. The House of Commons impeaches for offenses not indictable.

Then on page 40, in the same work by Alexander Simpson, Jr., there is cited that Judge John Pickering of New Hampshire was impeached and convicted for releasing a vessel without proper bond, for refusing to hear witnesses in the case, for refusing to allow an appeal from his judgment and for intoxication and profanity while on the Bench, none of which were indictable offenses.

It may be further noted that Judge Archbald was tried and convicted on five of the thirteen counts brought against him not one of which was an indictable offiense.

On page 52 of Justice Simpson's Treatise referred to above, it is stated in connection with the Archbald case that the impeachable offense must be one in which the character of the offense, or that which flows therefrom must tend to bring the office, if the incumbent is continued in office, into ignominy and disgrace.

This leads us to a discussion of the gravity of the impropriety and the offense charged against Judge Atlee, and herein the members of the sub-committee disagree.

The undersigned members of the sub-committee sincerely feel that these statements made by Judge Atlee were uttered under such circumstances as to make them not only injudicious and improper, but also that they were so grossly improper, arbitrary and oppressive as to constitute an impeachable offense as interpreted hereinabove.

Too many judges, not only in the Commonwealth of Pennsylvania but also throughout the land, are prone to forget that they are public servants elected and sworn to administer justice. The proper administration of justice not only requires being learned in the law, but also requires the possession of judicial temperament, which embodies human kindness and understanding. Possibly because of their long term of office some judges begin to feel that they themselves are above the law. The committee appreciates that judges are human, and that it is human to err, but nevertheless feels that a gross error such as is involved in this case should not go unchallenged.

In our discussion of the present case, we believe that the entire committee would agree that an impeachable offense had been committed had the people of Lancaster County performed the acts of violence suggested by the words of Judge Atlee. Fortunately no outbreak occurred, but the seed of the unwise words and improper thought has been sown. However, that thought may be brought into action anytime. We hope that that community in its wisdom, or any other community in the same wisdom may see the error in the Judge's remarks. We trust that the foul seed planted may never sprout no matter how much water and sunshine it may get. But suppose the seed is not dead, what will be the attitude of this Judge who encouraged the action? Will he condone it, or will he punish it? From his attitude, action, and lack of response, the committee has no way of knowing. The respondent thought too little, it seems to us, of the whole incident. If Judge Atlee's remarks, action and attitude, taken as a whole are grave enough for a rebuke, they should be grave enough for the carrying out of the provisions of the Constitution, the framers of which were wise in providing the remedy of impeachment for gross improprieties and maladministration in office. Members of the committee do not condone the offense committed by the prisoner which furnished the occasion for the committing judge to make such remarks. But language of this kind does not deter crime, but encourages the commission of further criminal acts.

Intolerance in lay people is most deplorable, but it is especially abhorrent when publicly displayed from the bench by a person sworn to uphold and enforce the law and to administer justice.

The undersigned members of the sub-committee of the Committee on Judiciary General, therefore find after impartial investigation and open hearing upon the aforesaid petition for impeachment of Judge Benjamin C. Atlee, and upon consideration of all testimony properly coming before the said committee the following conclusions:

1. That Judge Benjamin C. Atlee did use substantially the language attributed to him in the aforesaid petition.

2. That the said remarks are contrary to the form and spirit of the Constitution and laws of the Commonwealth of Pennsylvania.

3. That the offense of Judge Atlee is injudicial and constitutes a type of impropriety for which a Judge properly is subject to impeachment proceedings even though such offense is not indictable.

4. That the action of the said Judge Benjamin C. Atlee in uttering such remarks while engaged in the discharge of his Judicial duties was in violation of the Constitution and laws of this Commonwealth.

Remarks of this nature tend toward the breakdown and disruption of the orderly process of law and order which every judge is sworn to uphold, and are of such import and gravity to the citizens of the Commonwealth of Pennsylvania as to not only justify but to require the presentation of articles of impeachment against the said Judge Benjamin C. Atlee. We the undersigned members of the said sub-committee therefore recommend to the full membership of the committee on Judiciary General that articles of impeachment be presented against the said Judge Benjamin C. Atlee.

PRELIMINARY REPORT OF THE JOINT LEGISLATIVE COMMITTEE TO INVESTIGATE PUBLIC RELIEF IN PENNSYLVANIA

Foreword

In the 1935 session of the Pennsylvania Assembly, a Joint Committee of three Senators and three Representatives was appointed, in accordance with Resolution No. 110, to investigate Public Relief in Pennsylvania.

In the conduct of its investigation, the Committee held five public hearings, one in Philadelphia, one in Pittsburgh, and three in Harrisburg. At the public hearings employes of the State and Local relief administrations, relief recipients, representatives of unemployed organi-

zations, and persons representative of the general public testified before the Committee. In addition, two closed hearings were held, one to hear the testimony of Eric H. Biddle, Executive Director of the State Emergency Relief Board from April 28, 1933, until January 15, 1935, and one to hear the testimony of Robert L. Johnson, Executive Director of the State Emergency Relief Board from January 15, 1935 to December 31, 1935. It was the Committee's purpose in all of these hearings to obtain a picture of the relief problem and the relief administrative organization, its policies, practices, and standards. In each public hearing an attempt was made to obtain testimony from as widely representative a group as possible.

The Committee also employed a staff to obtain information and make studies concerning the volume, cost, and administration of relief in Pennsylvania.

On May 5, 1936, Representative Miles Horst, Chairman and Senators Charles H. Ealy and Theo. Lane Bean submitted a report. We, the undersigned members of the Joint Committee, have prepared the present report representing our findings and interpretation of the facts in the hands of the Committee. In the present report, reference will be made to the earlier report submitted by Mr. Horst and his associates as the "Horst Report."

Part I—Summary of Conclusions and Recommendations

1. Administration of Relief by the S. E. R. B.

We have found unemployment relief in Pennsylvania to be administered, in the main, efficiently, economically, honestly, and non-politically. The facts and figures collected by the Joint Committee and reported in the Horst Report adequately support this conclusion.

In any relief program which is so extensive and which was developed under such emergency conditions, it is inevitable that some persons would receive relief for which they were not eligible. In relation to the size of the program, the number of such cases discovered by the Committee was remarkably small. This record was attained because of the care with which the relief administration investigates relief applicants and recipients to determine their eligibility. Where cases of fraud or misrepresentation have been found, the S. E. R. B. has promptly required restitution agreements, and if the facts warranted, the cases were prosecuted for fraud

The administrative personnel of the S. E. R. B. appears to have been selected throughout on the basis of ability to do the job, with no consideration of political affiliations. The rule that no employe shall engage in political activity has been rigidly adhered to and enforced, and no testimony addressed before the Committee would support any conclusion but that the S. E. R. B. is administered on a non-political basis. In the very few cases where employes were found to have been involved in irregularities or mismanagement of relief funds, they were promptly discharged and prosecuted. The small number of such cases is a tribute to the splendid administrative force set up by the S. E. R. B., which is free of the scandals which have attended the administration of relief by many local poor boards.

The diversity of the activities undertaken by the S. E. R. B., the necessity of conducting several of the programs in accordance with Federal rules and regulations, and the fact that funds administered have come solely from the Federal and State governments have necessitated a considerable degree of control on a State-wide basis. The high quality of the administration, we believe, has been in no small degree a result of the State-wide supervision which has been maintained in the selection of personnel, in the formulation of policies and procedure, in the establishment of standards, and in the accounting for expenditures.

A necessity exists, however, for developing more local interest in sound relief administration. For some time past the S. E. R. B. has been placing increasing emphasis on the strengthening of local administrative staffs, and on the development of more local interest in and understanding of the relief problem.

2. Lack of Politics in S. E. R. B.

On page 9 the Horst Report states: "The administration and distribution of direct relief have been relatively free from politics, due in large measure to the high character of men chosen as Executive Director of the S. E. R. B."

We subscribe to and endorse this statement completely.

3. Administrative Expenditures

In the early days of the S. E. R. B. administrative expenditures were grossly inadequate. As administration has been improved, administrative expenditures have necessarily increased. This has been a desirable and a beneficial development. The increase in administration costs has been amply justified by the conservation of relief funds. In a later section of this report, figures are given which indicate that every dollar spent for administration since May, 1934, has saved approximately $1.50 in relief funds.

Improvement in procedure and more efficient methods of administration are constantly being introduced. Since December 28, 1935, administrative personnel has been reduced approximately 33.5 per cent. Further economies can be effected by:

1. The introduction of cash relief throughout the State. This would reduce the number of operations that are involved in the issuance of different types of orders and would correspondingly effect administrative savings.

The ratio of administration costs to total relief expenditures and the administrative cost per case have generally been lower in Philadelphia and Allegheny counties than in the rest of the State because of more concentrated case loads and the possibility of greater administrative economies in large scale operations. A much more important factor, however, in keeping administrative costs down in these two counties was the introduction of cash relief. In the twelve months prior to the introduction of cash relief in these two counties the ratio of administrative costs to total relief expenditures averaged 11 per cent lower in Philadelphia and Allegheny counties than in the rest of the state. During the twelve months after the introduction of cash relief, on the other hand, the ratio of administrative costs to total relief expenditures averaged 28 per cent. lower in these two counties than in the rest of the State.

2. The concentration of the activities of the S. E. R. B. upon direct relief During the past three years a variety of programs, which in themselves have rendered valuable service to the unemployed, have involved a heavy administrative burden. Many of these activities are now

conducted by W. P. A. This simplification of the relief program of the S. E. R. B. will make possible a further combination of departments and functions and a further simplification of the S E. R. B.'s administrative organization. Further administrative savings will be effected thereby.

4. Standards of Relief

The present standards of relief of the State Emergency Relief Board are not too high. Average grants have increased since the early days of the S. E. R. B. when food only was provided. As unemployment continued, the resources of families were exhausted; the possiblity of obtaining credit decreased; relatives and friends were unable to continue supplementary aid. As a result, one item of relief after another was added, and average relief grants increased accordingly.

Food prices have increased 17% since the present food scale was adopted. Clothing allowances have been cut 25%. In February the average expenditure per person for food was $1.14 per week, an average of only $0.05 per meal. The average expenditure for milk was $0.13 per person per week, an average of only $0.02 per day. The average for fuel was $0.18 per person per week; for clothing $0.18 per person per week, and for rent, $0.09 per person per week. The average expenditure for the entire case load including cash relief and medical care during February was only $2.14 per person per week, or an average of $0.30 per day. Such standards are not too high.

The relief grants of the S. E. R. B. are very low as compared with those of agencies. The Bureau of Delinquent and Neglected Children in Philadelphia, for example, grant $4.50 per week for each child boarded out in foster homes, as compared with an average expenditure by the S. E. R. B. during February of $1.50 per week per child. Old age assistance and blind pensions allow as much as $30 per month, or $7.00 per week, for one aged or blind person.

Recommendations

Method of Administering Relief

It is recommended that direct relief shall continue to be administered by the State Emergency Relief Board, at least until the Regular 1937 session of the Assembly, at which time the proponents of the idea of complete local administration shall have had an opportunity to study the facts without being moved by purely political considerations.

No experience to date with local administration of relief has shown as efficient or as non-political performance as the state-wide administration by the State Emergency Relief Board. Nevertheless in order to more readily adapt the administration of relief to varying local conditions, it is recommended that local boards composed of representative citizens be established in all counties where such boards do not now exist and that the State Emergency Relief Board give careful consideration to possible methods of obtaining increased participation on the part of these boards.

Selection and Tenure of Personnel

It is recommended that the merit system be continued and strengthened. Particularly it is recommended that a citizens committee be appointed to devise a continuing system for selecting administrative employes on a merit basis

Cash Relief

It is recommended that the present order system in effect in all counties except Allegheny and Philadelphia be replaced immediately by cash relief. Such a step would extend to the entire state the administrative economies experienced in these two counties.

Part II—Comments on the Preliminary Report of the Honorable Miles Horst, Chairman, the Honorable Charles H. Ealy, the Honorable Theo. Lane Bean, Members of the Joint Legislative Committee to Investigate Public Relief in Pennsylvania.

Constitutional Right of Commonwealth to Provide Relief.

The Horst report cites two decisions of the State Supreme Court, Busser v. Snyder, 282 Pa. 440 and Commonwealth v. Liveright, 308 Pa. 35. Both of these court decisions stated that the State has a duty to help those who are without means of support and that such help does not constitute appropriations to persons for charitable or benevolent purposes. The report implies a question as to the legality of the direct relief program of the State Emergency Relief Board in the following language:

"The Committee believes that one of the following policies should be definitely established by the General Assembly:

"1. Shall the Commonwealth continue to maintain the standards of relief which have been built up under the State Emergency Relief Board while Federal moneys were available for direct relief, or,

"2. Shall the Commonwealth insist that, in so far as the expenditure of its appropriations is concerned, the limitations clearly set forth by the Supreme Court in its decision on the Talbot Act be observed in administration?"

"The Supreme Court in the case of Commonwealth v. Liveright, 308 Pa. 35, construing the Talbot Act, said:

'It is the duty of every citizen, particularly public officials, * * * entrusted with furnishing this relief, to see that it is not given to those not entitled to receive it, * * * The purpose of the State's relief is to furnish maintenance to poor persons, including those who through enforced unemployment, have no means of support and not to those who have such means.'"

The above statement implies in an insidious manner that the standards of relief of the State Emergency Relief Board are in violation of the Supreme Court decision. No facts or statements are submitted to indicate in what manner the direct relief program might not be in accordance with the Supreme Court decision. This would seem to indicate that the signers of the report recognize the absence of facts upon which to base any such claim of illegality, and they therefore seek to suggest to the reader by insidious implication that the relief program of the State Emergency Relief Board is not in conformity with the Supreme Court's decisions.

In our opinion it is apparent that the Relief program of the State Emergency Relief Board is in conformity with the decisions of the Supreme Court. The sole function of the State Emergency Relief Board's administrative staff is "to furnish maintenance to poor persons, including those who through enforced unemployment, have no means of support and not to those who have such means,"

and, "to see that it is not given to those not entitled to receive it."

Effect of Relief Expenditures upon Industry and Trade

The report of Mr. Horst and his associates under the above heading stated the following:

"The crash of business during the years 1908 and 1909 worked a hardship upon the public similar to that of our recent depression. We have assembled statistics taken from records of the United States Census Bureau and from Bureau of Statistics, Department of Internal Affairs of Pennsylvania. We confine our data to the total volume of business done in Pennsylvania by productive industries, as we feel this is more or less of a barometer indicating the financial position of the State. The low mark in volume of business for 1909 was $2,905,600,200.00. In 1914 the total volume of business in Pennsylvania reached the sum of $3,179,537,132.00, or an increase of $273,936,932.-00. This recovery was normal and unassisted by emergency financing.

"Following the recent depression the low mark in the volume of business in Pennsylvania in 1932 was $3,117,-806,500.00. In 1934 the total volume of business reached the mark of $4,246,119,300.00 or a growth in two years of $1,128,312,800.00. The crash of 1908 and 1909 required five years to increase volume of business in the amount of $273,936,932.00, while in our present recovery two years reflected an increase of $1,128,312,800.00."

While conditions from 1909-1914 were vastly different than they were during the period 1932-1934, the figures cited above reveal that the volume of business recovered from the low point in 1932 at a very much more rapid rate than it did from the low point in 1909. From 1909 to 1914, the volume of business increased by 9.4 per cent, an average increase of 1.9 per cent per year. From 1932 to 1934, on the other hand, the volume of business increased 36.2 per cent., an average increase of 18.1 per cent. per year. The markedly more rapid increase in volume of business during the period 1932 to 1934 was undoubtedly due in considerable measure to relief and recovery expenditures.

Financial Burden

It is true, as pointed out by the Horst Report, that unemployment relief has entailed a very heavy financial burden on the State of Pennsylvania. This burden was taken on by the state only after the local public and private agencies found it impossible to cope with the problem. Local governmental units are even less able to finance unemployment relief now than they were when the State and Federal Government took over a large part of the unemployment burden in Pennsylvania.

Emergency Education Work Relief

The report of Mr. Horst and his associates criticised the high administrative costs of the emergency education work relief program. It cited administrative costs of 37 per cent., whereas, the figures printed in the report itself indicate 27 per cent. All of the funds expended under this program were specifically allocated for the purpose by the Federal Emergency Relief Administration, and were administered by the Department of Public Instruction. The program was designed to provide employment for needy unemployed teachers and at the same time to provide educational opportunities for the unemployed. It was an employment and not a relief program. The benefits provided fully justify the expenditures made by the Federal Emergency Relief Administration for this program.

Rural Rehabilitation Cases

The report of Mr. Horst and his associates cited the high administrative costs of the Rural Rehabilitation program. Again they miscalculated the administrative expense ratio, citing it as 43%, whereas it actually was 30%. The total disbursements under this program for the period under review, September, 1932 to May, 1935 were $139,-890. This program was not administered by the State Emergency Relief Board, but by the Pennsylvania Rural Rehabilitation Corporation until July 1, 1935 and thereafter by the Federal Resettlement Administration. Naturally, the administrative costs of the program were large relative to the amount of money loaned, since the purpose of the program was to devise methods of rehabilitating farmers receiving relief and thereby make it unnecessary for them to continue receiving relief. The program was of considerable benefit to the State Emergency Relief Board since it removed many distressed farmers permanently from the relief rolls.

Restitutions

The report of Mr. Horst and his associates implies widespread "chiseling" on the part of relief recipients. In spite of the fact the Joint Legislative Committee has been investigating the administration of relief for over a year, Mr. Horst's report resorts to newspaper items to substantiate the claim of fraud on the part of relief recipients. Actually, considerable information showing the small number of ineligible persons receiving relief has been made available to the Joint Legislative Committee.

The following are three examples of studies during 1935 to determine the extent of ineligibility among relief recipients:

(1) The Stark Report in March, 1935, made by a group of field research workers from the New York T. E. R. A. who were invited to conduct an independent survey of Pennsylvania unemployment relief. The group found that only 2.3 per cent of 1,327 cases selected at random for study were ineligible.

(2) Report of the Philadelphia Bureau of Municipal Research in July, 1935, following a study of cases on the rolls of the Philadelphia County Relief Administration. This report showed that only 3.8 per cent. of a representative sample of the city's unemployment relief case load lacked eligibility.

(3) A study in June, 1935, of the alleged cases of "chiseling" concerning which complaints had been received by the State Relief Administration. A thorough investigation of each case revealed that 30 per cent. of the cases were not receiving relief, that 89.6 per cent. of the complaints were not justified, that 0.6 per cent were partially justified and that 9.8 per cent. were justified. It should be noted that this 9.8 per cent. is the proportion of what might be called "chiselers" in a group of relief cases of which were the subject of written complaints.

The following comments were made in a report of the Stark Committee:

The Administration in the various offices visited deserves a word of commendation. Although they are considerably handicapped by the lack of state rulings, and the inadequacy of work facilities and personnel, they have, as can be seen, done an excellent job. The proportions of ineligibles are very low. There is some semblance of a training program in each district and above all there is an excellent spirit amongst all of the personnel both clerical and visiting. Interest is deep and morale is high. The State Administration has an excellent group of workers and with a more firm control from the State Offices can do a far more adequate job of Relief Administration. (Stark Report.)

It should be borne in mind that but a small proportion of cases that may be ineligible for relief at any given time involve fraud. From 10 to 15 per cent of the cases receiving relief are discontinued each month. Very rarely is fraud or misrepresentation involved in these cases. It does, however, require adequate administrative staff to make frequent contacts with relief recipients to insure prompt discontinuance or adjustment of relief grants when needs change. The savings in relief expenditures thus effected cannot be termed the elimination of "chiseling" but rather the effects of adequate administration. Less than one-tenth of one per cent. of the cases receiving relief during 1935 were found to have received relief through fraud or misrepresentation.

Administration and Administration Costs

The Horst Report contends that the relief visitors are incompetent. But the facts submitted do not substantiate this statement. The unavailabiliy of visitors having experience and training at the low salaries paid by the S. E. R. B. for this kind of work is cited as a reason for this condition. In this same paragraph the educational requirements and examinations given, both of which together with experience and interviews constitute the basis of recruiting workers, are criticized.

Such a statement is surprising in view of the fact that on only one occasion did the committee have an opportunity to appraise the competence of visitors. On that occasion none of the signers of the Horst report paid any attention to the testimony given by the visitors. In our opinion, visitors play the most vital part in the administration of relief. It is they who apply the relief policies established by the S. E. R. B., and determine whether families are eligible for relief or not. Because of their essential place in relief administration, we believe it is unfortunate that the signers of the Horst Report did not avail themselves of the one opportunity they had of obtaining the viewpoint of these workers.

No one can justifiably deny that the S. E. R. B.'s basis of selecting workers represents an attempt to select personnel on the basis of ability. It is, further, designed to prevent political considerations from entering into the selection of workers. It is true that salaries paid visitors by the S. E. R. B. are very low, but to raise the salary scales of visitors would increase administrative costs, which the Horst report criticizes as being already too high.

The Horst report also cited several instances of delay between the date of application for relief and the actual date of the first grant. These instances evidence both the careful investigation of relief eligibility made by the S. E. R. B. and the need for reducing the number of cases assigned to each visitor by increasing the number of visitors. Also, it should be borne in mind that part of the delay in the granting of relief arises out of the fact that relief is not resumed for released W. P. A. workers until 21 days after the last pay is received.

Further evidence of the need for increasing the number of visitors is the infrequency with which some cases have been contacted in recent months, as cited in the Horst report.

We wish to emphasize here that the facts cited by the Horst Report indicate a real need for increasing administration expenditures in certain directions while the signers of that report criticize the administrative expenditures which have been made as being too large.

The Horst Report cites the increase in administrative cost from 1% of total relief expenditures in September, 1932, to 8.9% in May, 1935, and from 7 cents per case in the earlier month to $3.92 per case in the later month.

Anyone who has had even a remote interest in the relief question knows that administration costs have steadily increased since the establishment of the S. E. R. B., but to use the amount of administrative expenses either to indict or to commend the relief system is most fallacious. Your Committee, in support of this conclusion, wishes to point out a few fundamental facts that should be readily discernible to the lay mind.

The average case load handled by one visitor in urban communities consists of 110 relief cases each of whom receive an average grant of $32.00 per month. In the course of a month, the visitor receiving on an average of $90.00 in salary is charged with the proper distribution of $3,520 in public funds. In making this distribution the visitor must be certain that the needs of these recipients have not diminished because of an increase in income or the concealment of newly acquired assets. The determination of these facts which would change the status of the recipient requires constant and extensive investigation by the visitor in addition to the checking of industrial payrolls, and fulfilling many other diverse functions by a central office. It was the introduction of such business methods as these, all of which contribute to the reduction of the relief load, that has occasioned the increase in administrative expenses. Hence, with very little reflection it can be seen that an efficient administrative staff is absolutely necessary for the conservation of public funds, and that any so-called saving in administration costs effected by an improper reduction in personnel would be many times lost by the addition of thousands of ineligible persons to the relief rolls. To hold any other view would be "penny wise and pound foolish." Taxpayers are interested in the total cost of relief, not in the one item of administrative costs. To increase administration costs in order to save on the entire relief bill is real economy.

Although in the early days of the State Relief Board it was recognized that some administration expense, particularly for clercial and office help, was necessary, the position was taken that these funds should be provided by local governmental bodies or by private contribution. Thus, during the early months of the State Emergency Relief Administration the amount of State and Federal funds expended for administration was small. Local governmental bodies likewise sought to keep adminis-

tration expenses at an absolute minimum. As a result, a large part of the investigation of relief needs and the authorization and distribution of relief grants was made through volunteer committees and private agencies. The very small proportion of expenditures for administration during these early months will appear to many as a noteworthy accomplishment. It cannot, however, be so considered unless at the same time it can be determined that the administration of relief during that time was also efficient. An examination of the facts shows that the restricted sums spent for administration resulted in a considerable amount of indiscriminate relief giving without due consideration of need. In May, 1933, approximately 21% of the State's population was receiving unemployment relief. In some counties as high as 50% of the population was receiving relief. Many of these were ineligible, while others whose need was great were receiving no relief. Realizing the inadequacy of relief administration at that time the State Emergency Relief Board began the transfer of relief administration from local public and private agencies and volunteer committees to unified local relief administrations staffed with paid personnel. In some counties the systematic and thorough investigation of relief cases thus made possible resulted in eliminating as many as 50% of the cases then on relief. The result of this in turn was to save thousands of dollars which had previously been given to ineligible persons. The results obtained in the months following May, 1933, by making administration more adequate are evidenced by the following examples:

Example 1. In June, 1933, a study of 56,823 cases receiving unemployment relief in 28 counties was made. After thorough investigation by hired skilled visitors, it was found that 10.2 per cent. of the families were not in need of relief, that 6.4 per cent. of the cases were receiving relief in excess of their needs. The net saving in relief effected in these 28 counties by installing a paid personnel amounted to $75,755.77 per week. This study revealed, in a striking manner, the need for more adequate investigation of families applying for relief, and that every dollar spent for administration was saved many times.

Example 2. On June 1, the granting of relief in one county was taken over by a staff of paid investigators. From June 1st to September 23rd, 13,441 cases that had previously been receiving relief were investigated. Of these cases 6,379, or 47.5 per cent. were found to be ineligible for unemployment relief. The savings in relief funds effected through investigation by paid trained investigators was $21,050.00 per week or $90,515.00 per month. The investigation was accomplished with 19 investigators, paid a total monthly salary of $2,158.60. This gave a net saving of over $88,000.00. Thus, in this county each dollar expended for administrative expenses resulted in a net saving of approximately $42.00 per month.

Example 3. In one week in June, 4,956 cases in one city were investigated by 22 paid investigators. 511, or 10.3 per cent. of these cases were found to be ineligible for relief. These 511 cases had been receiving relief to the extent of $1,789.50 per week. The 22 investigators were paid a salary of $330.00 for their week's work. This $330.00 investment in administration expenses brought about a saving of $1,459.60 per week or a net saving of $1,129.60 per week. Moreover, the total saving continued week after week, even after the investigation was finished.

Administration costs are usually considered as unproductive. In reality, however, administration expenditures are actually productive in that they result in the conservation of relief funds. The following elements are prerequisite to the development of any sound relief program:

1. There must be adequate investigation to determine the actual relief needs of all applicants. For this purpose there must be sufficient trained personnel to insure that:

a. Those needing relief suffer no undue delay in receiving it.

b. Those not eligible shall receive no relief.

c. Those who have been accepted as relief cases shall be dropped from the list as the need for relief may cease to exist.

d. Relief grants are changed promptly when the extent of need for relief changes.

2. Complete coordination between the central local relief administration and associated relief agencies. This includes clearing information on cases, which is necessary to insure against duplication in granting any form of relief.

3. The establishment of an office organization sufficient to maintain all necessary records; to provide centralized fiscal control; conduct systematic audit of accounts.

Table 1 shows that administration expenditures have been more than offset by the savings resulting from investigation of relief cases and relief applications. This table shows that on the average the relief administration has closed approximately 40,000 cases every month and has rejected in addition some 15,000 applications. Column 6 of the table shows the amount of relief expenditure which was saved as a result of closing cases and rejecting applications. When this saving is compared with the administrative expenditure which is shown in column 7 it will be seen that the saving is in every instance larger than the administration cost. Column 8 shows the amount of saving per dollar of administration cost and demonstrates very convincingly the economy of adequate administration.

The practice generally followed of measuring administration costs as a percentage of total relief expenditures or even as so much administration cost per case is fallacious. Table 1 and the examples given on pages 15 and 16 reveal this fallacy in a striking manner. Table 1 shows that each dollar spent for administration from May, 1934 to March, 1936, saved approximately $1.50 in relief funds. As administration becomes more adequate, it costs more and therefore increases the ratio of administration costs to total relief expenditures. At the same time savings in relief expenditures are effected, and the ratio of administration costs to total relief expenditures is increased still further. Similarly, as administration becomes more adequate, more ineligible applicants are rejected and cases are closed more quickly when their need ceases to exist. This results in decreasing number of relief cases and increasing the administrative cost per case.

TABLE I

SAVINGS IN RELIEF FUNDS ARISING FROM ADMINISTRATION EXPENDITURES

Month (1)	Average Case Load (2)	Cases Closed (3)	Applications Rejected (4)	Closings Plus Rejections (5)	Monthly Savings (6)	Administration Cost (7)	Amount of Savings Per Dollar of Administration Cost (8)
May, 1934	348,960	47,113	17,073	64,186	$ 1,639,952.30	$ 777,650.58	$2.11
June	341,342	41,982	14,800	56,782	1,412,168.34	877,554.64	1.61
July	334,903	31,802	17,587	49,389	1,225,834.98	871,466.15	1.41
August	334,096	37,659	22,610	60,269	1,570,007.45	897,065.47	1.75
September	345,716	36,057	23,286	59,343	1,334,624.07	893,706.62	1.49
October	360,036	31,250	18,079	49,329	1,285,513.74	1,068,038.84	1.20
November	373,441	32,525	19,281	51,806	1,450,568.00	1,096,570.81	1.32
December	401,437	31,124	18,179	49,303	1,464,299.10	1,228,984.44	1.19
January, 1935	431,975	27,639	15,222	42,861	1,471,846.74	1,473,578.89	1.00
February	450,859	40,160	11,304	51,464	1,728,675.76	1,353,977.01	1,28
March	455,343	45,608	15,339	60,947	2,064,274.89	1,512,126.95	1,37
April	459,121	43,946	13,355	57,301	1,967,716.34	1,575,191,16	1.25
May	447,125	64,957	17,131	82,088	2,773,753.52	1,754,726.13	1.58
June	436,894	46,241	14,743	60,984	1,815,493.68	1,542,818.41	1,18
July	424,000	67,325	15,154	82,479	2,880,991.47	1,683,761.69	1.71
August	426,583	52,937	18,914	71,851	2,379,705.12	1,703,416.29	1.40
September	531,319	41,457*	13,153	54,610	1,719,668.90	1,378,051.95	1.25
October	406,866	47,973*	17,159	65,132	2,249,007.96	1,330,790.84	1.69
November	350,208	47,181*	18,644	65,825	1,985,282.00	1,204,147.95	1.65
December	249,597	23,099*	15,981	39,080	1,270,881.60	1,130,300.96	1.12
January, 1936	216,618	16,570*	20,097	36,667	1,257,678.10	996,153.68	1.26
February	206,728	15,537*	16,793	32,350	950,443.00	834,504.89	1.14
March	195,561	19,875*	17,299	37,174	1,193,118.02	892,282.24**	1.34**

* Excludes closings to W. P. A. ** Preliminary.

To summarize, it can be said that increasing administrative costs, both in absolute amounts and in amounts relative to total relief expenditures and to case load, represents real economy as long as the savings effected thereby are equal to or greater than the increase in administration costs. Adequate administration also deters many ineligible persons from applying for relief. When ineligible persons know that they would be thoroughly investigated many of them do not even try to get on the relief rolls.

Table 2 shows the estimated number of unemployed on relief rolls as compared with the total number of unemployed. It will be noted that the State Emergency Relief Board has never had more than 50 per cent. of the unemployed on relief at any particular time. In spite of the fact that resources among the unemployed have become more and more exhausted and in spite of the fact that the successive Work Programs have lent a strong incentive for applying for relief, it will be noted that the proportion of the unemployed receiving relief has not shown a tendency to increase from May, 1933 to September, 1935. This was accomplished solely through the fact that administration was becoming more nearly adequate throughout the period, thus insuring that cases were discontinued from relief rolls more and more promptly as their need ceased to exist, and insuring that a smaller and smaller proportion of ineligible persons were accepted for relief when they applied.

Duplication of Costs

The Horst report cited the fact that the S. E. R. B. continued granting relief to persons employed by W. P. A. until the first pay was received. If any other practice were followed, the workers would have nothing to live on pending the receipt of the first pay. This does not represent duplicate relief because the first pay is needed to meet the needs of the worker and his family until the second pay is received. Pay can not be expended until it is received. Likewise, if a worker loses his job, in either private or public employment, relief is not resumed immediately. Relief is not resumed until the last pay is exhausted. In the case of released W. P. A. workers, relief is not resumed until at least 21 days after the last pay is received. This period of time without relief offsets the relief extended after assignment pending the receipt of first pay.

The Horst report makes an absolute misstatement of fact when it states that W. P. A. wages are supplemented by the S. E. R. B., W. P. A. wages are not supplemented by the S. E. R. B. even though the W. P. A. wage be less than would be received under direct relief.

Ownership of Homes

The Horst report cited several relief cases that owned their homes They cannot eat or wear the houses, and they must have some place to live. Furthermore, over two-thirds of the homes were mortgaged and it is doubtful whether any appreciable equities were left to sell. Because of the existing real estate market it is practically impossible to finance the small equities which exist in the small number of homes partially owned by relief recipients.

TABLE 2

ESTIMATED NUMBER UNEMPLOYED COMPARED WITH ESTIMATED NUMBER OF UNEMPLOYED ON RELIEF

		Estimated Number of Totally Unemployed	Employables on Relief Rolls	Per Cent. of Unemployed on Relief Rolls
1932	September	1,234,836	210,000	17.0
	October	1,138,966	257,000	22.6
	November	1,152,209	342,000	29.7
	December	1,160,354	417,000	35.9
1933	January	1,309,350	489,000	37.3
	February	1,321,842	558,000	42.2
	March	1,379,351	603,000	44.1
	April	1,346,549	612,000	45.4
	May	1,314,835	619,000	47.1
	June	1,259,987	601,000	47.7
	July	1,147,179	550,000	47.9
	August	1,037,606	489,000	47.1
	September	909,363	441,000	48.5
	October	906,787	422,000	46.5
	November	893,337	419,000	46.9
	December	867,022	402,000	46.4
1934	January	1,028,563	367,000	35.7
	February	980,467	369,000	37.6
	March	890,505	381,000	42.8
	April	906,832	430,000	47.4
	April	1,057,000	430,000	40.7
	May	1,012,000	436,000	43.1
	June	1,019,000	423,000	41.5
	July	1,081,000	414,000	38.3
	August	1,115,000	411,000	36.9
	September	1,107,000	425,000	38.4
	October	1,067,000	442,000	41.4
	November	1,079,000	456,000	42.3
	December	1,016,000	487,000	47.9
1935	January	1,141,000	520,000	45.6
	February	1,122,000	536,000	47.8
	March	1,127,000	535,000	47.8
	April	1,115,000	539,000	48.3
	May	1,115,000	524,000	47.0
	June	1,091,000	511,000	46.8
	July	1,165,000	492,000	42.2
	August	1,182,000	498,000	42.1
	September	1,115,000	504,000	42.5

*Prepared by Department of Labor and Industry through April, 1934 and by S. E. R. A. April, 1934 to date.

Cases Reputed to be Ineligible

The Horst report cites several reputed "Flagrant Cases of Abuse." Some of the cases cited received loans from the Rural Rehabilitation Corporation and are no longer on S. E. R. B. rolls; several cases were operating small businesses of their own, and receiving supplementary relief; one case was cited as one which the Poor Board should be providing for; other cases were cited as owning either their own home or other property; additional cases of persons working and receiving relief at the same time are cited. The facts submitted for most of the cases are inadequate to indicate whether they are eligible for relief or not. The Horst report seems to imply that anyone having a job or operating a small business should be ineligible for relief regardless of the amount of income received or the family needs.

In a program granting relief to as many as 2,000,000 persons at the peak, it is inevitable that some who are ineligible will receive relief and that others will get relief through fraud or misrepresentation. The fact that the number of such cases has been so small is an indication that unemployment relief in Pennsylvania has been administered efficiently and economically.

Relief of Transients

The Horst Report discussed the Federal Transient Program as administered in Pennsylvania and cited the Auditor General's report of mismanagement of a Transient Camp at Mt. Gretna, and the S. E. R. B.'s report of fraud committed by officers of the S. S. Mercy, a transient shelter at Philadelphia.

The care of transients was a Federal program, administered in accordance with Federal regulations and financed entirely with Federal funds. The persons involved in mismanagement at Mt. Gretna were discharged and brought to trial. No convictions were obtained, however. In the case of the S. S. Mercy transient shelter at Philadelphia, the irregularities were discovered by S. E. R. B. employes. The officers involved were prosecuted, and received jail sentences.

The local Poor Districts of Pennsylvania have benefited directly from the Federal Transient Program. Act No. 201—1933 P. L. 966, provides

> "If a person has no known settlement in this Commonwealth, and cannot for any reason whatever be removed into the state or county where settled, he shall have a quasi settlement in the poor district where he or she becomes a public charge, which district shall be liable for his or her support."

Under this act the Poor Directors would have been responsible for the care of transients. Actually the Federal Transient Program relieved them of this necessity.

Respectfully submitted,

W. M. RODGERS,
W. J. EROE, JR.,
JOSEPH DAVID BURKE.

COMMUNICATION FROM DEPARTMENT OF HEALTH RELATIVE TO FLOODED MINES AND SLATE QUARRIES

Commonwealth of Pennsylvania
Department of Health
Harrisburg

August 5, 1936.

Hon. Herbert B. Cohen,
Chairman, Appropriation Committee,
House of Representatives,
The Capitol,
Harrisburg, Pa.

Dear Mr. Cohen:

You have requested that we furnish you information as to present status of dewatering coal mines and slate quarries flooded last March.

The bill appropriating $700,000 to the Health Department for this work was approved by the Governor on June 16, 1936, and is Act No. 6.

Because of the vision and humanitarian motives of Governor Earle and because two-thirds of the members of the General Assembly had pledged themselves to support the appropriation, we proceeded at once, under an opinion of the Attorney General, to requisition the needed

equipment so as to begin the work of dewatering at the earliest possible date.

The outstanding case is the flooded mines in the Pittston-Duryea area where the flooded mines endangered the livelihood of 5000 miners and their 15,000 dependents. The communities dependent upon these mines were faced with poverty unless the mines were dewatered and mining operations resumed.

Good progress has been made toward dewatering these mines.

The Sandy Run mine near Hazleton is completely dewatered, the operator has reconditioned this mine and resumed mining resulting in about 250 miners going back to work, paid from company payrolls.

Attached please find a statement as you requested.

Yours very truly,

EDITH MacBRIDE-DEXTER, M.D.,
Secretary of Health.

MEMORANDUM IN RE DEWATERING FLOODED COAL MINES AND SLATE QUARRIES PURSUANT TO ACT NO. 6, APPROVED JUNE 16, 1936.

August 5, 1936.

PITTSTON-DURYEA AREA
(Luzerne County)

18 powerful motor driven pumps and other necessary equipment were delivered at these mines. Dewatering began on June 12th with five pumps operating on June 15th. As fast as they could be lowered into the mines other pumps were put in operation.

1,760,000,000 gallons of water have been pumped from these mines up to August 1, 1936. The water level has been lowered about 33 feet. There still remain about 6,000,000,000 gallons of water to be pumped.

The mining companies have furnished all labor in connection with the work and have pledged themselves to recondition the mines after they are dewatered and resume mining operations which will put the former miners back on company payrolls. It has been estimated that it will cost these coal companies about $1,100,000 to recondition their mines.

Orders have been placed by the Department of Property and Supplies for pumps, motors and other equipment aggregating about $181,400, and it is estimated that power bills to operate the State owned pumps will amount to about $325,000.

SANDY RUN MINE
(Luzerne County)

The operator of this mine, which was flooded last March, furnished the pumps and equipment to dewater. The power bill amounts to about $2900, the only cost to the State. Dewatering was completed on July 16, 1936. It is reported the operator of the mine reconditioned it after it was dewatered and resumed mining, thus bringing back about 250 miners paid from company payrolls

SULLIVAN TRAIL MINE
(Luzerne County)

The operator of this mine tried to dewater it himself but was unable to do so. On July 18th one of the State owned pumps, not then in service, was transferred from the Pittston-Duryea area to this mine. On July 26, 1936, pumping was begun. The operator is furnishing all labor and it is expected that the only expenditure from the State appropriation will be for power and a reel of cable.

The operator has pledged himself to recondition this mine after it is dewatered and then to resume mining which will put back on company payrolls about 250 miners.

OTHER FLOODED COAL MINES

All flooded coal mines whose operators have requested State aid toward dewatering are being investigated by the Department of Mines. Conditions found indicate some as not appearing to be eligible for State aid while others may be.

FLOODED SLATE QUARRIES

All slate quarries whose operators have asked for State aid in pumping out water are being investigated by the Department of Labor and Industry. Some are said to be eligible according to the requirements of Act No. 6.

RE-EMPLOYMENT

The Department of Mines finds that as a result of dewatering flooded coal mines, already about 2000 workmen have been put back on coal company payrolls. And they forecast, if dewatering be continued, that by the end of August, 1500 more workmen will be returned to company payrolls.

EDITH MacBRIDE-DEXTER, M. D.,
Secretary of Health.

EMD: e

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LEGISLATIVE JOURNAL

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Pardons granted by Governor, reasons for, presented to Senate 6; to House, 48; appendix, 1525-1647.

Philadelphia Saving Fund Society, for 1935, appendix, 1655.

Saving Fund Society of Germantown, 81st annual report of, 1648.

State Emergency Relief Board, Communications from, 1740.

State Emergency Relief Board Staff, Roster of, 1738.

Western Saving Fund Society of Philadelphia, for 1935, appendix, 1651.

APPOINTMENTS, INTERIM, resolution (Senate) by Pytko, authorizing printing of, 5.

APPROPRIATIONS, additional, to certain departments, boards and commissions, supplementing General Appropriation Act of 1935, by providing for

House Bill No. 58.
Read in place in House by Mr. Brownfield, 134.
Referred to Committee on Appropriations, 134.
Reported without amendment, 152.
First reading, 158.
Second reading and recommitted, 194-196.
Re-reported without amendment, 870.
Third reading and final passage, 893, 894.
Returned from Senate with amendments, in which House concurred, 1476, 1477.
Signed by Speaker, 1477.

In Senate (No. 109).
Referred to Committee on Appropriations, 874.
Reported without amendment, 1205.
First reading, 1207.
Second reading and recommitted, 1233-1235.
Re-reported with amendment, 1390.
Third reading and final passage, 1430-1432.
Returned from House with Senate amendments conc. in, 1435.
Signed by President pro tempore, 1436.

APPROPRIATIONS COMMITTEE, resolution (Senate) by Harris, requesting a meeting of, referred to Committee on Appropriations, 32.

Remarks on, by
Buckman, 32.
Harris, 32.

APPROPRIATIONS COMMITTEE, resolution (Senate) by Harris requesting approval of, before bills are reported from, 224.

APPROPRIATIONS, to provide for the expenses of the Extraordinary Session of the Legislature, assembled May 4, 1936, making

House Bill No. 29.
Read in place in House by Mr. Cohen, 65.
Referred to Committee on Appropriations, 65.
Reported without amendment, 152.
First reading, 158.
Second reading, 201, 202.
Third reading and final passage, 240.
Returned from Senate with amendments, in which House concurred, 314, 315.
Signed by Speaker, 315.
Approved by Governor, 380.

In Senate (No. 33).
Referred to Committee on Appropriations, 220.
Reported without amendment, 223.
First reading, 224.
Second reading, 264.
Recommitted, 265.
Re-reported with amendment, 279.
Third reading and final passage, 306, 307.
Returned from House with Senate amendments concurred in, 307.
Signed by President, 307.

APPROPRIATION FOR COMMEMORATION OF THREE HUNDREDTH ANNIVERSARY OF EARLIEST SETTLEMENT within Pennsylvania

Senate Bill No. 16.
Read in place in Senate by Mr. Woodward, 117.
Referred to Committee on Appropriations, 117.

APPROPRIATION FOR COMMEMORATION OF THREE HUNDREDTH ANNIVERSARY OF EARLIEST SETTLEMENT within Pennsylvania, making

House Bill No. 40.
Read in place in House by Mr. Cliff Patterson, 79.
Referred to Committee on Appropriations, 79.
Reported without amendment, 151.
First reading, 157.
Second reading and amended, 191, 192.
Third reading and final passage, 235, 236.
Returned from Senate with amendments, in which House concurred, 1215, 1216.
Signed by Speaker, 1226.
Approved by Governor, 1303.

APPROPRIATION FOR COMMEMORATION OF THREE HUNDREDTH ANNIVERSARY.—Continued.

In Senate (No. 35).
Referred to Committee on Federal Relations, 220.
Reported without amendment, 223.
Re-referred to Committee on Appropriations, 223.
Reported with amendment, 1087.
First reading, 1087.
Second reading, 1129, 1130.
Third reading and final passage, 1169.
Returned from House with Senate amendments concurred in, 1193.
Signed by President, 1194.

APPROPRIATION TO CONNELLSVILLE STATE HOSPITAL, for erection of laundry and garage, making

House Bill No. 32.
Read in place in House by Mr. Welsh, 66.
Referred to Committee on Appropriations, 66.
Reported without amendment, 152.
First reading, 157.
Second reading, and amended, 229
Third reading and final passage, 269, 270.

In Senate (No. 45).
Referred to Committee on Appropriations, 265.

APPROPRIATION TO DEPARTMENT OF FORESTS AND WATERS, for repair of dikes and construction of new dikes along Delaware River at Matamoras and Milford, Pike County, making

House Bill No. 46.
Read in place in House by Mr. Kelder, 133.
Referred to Committee on Appropriations, 133.
Reported without amendment, 569.
First reading, 596.
Second reading, 632, 633.
Third reading and final passage, 663, 664.
Returned from Senate without amendment, 820.
Signed by Speaker, 822.
Approved by Governor, 1030.

Remarks on, by
Achterman, 663.

In Senate (No. 83).
Referred to Committee on Appropriations, 650.
Reported without amendment, 720.
First reading, 721.
Second reading, 748.
Recommitted, 799.
Vote reconsidered on recommitment, 800.
Third reading and final passage, 800.
Signed by President, 807.

APPROPRIATION TO DEPARTMENT OF HEALTH to defray cost of pumping water from flooded anthracite mines, making

House Bill No. 56.
Read in place in House by Messrs. Coleman, O'Neill, Yourishin and Munley, 134.
Referred to Committee on Appropriatoins, 134.
Reported without amendment, 151, 152.
First reading, 157.
Second reading, and amended, 192, 193.
Third reading and final passage, 237, 238.
Returned from Senate without amendment, 534.
Signed by Speaker, 545.
Approved by Governor, 642.

Remarks on, by
Coleman, 237, 238.
Sproul, 237.

In Senate (No. 42).
Referred to Committee on Appropriations, 221.
Reported without amendment, 451.
First reading, 453.
Second reading, 476, 477.
Third reading and final passage, 505.
Signed by President pro tempore, 538.

Remarks on, by
Gelder, 451, 452.
Woodward, 505.
Harris, 505.

APPROPRIATION TO DEPARTMENT OF PUBLIC INSTRUCTION for purpose of rehabilitating free public non-sectarian libraries damaged or destroyed by flood, making

House Bill No. 60.
Read in place in House by Mr. Simon, 139.
Referred to Committee on Appropriations, 139.
Reported with amendment, 569.
First reading, 596.
Second reading, 636.
Third reading and final passage, 664.
Returned from Senate with amendments in which House concurred, 820.
Signed by Speaker, 822.
Approved by Governor, 928.

In Senate (No. 84).
Referred to Committee on Appropriations, 651.
Reported with amendment, 720.
First reading and recommitted, 721.
Second reading, 748, 749.
Third reading and final passage, 799, 800.
Returned from House with Senate amendments concurred in, 806.
Signed by President, 807.

Remarks on, by
Shapiro, 799.
Sones, 799.
Owlett, 800.

APPROPRIATION TO DEPARTMENT OF WELFARE, for maintenance of certain hospitals furnishing excess free days of service on account of floods, making

House Bill No. 64.
Read in place in House by Mr. Simon, 140.
Referred to Committee on Appropriations, 140.

APPROPRIATION TO DEPARTMENT OF WELFARE, for use of Ashland State Hospital, making deficiency

House Bill No. 90.
Read in place in House by Mr. Schrope, 226.
Referred to Committee on Appropriations, 226.

APPROPRIATION TO STATE EMERGENCY RELIEF BOARD, for direct relief, work relief, and expenses, making

House Bill No. 17.
Read in place in House by Mr. Eberharter, 64.
Referred to Committee on Appropriations, 64.
Reported without amendment, 75.
First reading, 79.
Second reading, 115.
Third reading and final passage, 150, 151.
Returned from Senate with amendments, in which House concurred, 412.
Signed by Speaker, 459.
Concurrent resolution recalling bill from Governor, 510.
Resolution returned from Senate concurred in, 534.
Resolution approved by Governor, vote on third reading and final passage reconsidered, and bill passed third reading with amendments, 585.
Final passage, 644, 645.
Returned from Senate with House amendments conc. in, 665.
Signed by Speaker, 666.
Approved by Governor, 786.

Remarks on, by
Cohen, 150.
Witkin, 150, 585, 586.
Eberharter, 585, 586.

In Senate (No. 23).
Referred to Committee on Appropriations, 167.
Reported with amendment, 309.
First reading, 310.
Second reading, 350.
Third reading and final passage, 400.
Returned from House with Senate amendments concurred in, 404.
Signed by President, 450.
Resolution recalling bill from Governor, concurred in, 504.
Bill returned from House with amendments in which Senate concurred, 651.
Signed by President, 671.

APPROPRIATION TO STATE EMERGENCY RELIEF BOARD.—Continued.

Remarks on, by
Buckman, 651.
Shapiro, 651.

APPROPRIATION TO STATE EMERGENCY RELIEF BOARD, for direct relief, work relief, and expenses, making

House Bill No. 18.
Read in place in House by Mr. Eberharter, 64.
Referred to Committee on Appropriations, 64.
Reported without amendment, 589.
First reading, 596.
Second reading and recommitted, 633.
Re-reported with amendment, 871.
Third reading and final passage, 894-898.
Returned from Senate with amendments, and laid on table, 1269.
Taken from table and House non-concurred in Senate amendments, 1317.
Returned from Senate with amendments in which House concurred, 1375-1378.
Signed by Speaker, 1378.
Approved by Governor, 1464.

Remarks on, by
Witkin, 895, 1377.
Cohen, 895, 1376.
Hoopes, 895-897, 1376, 1377.
Yourishin, 897.
Eberharter, 1376, 1377.

In Senate (No. 108).
Referred to Committee on Appropriations, 874.
Reported with amendment, 1047.
First reading, 1047.
Second reading and recommitted, 1075, 1076.
Re-reported with amendment, 1236.
Third reading and final passage, 1256, 1257.
Returned from House with Senate amendments non-concurred in, 1314.
Vote on final passage and third reading reconsidered, and bill recommitted, 1314.
Re-reported with amendment, 1328.
Third reading and final passage, 1361, 1362.
Returned from House with Senate amendments concurred in, 1381.
Signed by President pro tempore, 1371.

Remarks on, by
Huffman, 1257.

ARMORY BOARD, members of State, nominated, 16; referred to Committee on Executive Nominations, 16; reported, 1447; confirmed, 1449-1450.

ARMORY BOARD, William B. Reilly as member of State, nominated and referred, 83; recalled by Governor, 402; reported and returned to Governor, 407.

ARNOLD, J. HAROLD, Representative from Fayette County (Second District).

Bill introduced by
No. 78.
Providing for the imposition and collection of an emergency State tax on elective public offices, 163.

Bills reported by
No. 79.
Enabling tax collectors and receivers of taxes to make return of unpaid taxes assessed on seated lands for years 1930, 1931, 1932, 1933, 1934 and 1935, and validating liens of such taxes, 277, 278.

No. 164 (Senate No. 75).
Joint resolution proposing amendment to Article 9 of the Constitution of Pennsylvania, by adding thereto Section 1C, relating to reduction of tax on assessed valuation of real estate, 1378.

Leave of absence granted, 781.

Resolution offered by
Congratulations of House extended to John Woodruff, winner of 800 metre run at the Olympic Games in Berlin, 1408.

ARON, MAX, Senator from Philadelphia County (Fifth District).

Amendments offered by, to
Bill No. 29 (House No. 22), imposing an emergency State tax for a limited period of time on alcoholic liquors sold by the Pennsylvania Liquor Control Board, 506.

Bills introduced by
No. 67.
Providing for public sale by cities of the first class of negotiable tax anticipation certificates, representing registered delinquent taxes, 504.

No. 76.
Authorizing Board of Revision of Taxes in cities of the first class to classify real estate situated therein, 577.

Bills reported by
No. 6.
Joint resolution proposing amendment to Section 8 of Article IX of the Constitution of Pennsylvania, relative to incurring indebtedness, 809, 920.

No. 28 (House No. 19).
Amending Corporate Net Income Tax Law of 1935, by increasing rate of tax for a limited period of time, 902.

No. 30 (House No. 27).
Amending Personal Property Tax Act of 1935, by increasing rate of tax and removing certain exemptions, 1046.

No. 67.
Providing for public sale by cities of the first class of negotiable tax anticipation certificates, 541.

No. 76.
Authorizing the Board of Revision in cities of the first class to classify real estate situated therein, 626, 713.

No. 87.
Abating under certain circumstances tax penalties and interest on certain city taxes in cities of the first class, school districts of the first class and prohibiting sale of real property for non-payment of such taxes, 713.

No. 113 (House No. 159).
Authorizing the Commonwealth to negotiate temporary emergency loans to defray current expenses of the State government, 1013.

No. 127 (House No. 169).
Providing revenue, by imposing excise tax on distilled alcoholic and spirituous liquors, 1330.

Member of Special Committee, 573.

Motion by, for
Recess, 60, 707, 713, 921.

Motion by, to
Adjourn, 94.

Discharge Committee on Conference on House Bill No. 55, relating to unemployment insurance, 1437 (withdrawn).

Dispense with further reading of the Journal, 1381.

Proceeding to consideration of Bill No. 6, Joint resolution proposing amendment to Section 8 of Article IX of the Constitution of Pennsylvania, relative to incurring indebtedness, 949.

Read certain bills first time, 577, 679, 1372.

Recommit Bill No. 6, Joint resolution proposing amendment to Constitution of Pennsylvania, relative to incurring indebtedness, 856.

Recommit Bill No. 57 (House No. 74), Joint resolution proposing amendment to Constitution of Pennsylvania, relative to amount of indebtedness which may be incurred by municipalities, 857.

ARON, MAX.—Continued.

Recommit Bill No. 68 (House No. 70), prescribing powers and duties of the Water and Power Resurces Board of the Department of Forests and Waters in relation to creation of flood control districts, 909.

Recommit Bill No. 76, authorizing Board of Revision to taxes in cities of the first class to classify real estate situated therein, 656, 657.

Reconsider vote on Bill No. 50, limiting amount of moneys allocated to and expended in counties by the State Emergency Relief Board, for the maintenance of unemployable residents to amounts expended by political subdivisions charged by law with care of the poor, 914.

Refer to Committee on Banking, House conc. resolution authorizing joint committee to make a study with regard to reducing the legal rate of interest from 6 per cent to 4 per cent, 1313.

Refer to Committee on Judiciary General, House conc. resolution authorizing appointment of Joint Commission to Investigate Magistrates System in Philadelphia, 1313.

Refer to Committee on Municipal Government, House conc. resolution requesting and urging city of Philadelphia to comply at earliest possible moment with the law passed at session of 1935 (P. L. 639) allowing firemen twenty-four hours consecutive rest per week, 714.

Question of Personal Privilege raised by, on
Charges made by the Governor attacking Republican Senators, 1102-1103.

Remarks by, on
Bill No. 28 (House No. 19), amending Corporate Net Income Tax Law of 1935, by increasing rate of tax, 1203.

Bill No. 104 (House No. 153), making appropriation to State Emergency Relief Board, 952.

Motion to adjourn, 1028.
Motion to postpone Bill No. 105 (House No. 154), confirming transfer of money from special funds to the General Fund, and providing for its subsequent return from the General Fund, 966.

Request by, for
Bill No. 76, authorizing Board of Revision to Taxes to classify real estate situated in cities of the first class, to go over in its order, 746, 799.

Request for roll call by, on
Motion for Senate to resolve itself into Committee of Whole for purpose of considering special amendment to Bill No. 127 (House No. 169), imposing excise tax for a limited period of time on distilled spirituous liquors, 1386.

Motion to postpone Bill No. 50, relating to moneys expended in counties by the State Emergency Relief Board, 917.

Motion to postpone further action for present on Bill No. 105 (House No. 154), confirming transfer of money from special funds to the General Fund, and providing for its subsequent return from the General Fund, 967.

Resolution offered by,
Extending thanks of Senate to Judges McDevitt and Schaeffer for administering oaths to Senators-elect Scott and Ruth, 3.

Memorializing Congress to enact legislation prohibiting employes from engaging in politics, 179.

Requesting use of the Senate Chamber for public hearings on Bills of the Finance Committee, 504-505.

Resolution reported by,
Directing Finance Committee to investigate legality of tax anticipation notes, and amounts of money various boards of the State may have available for investment, 1194.

ARON, MAX.—Continued.

House conc. authorizing study by the Public Service Commission of feasibility of transporting pupils, in Allegheny County, for twenty-five cents per week, 658.

ART COMMISSION, member of STATE, nominated, 18; referred to Committee on Executive Nominations, 18; (W. F. Hitchens) reported and confirmed, 579. (Alexander J. Kostellow) reported, 1442; confirmed, 1449-1450.

ASHLAND STATE HOSPITAL, members of the Board of Trustees of, nominated, 21; referred to Committee on Executive Nominations 21.

ATKINS, FRANK J., Representaive from Armstrong County.

Leave of absence granted, 1299.

Remarks by, on
Bill No. 50, supplementing Mothers' Assistance Act of 1919, making appropriation for payment to applicants in counties which do not have sufficient funds, 239.

ATLEE, Judge B. C., petition presented by Mr. Shepard requesting investigation of Official Conduct of, to decide whether or not he is guilty of an impeachable offense, 1063.

ATLEE, JUDGE B. C., report of Committee on Judiciary General on Impeachment of, 1479. Appendix, 1761.

AUKERMAN, WILLIAM M., Representative from Blair County (First District).

Motion by, for
Previous question, 940.

Motion by, to
Invite the Governor to Hall of the House to address the General Assembly at a time to be fixed by concurrent resolution, 586.

Point of Order raised by, on
Questioning right of Wickersham to continue question of personal privilege, 930.

Remarks by, on
House conc. resolution authorizing transfer of money from the Liquid Fuels Tax Fund to General Fund for relief (first part of July), House by Wickersham, 932.

Motion to recommit Bill No. 63, amending Vehicle Code of 1929, by requiring extra fees for assignment of special registration plates, 788.

Request by, for
Permission to have meeting of Committee on Geological Survey during session of the House, 333.

Statement relative to estimate on necessary relief funds for remainder of year, 1062.

BAINE, JOSEPH B., Representative from Allegheny County (Tenth District).

Amendments offered by, to
Bill No. 122, suspending laws of this Commonwealth authorizing the collection of local taxes by distress and sale of goods and chattels, 821.

Bills introduced by
No. 78.
Providing for the imposition and collection of an emergency State tax on elective public officers, 163.

No. 122.
Suspending law of this Commonwealth authorizing collection of local taxes, by distress and sale of goods and chattels, 492.

Bills reported by
No. 19.
Amending Excise Tax Law of 1935, by increasing rate of tax for a limited period of time, 74.

No. 35.
Legalizing lotteries to provide funds for present emergency, 152.

No. 43.
Further amending Personal Property Tax Act of 1879, by increasing rate of tax, 161.

BAINE, JOSEPH B.—Continued.

No. 88.
Imposing and providing for collection of a tax for State purposes, on gross receipts derived from business of supplying water, electric current and natural or artificial gas for domestic and industrial purposes, 191.

No. 165.
Amending Fiscal Code of 1929, by making further provision relative to settlement, resettlement and collection of certain taxes, 1112.

Motion by, to
Postpone Bill No. 122, suspending laws of this Commonwealth, authorizing collection of local taxes, by distress and sale of goods and chattels, 689, 845.

Remarks by, on
Bill No. 122, suspending laws of this Commonwealth, authorizing collection of local taxes, by distress and sale of goods and chattels, 689.

Request by, for
Bill No. 122, suspending laws of Commonwealth authorizing collection of local taxes by distress and sale of goods and chattels, to go over in its order, 662.

Unanimous consent to read certain bill first time, 1112.

Request for verification of roll call by, on
Bill No. 130, further amending Act of 1879, imposing tax on gross receipts of certain companies and persons, by increasing rate of tax for a limited period of time, 1337 (withdrawn).

BAKER, FRANCIS T., Representative from Union County.

Leaves of absence granted, 724, 812, 981, 1266, 1305.

Motion by, to
Dispense with further reading of the Journal, 455.

BAKER, JOHN J., Representative from Allegheny County (Sixth District).

Bills introduced by
No. 47.
Amending Act of 1935, regulating hours of rest of members of police departments, by extending provisions thereof to cities of the second class A, 133.

No. 119.
Imposing and providing for collection of a temporary tax for State purposes on all gas and water meters used in this Commonwealth, 483.

No. 120.
Imposing and providing for collection of a temporary tax for State purposes on telephone pay stations and private switch boards used in this Commonwealth, 483.

Bills reported by
No. 39.
Providing for participation of the Commonwealth of Pennsylvania in celebration of the 150th Anniversary of the Framing of the Constitution of the United States; and making an appropriation, 152.

No. 52.
Providing for reduction of interest rates on outstanding callable bonds of the Commonwealth, 227.

No. 66.
Making appropriation to Department of Property and Supplies for increasing capacity of overcrowded State institutions, 227.

No. 81.
Amending Act of 1935, requiring certain cities to allow members of fire department twenty-four consecutive hours of rest each week and fourteen days of vacation each year, by providing that provisions of said act shall be mandatory; and prohibiting diminution of salary, 54[illegible]

BAKER, JOHN J.—Continued.

No. 122.
Suspending laws of this Commonwealth, authorizing collection of local taxes, by distress and sale of goods and chattels, 546.

Member of Special Committee, 469.

Motion by, for
Previous question, 1491.

Motion by, to
Dispense with further reading of the Journal, 861.

Point of Order raised by, on
Remarks on Bill No. 70, relating to flood control, 529.

Question of Personal Privilege raised by, on
Constitution, 1040.

Remarks by, on
Constitution of the United States, 1039.
Free speech, 1040, 1041.

Resolution offered by,
Memorializing Congress to pass the Guffey-Vinson bill regulating the bituminous coal industry, 568.

BALDI, CHARLES, C. A. JR., Representative from Philadelphia County (Second District).

Bills introduced by
No. 97.
Enabling cities of the first class to recover in part delinquent taxes levied on dilapidated, unrented property, 261.

No. 125.
Enabling cities of the first class to recover in part delinquent taxes levied on dilapidated, unrented property, 544.

Bill reported by
No. 172.
Authorizing Commonwealth to negotiate loan to meet deficiencies in revenue, and providing for repayment, 1332.

Leave of absence granted, 484.

Member of Special Committee, 821.

Member of Standing Committees, 73.

Resolution offered by,
Tendering thanks of House to Press for fair and impartial reporting of proceedings, 1514.

BANKING BOARD, members of the, nominated, 18; referred to Committee on Executive Nominations, 18; reported and confirmed, 679.

BANKING, DEPARTMENT OF, not to permit the private sale of property in its possession (House), resolution by Stone, requesting, 1219.

BARBER, THOMAS W., Representative from Erie County (Second District).

Bills introduced by
No. 45.
Validating Act of 1874 and amendments and supplements thereto, regulating manner of increasing indebtedness of municipalities, 133.

Bills reported by
No. 40.
Making appropriation for Commemoration of Three Hundredth Anniversary of Earliest Settlement within Pennsylvania, 151.

No. 156.
Making an appropriation to the State Emergency Relief Board for direct relief, work relief and expenses, 822.

Leaves of absence granted, 469, 631, 812.

BARBER, THOMAS W.—Continued.

Remarks by, on
Bill No. 164 (Senate No. 75), Joint resolution proposing amendment to Article IX of Constitution of Pennsylvania, by adding thereto Section 10, relating to reduction of tax on assessed valuation of real estate, 1409.

House conc. resolution authorizing transfer of money from the Liquid Fuels Tax Fund and Liquor License Fund to General Fund for relief (part of June and July), 696.

Request by, for
Certain bill to be read first time (not granted because bill was not printed), 822.

Resolution offered by
Liquor Control Board to compile statistics with reference to possibility of increasing wine consumption in the State, 894.

BARNHARDT, WALTER L., Representative from Schuylkill County (Fourth District).

BATCHELOR, ALONZO S., Senator from Beaver and Lawrence Counties (Forty-seventh District).

Leave of absence granted, 1381.

Member of Special Committee, 807, 1458.

Motion by, for
Senate to go into Committee of Whole for purpose of considering special amendments to Bill No. 102 (House No. 136), Joint resolution, proposing amendment to Constitution, authorizing State to issue bonds for acquisition of lands and buildings, and construction and improvement of State-owned buildings and equipment thereof, 1293 (withdrawn).

Motion by, to
Adjourn, 454.

Suspend Rule 39 for immediate consideration of Resolution continuing Sub-committee appointed to investigate Indiana State Teachers College, 1196, 1371.

Objection raised by, to
Amendments to Bill No. 102 (House No. 136), Joint resolution, proposing amendment to Constitution of Pennsylvania, authorizing State to issue bonds for acquisition of lands and buildings, and construction and improvement of State-owned buildings and the equipment thereof, 1281.

Presents report of committee appointed to notify the House that Senate is ready to adjourn sine die, 1458.

Question of Parliamentary Inquiry raised by, on
Objection to immediate consideration of amendments to Bill No. 102 (House No. 136), proposing amendment to Constitution, authorizing State to issue bonds for acquisition of lands and buildings, and construction and improvement of State-owned buildings and the equipment thereof, 1281.

Questions of Personal Privilege raised by, on
Absence from Senate floor when Bill No. 126 (House No. 130), further amending Gross Receipts Tax Act of 1879, by increasing for limited period of time rate of tax, was considered, 1367.

Absence from Senate floor when Bill No. 127 (House No. 169), providing revenue for State purposes, by imposing excise tax on distilled spirits, was considered, 1367.

Attack made by Governor, 1167, 1168.

Reasons for being absent during vote on Senate Bills 126 and 127, 1367.

Remarks by, on
Bill No. 55 (House No. 59), amending certain sections of the Mothers' Assistance Act of 1919, by providing for appointment of board of trustees of each county and changing qualifications of eligibles, and repealing Section 2, 622, 623.

BATCHELOR, ALONZO S.—Continued.

Bill No. 102 (House No. 136), Joint resolution proposing amendment to Article IX of the Constitution, by adding thereto a Section, authorizing the State to issue bonds for acquisition of lands and buildings, and construction and improvement of State-owned buildings and equipment thereof, 1294.

Resolution continuing sub-committee appointed to investigate Indiana State Teachers College, 1418, 1419, 1420, 1421.

Request by, for
Unanimous consent to introduce resolution, 1458.

Resolutions offered by
Authorizing appointment of committee to notify the House that Senate is ready to adjourn sine die, 1458.

Authorizing Chief Clerk of Senate to approve orders for payment of salaries only to such officers and employes specified by law and who actually perform such duties, 5.

Continuing Sub-committee appointed to investigate Indiana State Teachers College, 1196.

Resolution reported by
Directing Committee on Education to investigate conditions reported to be existing in State Teachers Colleges, 676.

BAUMER, HERMAN E., Senator from Cambria County (Thirty-fifth District).

Member of Special Committee, 178.

Motion by, to
Dispense with further reading of the Journal, 305, 447, 535.

BEADMAN, WILLIAM J., Representative from Philadelphia County (Thirteenth District).

Amendments offered by, to
Bill No. 35, legalizing lotteries to provide funds for present emergency, 268.

Bills introduced by
No. 93.
Providing for allocation of Federal and State moneys for old age pensions, 226.

No. 99.
Amending Act of 1917, relating to decedents' estates, by limiting heirs or next of kin of an estate entitled to take from his estate, 278.

No. 166.
Joint resolution making application to Congress to call a convention for purposes of proposing amendment to Constitution of United States, giving Congress power to enact national legislation, providing for assistance to needy, 1226.

Bill reported by
No. 57.
Providing for and regulating assistance to and burial of aged, indigent persons, 266.

Election returns, 41.

Member of Standing Committees, 72, 73.

Oath of Office administered to, 42.

Resolution reported by
Requesting W. P. A. to reimburse S. E. R. B. for duplicated payments to discharged workers, 283.

BEAN, THEODORE LANE, Senator from Montgomery County (Twelfth District).

Bill introduced by
No. 17.
Amending Personal Property Tax Act of 1935, by changing certain penalties, 117.

Member of Conference Committee, 404.

Motion by, to
Adjourn, 1266.

BEAN, THEODORE LANE—Continued.

Question of Personal Privilege raised by, on
Statement of Mr. Jones, State W. P. A. Administrator, 672.

Resolution, concurrent, offered by
Recalling from Governor Senate Bill No. 17, amending the Personal Property Tax Act of 1935, 1275.

Resolution offered by
Requesting information from the Department of Revenue in regards to the Personal Property and Corporate Net Income Tax collections, 308.

BENNETT, EDWARD B., Senator from Indiana and Jefferson Counties (Thirty-seventh District).

Leaves of absence granted, 571, 669.

Member of Special Committee, 807.

Question of Personal Privilege raised by, on
Remarks of Dr. Foster, President of Indiana State Teachers College, 403.

BERNHARD, FRANK, Representative from Carbon County.

Leave of absence granted, 991.

Questions of Personal Privilege raised by, on
Charges made by John D. Pennington, Secretary of Welfare, 680-683.

Correction in the Journal, 782.

Statement on charges made by Secretary of Welfare, John D. Pennington, relative to free service obtained at Hazleton State Hospital, 683, 684.

BEVERAGE LICENSE LAW OF 1933, by increasing the license fee of manufacturers, amending

House Bill No. 148.
Read in place in House by Messrs. Pfaff and Scanlon, 629.
Referred to Committee on Ways and Means, 629.

BITUMINOUS COAL INDUSTRY, House resolution by Yourishin and John J. Baker, memorializing Congress to pass the Guffey-Vinson Bill regulating, 568.

BLACK LEGION, Senate resolution, by Harris, condemning, 509.

BLIND, PENNSYLVANIA WORKING HOUSE for the, House resolution authorizing appointment of Committee to investigate, by Ominsky, 630.

BLOOMSBURG STATE TEACHERS COLLEGE, members of the Board of Trustees of, nominated, 23; referred to Committee on Executive Nominations, 23; (Clinton Herring, Mrs. Ethel Noecker, Grover C. Shoemaker, H. V. Hower, Charles C. Evans, William W. Evans, and Thomas G. Vincent), reported, 1440; confirmed, 1449, 1450; (W. P. Gallagher), reported, 1453; confirmed, 1454.

BLOSSBURG STATE HOSPITAL, members of the Board of Trustees of, nominated, 20; referred to Committee on Executive Nominations, 20; reported and confirmed, 1368.

BLUMBERG, ARNOLD M., Representative from Philadelphia County (Third District).

Amendments offered by, to
Bill No. 160 (Senate No. 87), abating under certain circumstances tax penalties and interest on certain city taxes in cities of the first class, school districts of the first class, and prohibiting sale of real property for non-payment of such taxes, 1112.

House conc. resolution requesting information for Edward N. Jones, State Administrator of the W. P. A., 353.

Bills introduced by
No. 8
Providing for and regulating assistance in burial of certain aged and indigent persons, 63.

No. 9.
Providing for and regulating aid for dependent children, 63.

Bills reported by
No. 164 (Senate No. 75).
Joint resolution proposing amendment to Article IX of the Constitution of Pennsylvania, by adding thereto Section 1C, relating to reduction of tax on assessed valuation of real estate, 1496.

BLUMBERG, ARNOLD M.—Continued.

No. 171.
Confirming transfer of money from Special Funds to the General Fund, 1320.

Congratulations of House extended to, on birthday anniversary, 1152.

Files reasons for vote on motion to lay on table resolution requesting discharge of Committee on Judiciary General from further consideration of petition urging impeachment of Judge B. C. Atlee, 1492.

Leave of absence granted, 1228.

Member of Conference Committee, 665.

Member of Special Committee, 49.

Member of Standing Committees, 73.

Motion by, to
Adjourn, 1379.

Discharge committee on Judiciary Special from further consideration of House conc. resolution, authorizing transfer of moneys heretofore appropriated to S. E. R. B. and now lapsing to the S. E. R. B., 331.

Lay on table Bill No. 91, making appropriation to Department of Forests and Waters, for purpose of constructing new dikes along Delaware River, recalled from Governor, 1114.

Lay on table motion to pass over Bill No. 164 (Senate No. 75), relating to reduction of tax on assessed valuation of real estate, 1501.

Proceed to consideration of House conc. resolution requesting information from Edward N. Jones, State Administrator of the W. P. A., 353.

Suspend Rule 84 for immediate consideration of House conc. resolution authorizing the Governor and Fiscal officers to negotiate with the School Employes Retirement Board, the State Employes Retirement Board, and the Workmen's Insurance Boards to ascertain amounts, if any, which they may invest in Tax Anticipation Notes, 1220.

Objection raised by, to
House resolution requesting services on 160th Anniversary of adoption of Declaration of Independence, 826.

Points of Order raised by, on
Discussion not being confined to matter before House, 1498.

Remarks on motion to suspend rule for immediate consideration of resolution should be confined to the motion on the resolution, 1222.

Question of Information raised by, on
Content of resolution, 332.

Question of Personal Privilege raised by, on
Bill No. 57, relating to old age assistance, 513.

Remarks by, on
Bill No. 151 (Senate No. 67), providing for public sale by cities of the first class of negotiable tax anticipation certificates, representing registered delinquent taxes, 844.

Bill No. 164 (Senate No. 75), Joint resolution proposing amendment to Article IX of the Constitution of Pennsylvania, by adding thereto Section 1 C, relating to reduction of tax on assessed valuation of real estate, 1497, 1500.

House conc. resolution authorizing transfer of moneys heretofore, appropriated to S. E. R. B. and now lapsing, to the State Emergency Relief Board, 372-375, 377, 378.

House resolutions congratulating him upon his forty-third birthday, 1152, 1153.

Motion to discharge committee on Judiciary Special from further consideration of House conc. resolution authorizing transfer of moneys heretofore appropriated to S. E. R. B. and now lapsing, to S. E. R. B., 332.

BLUMBERG, ARNOLD M.—Continued.

Motion to suspend Rule 84 for immediate consideration of House conc. resolution authorizing the Governor and Fiscal officers to negotiate with the School Employes Retirement Board, the State Employes Retirement Board, and the Workmen's Insurance Board, to ascertain amounts, if any, which they may invest in Tax Anticipation Notes, 1220, 1221.

Nomination of Morton Witkin for Speaker of House, 43.

Request by, for
Permission to make statement, 1321.

Unanimous consent for the immediate consideration of House conc. resolution authorizing the Governor and Fiscal officers to negotiate with the School Employes Retirement Board, the State Employes Retirement Board, and the Workmen's Insurance Boards to ascertain amounts, if any, which they may invest in Tax Anticipation Notes, 1220.

Request for roll call by, on
Appeal from the decision of the Chair, 383.

Motion to adjourn, 384, 398.

Motion to appoint committee of three members to call upon the President Pro Tempore for purpose of requesting him to call upon the membership to return to the Senate Chambers for immediate consideration of House conc. resolution authorizing transfer of funds for relief (for June), 394.

Motion to reconsider vote by which Bill No. 85, relating to prevention of political coercion in return for public relief, was ordered transcribed for third reading, 553.

Motion to suspend Rule 84 for immediate consideration of House conc. resolution authorizing the Governor and Fiscal officers to negotiate with the School Employes Retirement Board, the State Employes Retirement and the Workmen's Insurance Board, to ascertain amounts, if any, which they may invest in Tax Anticipation Notes, 1225.

Motion to suspend Rule 84 for immediate consideration of House conc. resolution authorizing transfer of money from the State Stores Fund to General Fund for relief. 1217.

Motion to suspend Rule 84 to permit the reading of resolution requesting information from Federal Relief Administration. 99.

Whether main question shall be put, on Bill No. 85, relating to prevention of political coercion in return for public relief, 553.

Request for verification of roll call by, on
House Bill 27, amending Personal Property Tax Act of 1935, by increasing rate of tax and removing certain exemptions, 259.

Resolutions, concurrent, offered by
Authorizing the Governor and Fiscal officers to negotiate with the School Employes Retirement Board the State Employes Retirement Board and the Workmen's Insurance Board to ascertain amounts, if any, which they may invest in Tax Anticipation Notes, 1220.

Requesting information from Edward N. Jones, State Administrator of the W. P. A., 164; referred to the Committee on Judiciary Special, 164.

Resolution offered by
Extending Honorary Life Membership to Hon. John M. Flynn, 1513.

Statement by
Relative to amount necessary for relief for balance of year, 326-328.

BOARD OF REVISION OF TAXES (see Cities, First Class).

BONDS of loan of the Commonwealth, providing for the issue and sale of bonds to the amount of the outstanding callable.

House Bill No. 53.
Read in place in House by Mr. Cohen, 134.
Referred to Committee on State Government, 134.
Reported without amendment, 227.
First reading, 267.
Second reading, 286, 287.
Third reading and final passage, 339
Returned from Senate with amendments, in which House concurred. 666.
Signed by Speaker, 667.
Approved by Governor, 786.

In Senate (No. 52).
Referred to Committee on State Government, 307.
Reported with amendment, 574.
First reading, 577.
Second reading, 624-626.
Third reading and final passage, 655, 656.
Returned from House with Senate amendments concurred in, 658.
Signed by President, 671.

BONDS of the Commonwealth, providing for reduction of interest rates upon outstanding callable.

House Bill No. 52.
Read in place in House by Mr. Cohen, 134.
Referred to Committee on State Government, 134.
Reported without amendment, 227.
First reading, 266.
Second reading and amended, 285.
Third reading and final passage, 338.
Returned from Senate without amendment, 665. 666.
Signed by Speaker, 667.
Approved by Governor, 786.

In Senate (No. 51).
Referred to Committee on State Government, 307.
Reported without amendment, 574.
First reading, 577.
Second reading, 624.
Third reading and final passage. 655.
Signed by President, 671.

BOOSE, ELLIS C., Representative from Somerset County.

BOYD, HARRY N., Representative from Westmoreland County (Third District).

Leaves of absence granted, 42, 77.

BOYD, ROBERT, Representative from Philadelphia County (Twenty-seventh District).

Leaves of absence granted, 184, 484, 661, 1189, 1285, 1332.

BOYER, SAMUEL P., Representative from Cambria County (First District).

Leave of absence granted, 1316.

Question of Personal Privilege raised by, on
Request to be recorded as voting for the Speaker on May 4, 333.

Resolution offered by
Extending sympathy of House to family and friends of Hon. Alvin Sherbine, 283.

BRADLEY, JOSEPH P., Representative from Northumberland County (Second District).

Bills introduced by
No. 78.
Providing for the imposition and collection of an emergency State tax on elective public offices, 163.

No. 119.
Imposing and providing for collection of a temporary tax for State purposes on all gas and water meters used in this Commonwealth, 483.

No. 120.
Imposing and providing for collection of a temporary tax for State purposes on telephone pay stations and private switch boards used in this Commonwealth, 483

BRADLEY, JOSEPH P.—Continued.

Leave of absence granted, 483.

Motion by, to
Adjourn, 397, withdrawn, 397.

Resolution offered by
Requesting the Department of Justice and Mines to inform the House whether prosecutions are being brought in reference to Gilberton Mine Disaster, 1373.

BRANCATO, ANNA M., Representative from Philadelphia County (Fifth District).

Bill introduced by
No. 59.
Amending certain sections and repealing Section 2 of the Mothers' Assistance Act of 1919, by providing for appointment of board of trustees of each county and changing qualifications of eligibles, 134.

Bill reported by
No. 18.
Making appropriation to State Emergency Relief Board for direct relief, work relief and expenses, 871.

Member of Conference Committee, 665.

Motion by, for
House to appoint Conference Committee on House No. 59, relating to Mothers' Assistance, 665.

Appoint Conference Committee on differences existing between the two Houses, on House Bill No. 59 amending Mothers' Assistance Act to conform with Federal Social Security Board regulations, 665.

Dispense with further reading of the Journal, 544.

Non-concur in Senate amendments to Bill No. 59, amending certain sections and repealing Section 2 of the Mothers' Assistance Act of 1919, 641.

Proceed to consideration of House conc. resolution requesting investigation by Public Service Commission of street railway companies in Philadelphia to ascertain possibility of transporting pupils at a rate not to exceed twenty-five cents per week, 927.

Resume consideration of House conc. resolution requesting and urging City of Philadelphia to comply at earliest possible moment with the law passed at session of 1935 (P. L. 639) allowing firemen twenty-four hours consecutive rest per week, 739.

Reasons for vote by, on
Amendments to House Bill 57, relating to old age assistance, 442.

Remarks by, on
House conc. resolution requesting and urging City of Philadelphia to comply at earliest possible moment with the law passed at session of 1935 (P. L. 639) allowing firemen twenty-four hours consecutive rest per week, 739.

Presentation of token on behalf of Members of House, 1517.

Senate amendments to Bill No. 59, amending certain sections and repealing Section 2 of the Mothers' Assistance Act of 1919, 641, 642.

Request by, for
Permission to have meeting of Committee on Cities during session of the House, 161, 989.

Resolutions, Concurrent, offered by
Requesting and urging City of Philadelphia to comply at earliest possible moment with the law passed at session of 1935 (P. L. 639) allowing firemen twenty-four consecutive rest per week, 509; referred to Committee on Rules, 509.

Requesting investigation by Public Service Commission of street railway companies operating in Philadelphia County to ascertain possibility of transporting pupils at a rate not to exceed twenty-five cents per week, 724.

BRANCATO, ANNA M.—Continued.

Resolutions offered by
Extending congratulations of House to Joseph H. Miller and wife upon birth of daughter, 898.

Requesting intervention by Attorney General into the receivers being investigated by the Sabbath Committee of the House of Representatives of the U. S., 410.

Urging City of Philadelphia to establish an institution to provide for women who need shelter, 724.

BRENNAN, HARRY H., Representative from Lycoming County.

Motion by, to
Dispense with further reading of the Journal, 509.

BROWNFIELD, HARRY J., Representative from Fayette County (First District).

Bill introduced by
No. 58.
Supplementing General Appropriation Act of 1935, by providing for additional appropriations to certain departments, boards and commissions, 134.

Bill reported by
No. 26.
Amending Personal Property Tax Act of 1907, by increasing rate of tax for a limited period of time, 74.

Member of Conference Committee, 1465.

Member of Special Committee, 1518.

Motion by, to
Recommit Bill No. 58, supplementing General Appropriation Act of 1935, by providing for additional appropriations to certain departments, boards and commissions, 196.

Remarks by, on
Bill No. 156 (Senate No. 107), making appropriation to State Emergency Relief Board, 1504.

House conc. resolution authorizing transfer of money from the Liquid Fuels Tax Fund and Liquor License Fund to General Fund for relief (part of June and July), 695, 696.

Nomination of Roy E. Furman for Speaker of House, 43.

Request by, for
Permission to have meeting of Committee on Education during session of the House, 227.

Resolution offered by
Congratulating John Woodruff, Winner of the 800 metre run at the Olympic Games in Berlin, 1408.

BROWN, HOMER S., Representative from Allegheny County (First District).

Bills introduced by
No. 23.
Transferring money to General Fund from Motor License Fund, 65.

No. 41.
Amending Corporate Net Income Tax of 1935, by making further provisions relative to filing of consolidated reports, 79.

No. 101.
Joint Resolution proposing amendment to Section 1 of Article XVIII of Constitution of Pennsylvania, relative to submission of amendments thereto, 278.

Bills reported by
No. 18.
Making appropriation to State Emergency Relief Board, for direct relief, work relief, and expenses, 569.

No. 30.
Joint Resolution proposing amendment to Article III of the Constitution of Pennsylvania, authorizing the General Assembly to provide for social insurance, covering unemployment, sickness, accident, death and maternity, 455.

BROWN, HOMER S.—Continued.

No. 51.
Joint resolution proposing amendment to Article IX of Section 15, of the Constitution of Pennsylvania, relative to municipal indebtedness, 1098.

No. 74.
Joint resolution proposing amendment to Section 8 of Article IX of the Constitution of Pennsylvania, relating to amount of indebtedness which may be incurred by municipalities, 266.

No. 108.
Making appropriation to State Emergency Relief Board for adjustment and payment of certain claims, 646.

No. 136.
Joint resolution proposing amendment to Article IX of the Constitution of Pennsylvania, by adding thereto a section, authorizing the State to issue bonds for the acquisition of lands and buildings, and construction and improvement of State owned buildings and the equipment thereof, 740.

No. 155 (Senate No. 8).
Joint Resolution proposing amendment to Section 1 of Article XVIII of the Constitution of Pennsylvania, relative to submission of amendments thereto, 990.

Member of Conference Committee, 1114.

Motion by, for
Previous question, 382.

Motion by, to
Reconsider vote on Bill No. 155 (Senate No. 8), Joint resolution proposing amendment to Section 1 of Article XVIII of the Constitution of Pennsylvania, 1096.

Resume consideration of House resolution memorializing Congress to enact Federal Housing Act, 631.

Point of Order raised by, on
Remarks on motion to suspend rules must be confined to that motion, 1051.

Questions of Parliamentary Inquiry raised by, on
Remarks of Speaker as to how a member voted, 1493.

What is before the House, 1039.

Whether House is the judge of what proceedings are proper and has the power to strike from records those actions judged by it to be improper, 1481.

Whether member may object to the filing of report, 1479.

Whether or not motion to move the previous question is in order, 382.

Whether report of committee may contain censure of anybody, 1479.

Remarks by, on
Bill No. 76, amending the Unemployment Relief Act of the Special Session of 1933, by imposing time limit within which reimbursements may be obtained for premium on workmen's compensation insurance, covering persons engaged on certain work relief projects, 533.

Bill No. 155 (Senate No. 8), Joint resolution proposing amendment to Section 1 of Article XVIII of the Constitution of Pennsylvania, relative to submission of amendments thereto, 1095, 1096.

House conc. resolution authorizing transfer of money from the Liquid Fuels Tax Fund to General Fund for relief (first part of July), 932-933.

House conc. resolution authorizing transfer of moneys heretofore appropriated to the S. E. R. B. and now lapsing, to the State Emergency Relief Board, 376-377.

Resolution congratulating Hon. Marshall L. Shepard upon his birthday, 1033.

BROWN, HOMER S.—Continued.

Request by, for
Unanimous consent to offer amendments to Bill No. 155 (Senate No. 8), Joint resolution proposing amendment to Constitution, relative to submission of amendments, 1096 (Not granted).

Unanimous consent to read certain bill first time, 1098.

Resolution offered by
Congratulating Hon. Marshall L. Shepard on birthday, 1033.

Congratulating John Woodruff, Winner of the 800 metre run at the Olympic Games in Berlin, 1408.

Memorializing Congress to enact Federal Housing Act, 567.

Statement on report of Committee on Judiciary General on impeachment of Judge Atlee, 1479, 1480.

BROWN, HON. THOMAS, extending sympathy of House to family and friends upon the death of, ex-member of the House, resolution (House) by Smith, William G., 1316.

BROWN, HON. THOMAS, extending sympathy of Senate to family and friends upon the death of, ex-member of the House, resolution (Senate) by Kahle, 1315.

BROWN, JOHN E., Representative from Washington County (First District).

Amendments offered by, to
Bill No. 13, amending Liquid Fuels' Tax Law of 1931, 113, 114.

Bills introduced by
No. 10.
Providing revenue by imposing a State excise tax on the sale of cosmetics, 63.

No. 11.
Providing for levy and collection of a State excise tax on luxuries at retail; requiring vendors to be licensed; imposing duties on vendors; and prescribing penalties, 63.

No. 107.
Further amending Personal Property Tax Act of 1879, by extending period of time during which present rate of tax shall be imposed, 313.

No. 114.
Joint Resolution proposing amendment to Section 1 of Article XIV of the Constitution of Pennsylvania, relating to laws providing for organization and government of counties under system of proportional representation, 352.

No. 116.
Joint Resolution proposing amendment to Sections 16, 17 and 18 of Article II of the Constitution of Pennsylvania, changing senatorial apportionment, 455.

No. 143.
Providing revenue by prohibiting employment of miners in the bituminous mines, unless certificated after examination by a miners' examining board and the payment of certain fees, 629.

Member of Special Committee, 73.

Motion by, to
Proceed to consideration of resolution replacing married women employed by State Emergency Relief Board, who are not in need of employment, 229.

Objection raised by, to
Granting of unanimous consent for statement by Turner, 1374.

Questions of Parliamentary Inquiry raised by, on
Resolution introduced on May 19th, 1286.

Whether or not a Member absent without permission draws mileage while absent, 1310.

BROWN, JOHN E.—Continued.

Remarks by, on
Bill No. 13, amending Liquid Fuels' Tax Law of 1931, by imposing an additional tax on liquid fuels for a limited period of time, 113.

Remarks by, on
House conc. resolution authorizing the State Emergency relief Board and those in charge of distributing relief to refuse help to aliens known to be illegally within this Commonwealth, 750.

Motion to recommit House conc. resolution authorizing the State Emergency Relief Board and those in charge of distributing relief to refuse help to aliens known to be illegally within this Commonwealth, 750-751.

Motion to recommit House resolution requesting information from Director of S. E. R. B., 324.

Request by, for
Permission to introduce and have read a resolution, 1286.

Unanimous consent to make a statement, 1286.

Request for roll call by, on
Adoption of amendments to House resolution requesting information from the Director of S. E. R. B., 325.

Request for verification of roll call by, on
Bill No. 130, further amending Act of 1879, imposing tax on gross receipts of certain companies and persons, by increasing rate of tax for a limited period of time, 1337 (withdrawn).

Resolution, concurrent, offered by
Authorizing the State Emergency Relief Board and those in charge of distributing relief to refuse help to aliens known to be illegally within this Commonwealth, 77.

Resolutions offered by
Providing that no person beneficiary of a pension be employed by the State Emergency Relief Board, 163.

Requesting information from the State Emergency Relief Board showing number of married women replaced pursuant to resolution adopted by the House of Representatives, 1299.

Requesting replacement of married women in State Emergency Relief Board, 140.

Requesting the Executive Director of the State Emergency Relief Board to furnish list of persons employed by State Emergency Relief Board and compensation of each, 135; referred to Committee on Judiciary Local, 140.

BRUMBAUGH, BURT B., Representative from Jefferson County.

Motion by, to
Dispense with further reading of the Journal, 410.

BUCKMAN, CLARENCE J., Senator from Tenth District (Bucks County).

Appeals from the decision of the chair by, on
Holding amendments made by committee to resolution to be inconsistent, 84-85; appeal sustained, 85-85; appeal sustained, 85.

Holding motion to adjourn from Tuesday evening until the following week to be out of order, 542; appeal sustained, 543.

Questioning legality of resolution authorizing investigation of Works Progress Administration, 171; appeal sustained, 172.

Sustaining point of order raised on question of constitutionality of amendment inserted by Committee on Appropriations in Bill No. 105 (House No. 154), confirming transfer of money, 962.

Bill introduced (by request)
No. 11.
Creating State Commission to cooperate with Sesquicentennial Commission in celebration of 150th Anniversary of Formation of Constitution of United States; and making an appropriation, 60.

BUCKMAN, CLARENCE J.—Continued.

Bills reported by
No. 4.
Joint resolution proposing amendment to Section 1 of Article VIII of the Constitution of the Commonwealth of Pennsylvania, relative to qualifications of electors, 678.

No. 37 (House No. 45).
Validating Act of 1874 and amendments and supplements thereto, regulating manner of increasing indebtedness of municipalities, 626.

No. 95 (House No. 91).
Making appropriation to Department of Forests and Waters for purpose of building and constructing new dikes, levees and river bank protection along the Delaware River, 802.

No. 102 (House No. 136).
Joint resolution proposing amendment to Article IX of the Constitution of Pennsylvania, by adding thereto a section, authorizing the State to issue bonds for acquisition of lands and buildings, and construction and improvement of State owned buildings and the equipment thereof, 918.

No. 106.
Establishing a system of unemployment compensation, 1119.

Member of Conference Committee, 404.

Member of Special Committee, 33.

Motion by, for
Order of the day, 1282.

Recess, 33, 81, 130, 132, 178, 282, 307, 310, 407, 453, 479, 540, 573, 612, 626, 657, 678, 744, 781, 840, 848, 849, 881, 918, 920, 922, 948, 980, 981, 1046, 1105, 1119, 1236, 1260, 1280, 1340, 1387, 1390, 1423, 1435, 1440.

Senate to appoint Conference Committee on House No. 55, relating to Mothers' Assistance, 658.

Senate to go into Committee of Whole for purpose of considering special amendments to Bill No. 39 (House No. 49), relating to Mothers' Assistance, 574.

Senate to insist upon its amendments to Bill No. 41 (House No. 55), establishing a system of unemployment compensation, 1194.

Senate to insist upon its amendments to Bill' No. 55 (House No. 59), relating to Mothers' Assistance, 652.

Senate to insist upon its amendments to Bill No. 107 (House No. 156), making appropriation to State Emergency Relief Board, 1399.

Motion by, to
Adjourn, 61, 133, 179, 225, 283, 313, 352, 482, 509, 542, 544, 584, 628, 660, 680, 722 (withdrawn 722), 781, 811, 842, 861, 885, 922, 1011, (withdrawn) 1013, 1047, 1088, 1106, 1183, 1207, 1242, 1265, 1282, 1283, 1371, (withdrawn) 1372, 1399.

Adjourn out of respect to the memory of the late Senator from Berks, Hon. James E. Norton, 34.

Concur in amendments to Senate conc. resolution providing for adjournment of Legislature until May eighteenth, 130.

Defer action on Executive Nominations reported from Committee, 1435.

Defer action on the calendar, 841, 1106.

Dispense with further reading of the Journal, 279, 741.

Drop from Calendar Bill No. 50, limiting amount of moneys allocated to and expended in counties by the State Emergency Relief Board, 1384.

BUCKMAN, CLARENCE J.—Continued.

Drop from Calendar Bill No. 106, establishing a system of unemployment compensation, 1385.

Expunge remarks concerning the placing of traffic light at Third and Walnut Streets in Harrisburg, 1440.

Expunge remarks on personal privilege from the record, 281.

Lay on table communication from House informing Senate House has non-concurred in Senate amendments to House Bill No. 156, making appropriation to State Emergency Relief Board, 1388.

Lay on table concurrent resolution recalling from Governor Bill No. 63, amending Vehicle Code of 1929, by requiring extra fees for assignment of special registration plates, 1120.

Lay on table House Bill No. 69, relating to reforestation and flood control, recalled from Governor, and amended in House, 1437.

Postpone Bill No. 4, Joint resolution proposing amendment to Constitution of Pennsylvania, relative to qualifications of electors, 798.

Print House conc. resolution authorizing transfer of money, 85.

Print Senate resolution directing sub-committee of Committee on Education to investigate conditions reported to be existing in State Teachers Colleges, 676.

Proceed to consideration of Bill No. 49 (House No. 69), authorizing Department of Forests and Waters to investigate, survey and report on location and availability for purchase of certain lands suitable for reforestation and flood control; and making an appropriation, 1439.

Proceed to consideration of Bill No. 50, limiting amount of moneys allocated to and expended in counties by the State Emergency Relief Board for maintenance of unemployables, to amounts expended by political subdivisions charged by law with care of the poor, 1384.

Proceed to consideration of Bill No. 106, establishing a system of unemployment compensation, 1384.

Proceed to consideration of House conc. resolution authorizing transfer of money from the Motor License and Liquid Fuels Fund to the General Fund for relief, 125.

Proceed to consideration of the calendar, 855.

Read certain bills first time, 224, 310, 452, 810, 841, 860, 884, 919, 922, 980, 1013, 1047, 1087, 1106, 1207, 1242, 1262, 1280, 1330, 1399.

Recede from amendments non-concurred in by House, to House conc. resolution authorizing transfer of funds, 132.

Recommit Bill No. 30 (House No. 27), amending Personal Property Tax Act of 1935, by increasing rate of tax, 979.

Recommit Bill No. 31 (House No. 43), further amending the Personal Property Tax Act of 1879, by increasing rate of tax, 903.

Recommit Bill No. 38 (House No. 54), supplementing Old Age Assistance Act of 1935, by making appropriation for payment to applicants in counties which do not have sufficient funds available, 479.

Recommit Bill No. 40 (House No. 50), supplementing Mothers' Assistance Act of 1935, making appropriation for payment to applicants in counties that do not have sufficient funds, 479.

Recommit Bill No. 58 (House No. 75), supplementing act of 1935, making appropriation for pensions for blind to Welfare Department, to match funds from Federal Government, to provide pensions for all blind persons eligible to receive same, 479.

BUCKMAN, CLARENCE J.—Continued.

Recommit Bill No. 68 (House No. 70), prescribing powers and duties of the Water and Power Resources Board of the Department of Forests and Waters, in relation to creation of flood control districts, 909, 1328.

Recommit Bill No. 101 (House No. 63), amending Vehicle Code of 1929, by requiring extra fees for assignment of special registration plates, 945, 946 (defeated).

Recommit Bill No. 108 (House No. 18), making appropriation to the State Emergency Relief Board, 1076.

Reconsider vote by which amendment was agreed to on Bill No. 28 (House No. 19), amending the Corporate Net Income Tax Law of 1935, by increasing rate of tax for a limited period of time, 971.

Reconsider vote on adoption of resolution requesting Senate to remain in Session until Friday to act upon tax legislation, 917.

Reconsider vote on Bill No. 4, Joint resolution proposing amendment to Section 1 of Article VIII of the Constitution of Pennsylvania, relative to qualifications of electors, 797.

Refer to Committee on Appropriations resolution requesting meeting of Appropriations Committee, 32.

Refer to Committee on Constitutional Changes, resolutions requesting weekly reports from the W. P. A. investigating committee, 508.

Refer to Committee on Rules, House conc. resolution requesting investigation by Public Service Commission of street railway companies operating in Philadelphia County to ascertain possibility of transporting pupils at a rate not to exceed twenty-five cents per week, 920.

Refer to Committee on Rules, resolution requesting Senate to remain in Session until Friday, 918.

Resume consideration of Bill No. 4, Joint Resolution proposing amendment to Constitution of Pennsylvania, relating to qualifications of electors, 800.

Take from table House Message, informing of non-concurrence of House in Senate amendments to Bill No. 156, making appropriation to State Emergency Relief Board, 1399.

Transmit House conc. resolution authorizing appointment of a joint legislative committee to personally urge upon the President and Congress of the United States the necessity of adequate flood control legislation, to the Governor for his approval, 224.

Objections raised by, to

Amendments by Shapiro to motion to adjourn, 544.

House conc. resolution transferring funds heretofore appropriated to S. E. R. B. and now lapsing, to the State Emergency Relief Board, 308

Immediate consideration of Senate conc. resolution authorizing appointment of Committee to prepare a plan of permanent administration of unemployment relief, 130.

Immediate consideration of Senate resolution requesting weekly reports from the Committee investigating the W. P. A. in Pennsylvania, 481; 508.

Suspension of Rule 39 for immediate consideration of Senate resolution authorizing appointment of Committee of six Senators and five citizens to make survey and recommendations on re-apportionment of Senatorial districts, 780.

Suspension of Rule 39 for immediate consideration of Senate resolution requesting members to answer certain interrogations as to the personal interest they may have in any legislation before the Senate, 493.

BUCKMAN, CLARENCE J.—Continued.

Points of Order raised by, on
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House Bill No. 153, making appropriation to State Emergency Relief Board, 961.

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Motion to suspend rule 39 for immediate consideration of Senate resolution requesting the Senate Committee investigating the W. P. A. to furnish weekly reports, 482.

Nothing being before Senate, (not sustained), 854.

Senate resolution requesting information from the Budget Secretary on number of employes on per diem basis, 671.

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Question of Legislative Inquiry raised by, on
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Question of Parliamentary Inquiry raised by, on
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Question of Personal Privilege raised by, on
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Remarks by, on
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Amendments to Bill No. 55 (House No. 59), relating to Mothers' Assistance, in which House non-concurred, 652, 653, 654, 655.

Amendments to Bill No. 87 (House No. 160), abating under certain circumstances, tax penalties and interest on certain taxes, 1121.

Amendment to House conc. resolution authorizing transfer of money, 84.

Bill No. 28 (House No. 19), amending Corporate Net Income Tax Law of 1935, increasing rate of tax for a limited period of time, 971.

Bill No. 55 (House No. 59), amending Mothers' Assistance Act of 1919, by providing for appointment of board of trustees of each county and changing qualifications of eligibles, and repealing Section 2, 620, 622, 654.

Bill No. 101 (House No. 63), amending Vehicle Code of 1929, by requiring extra fees for assignment of special registration plates, 946.

Bill No. 104 (House No. 153), making appropriation to State Emergency Relief Board, 953.

Bill No. 127 (House No. 169), providing revenue for State purposes by imposing excise tax for a limited period of time on privilege of distilling alcoholic and spirituous liquors, 1343.

BUCKMAN, CLARENCE J.—Continued.

House conc. resolution authorizing transfer of moneys heretofore appropriated to S. E. R. B. and now lapsing, to S. E. R. B., 312.

Motion for Senate to go into Committee of Whole for purpose of considering special amendments to Bill No. 39 (House No. 49), relating to Mothers' Assistance, 574, 575.

Motion to adjourn, 1372.

Motion to discharge Committee on Finance from further consideration of Bill No. 20 (House No. 21), imposing temporary license tax on chain stores, 723.

Motion to discharge Committee on Insurance from further consideration of Bill No. 41 (House No. 55), establishing system of unemployment compensation, 851, 852.

Motion to postpone Bill No. 28 (House No. 19), amending Corporate Net Income Tax Law of 1935, by increasing rate of tax, 1202.

Motion to reconsider vote on Bill No. 4, proposing amendment to Constitution of Pennsylvania, relative to qualifications of electors, 797.

Motion to refer to Committee on Appropriations, resolution requesting meeting of Appropriations Committee, 32.

Motion to re-refer to Committee on Executive Nominations the names of J. Buell Snyder and Ephraim S. Tyler which were negatively reported, 708-709.

Motion to resume consideration of Bill No. 4, Joint resolution proposing amendment to Constitution of Pennsylvania, relative to qualifications of electors, 801.

Point of order raised by E. J. Thompson, stating that motion to adjourn on Tuesday evening until following week is out of order, 542.

Request for unanimous consent for Bill No. 44 (House No. 28), amending Personal Property Tax Act of 1897, by increasing rate of tax, to go over in its order, 1129.

Resolution authorizing appointment of Committee to investigate relief and reports of electoral freedom being denied unemployed, 1351.

Resolution authorizing appointment of Committee to investigate the Works Progress Administration in Pennsylvania, 178.

Remarks by, on
Resolution requesting meeting of Appropriations Committee, 32.

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Senate conc. resolution authorizing appointment of Joint Committee to prepare a plan of permanent administration of unemployment relief, 1195.

Request by, for
Bill No. 43 (House No. 26), amending Personal Property Tax of 1907, by increasing rate of tax for a limited period of time, to go over in its order, 1075.

Bill No. 44 (House No. 28), amending Personal Property Tax Act of 1897, by increasing rate of tax, to go over in its order, 1075, 1129.

Bill No. 102 (House No. 136), Joint resolution, proposing amendment to Article IX of the Constitution of Pennsylvania, by adding thereto a section, authorizing the State to issue bonds for acquisition of lands and buildings, and construction and improvement of State owned buildings and the equipment thereof, to go over in its order, 1075.

Bill No. 104 (House No. 153), making appropriation to State Emergency Relief Board, to go over in its order, 947.

BUCKMAN, CLARENCE J.—Continued.

Bill No. 105 (House No. 154), confirming transfer of money from special funds to the General Fund and providing for its subsequent return from the General Fund, to go over in its order, 947.

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Request for roll call by, on
Amendments to Bill No. 41 (House No. 55), establishing a system of unemployment compensation, 1147.

Appeal from decision of the Chair on Bill No. 105 (House No. 154), confirming transfer of money, 962.

House conc. resolution authorizing transfer of money from the Liquid Fuels Tax Fund and Liquor License Fund to General Fund for relief (part of June and July), 744.

Motion for recess, 722.

Motion to adjourn, 1106.

Motion to recommit Bill No. 101 (House No. 63), amending the Vehicle Code of 1929, by requiring extra fees for assignment of special registration plates, 946.

Motion to reconsider vote on Bill No. 28 (House No. 19), amending Corporate Net Income Tax Law of 1935, by increasing rate of tax, 1198.

Request for verification of roll call by, on
Motion to reconsider vote on Bill No. 105 (House No. 154), confirming transfer of money, 963.

Resolutions, concurrent, offered by
Authorizing adjournment of Legislature until May eleventh, 60.

Authorizing adjournment of Legislature until May twenty-fifth, 221.

Authorizing adjournment of Legislature until June first, 279.

Authorizing adjournment of Legislature until June fifteenth, 504.

Authorizing adjournment of Legislature until June twenty-second, 573.

Authorizing adjournment of Legislature until June twenty-ninth, 672.

Authorizing adjournment of Legislature until July sixth, 776.

Authorizing adjournment of Legislature until July twentieth, 1073.

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Resolutions offered by
Authorizing adoption of standing rules used in Senate during Session of 1935, 5.

Electing Floyd R. Keener Page in Senate, 168.

Election of officers and employes to fill vacancies, 60, 81.

Resolutions reported by
Authorizing appointment of Committee to Investigate Relief and reports of electoral freedom being denied unemployed, 1187-1188.

BUCKMAN, CLARENCE J.—Continued.

Memorializing Congress to enact legislation prohibiting employes from engaging in politics, 223.

BUDGET SECRETARY, to furnish information on number of employes on per diem basis, together with names and addresses, Senate resolution by Geo. L. Reed requesting, 671.

BUILDING AND LOAN ASSOCIATIONS, by increasing rate of tax on full paid, prepaid, and fully matured or partly matured stock, amending act of 1897 taxing certain stocks of

House Bill No. 42.
Read in place in House by Mr. Cohen, 79.
Referred to Committee on Ways and Means, 79.
Reported with amendment, 161.
First reading, 165.
Second reading, 210.
Recommitted, 251.

BURIAL of aged, indigent persons, providing for and regulating assistance to and

House Bill No. 57.
Read in place in House by Mr. Kobelak, 134.
Referred to Committee on Pensions and Gratuities, 134.
Reported without amendment, 266.
First reading, 284.
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Remarks on, by
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In Senate (No. 63)
Referred to Committee on State Government, 471.

BURIAL, of certain aged and indigent persons, providing for and regulating assistance in

House Bill No. 8.
Read in place in House by Mr. Blumberg, 63.
Referred to Committee on Pensions and Gratuities, 63.

BURIAL, of certain aged, indigent persons, by changing age, citizenship and resident requirements of applicants, amending Act of 1934, relating to

House Bill No. 65.
Read in place in House by Mr. Moomaw, 140.
Referred to Committee on Pensions and Gratuities, 140.

BURIAL, of certain aged, indigent persons, providing for and regulating assistance to and the

Senate Bill No. 14.
Read in place in Senate by Mr. Frey, 83.
Referred to Committee on State Government, 83.
Reported without amendment, 450.
First reading, 452.
Second reading, 472-474.
Recommitted, 474.
Re-reported with amendment, 577.
Third reading and final passage, 614-617.
Returned from House with amendments, in which Senate concurred, 712.
Signed by President Pro Tempore, 713.
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Remarks on, by
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BURIAL.—Continued.

In House (No. 150)
Referred to Committee on Pensions and Gratuities, 639
Reported without amendment, 646.
First reading, 647.
Second reading, 662.
Third reading and amended, 689.
Final passage, 732-735.
Returned from Senate with House amendments concurred in, 738.
Signed by Speaker, 738.

BURKE, JOSEPH DAVID, Representative from Philadelphia County (Nineteenth District).

Amendments offered by, to
Bill No. 123, providing for public sale by cities of the first class of negotiable tax anticipation certificates, representing registered delinquent taxes, 725, 726.

Bill No. 160 (Senate No. 87), abating under certain circumstances tax penalties, and interest on certain city taxes in cities of the first class, school districts of the first class, and prohibiting sale of real property for non-payment of such taxes, 1036, 1037.

House conc. resolution disavowing unethical procedure of Committee Investigating Relief, in presenting report to House of Representatives after release to newspapers, 228.

Senate conc. resolution adjourning Legislature until May eighteenth, 135.

Bills introduced by
No. 13.
Amending Liquid Fuels Tax Law of 1931, by imposing additional tax on liquid fuels for a limited period of time and providing for the distribution thereof, 64.

No. 123.
Providing for public sale by cities of the first class of negotiable tax anticipation certificates representing registered delinquent taxes, 544.

No. 147.
Authorizing Board of Revision of Taxes in first class cities to classify real estate situated therein, so as to discriminate between parcels employed exclusively for manufacturing purposes and other real estate, 629.

No. 168.
Transferring money from State Insurance Fund to the General Fund, 1319.

Congratulations of House extended to, on pending marriage, 817, 818.

Leave of absence granted, 820.

Member Conference Committee, 1272.

Member of Special Committee, 45, 602.

Motion by, to
Drop from calendar Bill No. 123, providing for public sale by cities of the first class of negotiable tax anticipation certificates, representing registered delinquent taxes, 870.

Postpone Bill No. 123, providing for public sale by cities of the first class of negotiable tax anticipation certificates representing registered delinquent taxes, 816.

Proceed to consideration of resolution disavowing unethical procedure of Committee Investigating Relief, in presenting report to House after release to newspapers, 184.

Recommit Bill No. 13, amending Liquid Fuels' Tax Law of 1931, for purpose of public hearing, 114.

Take from table House conc. resolution disavowing unethical procedure of Committee Investigating Relief, in presenting report to House of Representatives, after release to newspapers, 227.

BURKE, JOSEPH, DAVID.—Continued.

Objections raised by, to
Immediate consideration of House conc. resolution authorizing the Governor and Fiscal officers to negotiate with the School Employes Retirement Board, the State Employes Retirement Board, and the Workmen's Insurance Board to ascertain amounts, if any, which they may invest in Tax Anticipation Notes, 1219; objections withdrawn, 1220.

Reading of resolution introduced by Mr. Blumberg, 157.

Point of Information raised by, on
Whether or not Mr. Jones has permission of the House to make a Statement, 1107.

Points of Order raised by, on
Contents of report may not be discussed while resolution is before the House, 186, 187, 188.

Member is permitted to speak only twice on subject before the House, 322.

Remarks must be confined to resolution when speaking upon resolution before the House, 378.

Presents preliminary report of Joint Legislative Committee to Investigate Public Relief in Pennsylvania, 1467.

Question of Parliamentary Inquiry raised by, on
No motion is in order when a motion to adjourn is before the House, 381.

Question of Personal Privilege raised by, on
Record of Mr. Turner, 273.

Remarks by, on
Amendment to House conc. resolution authorizing transfer of moneys from the Motor License Fund and Liquid Fuels Fund to the General Fund for relief, 71.

Amendments to House conc. resolution authorizing transfer of moneys from the Motor License, and Liquid Fuels Funds to the General Fund for Relief, 145-146.

House conc. resolution authorizing the State Emergency Relief Board, and those in charge of distributing relief to refuse help to aliens known to be illegally within this Commonwealth, 750.

House conc. resolution authorizing transfer of moneys heretofore appropriated to S. E. R. B. and now lapsing, to the S. E. R. B., 322.

Point of order raised by Witkin on property of attack on the integrity of members of House and Senate Relief Investigating Committee, 184.

Resolution disavowing unethical procedure of Committee Investigating Relief in presenting report to House after release to newspapers, 184-188, 228.

Resolution tendering thanks of House to Chief Clerk of House for courteous able and efficient manner in which he attended to the duties of his office, 1514.

Second reading of resolution requesting information from the Federal Relief Administration, 98.

Request by, for
Bill No. 160 (Senate No. 87), abating under certain circumstances, tax penalties and interest on certain city taxes in cities of the first class, to go over in its order, 1029.

Copy of resolution to be presented to Mr. Witkin for his information, 98.

Request for roll call by, on
House conc. resolution authorizing transfer of moneys from the Liquid Fuels Tax Fund and Liquor License Fund to General Fund for relief, (part of June and July), 693.

Request for roll call by, on
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Resolutions offered by,
Authorizing appointment of Committee to notify Senate that House is organized, 45.

Disavowing unethical procedure of Committee Investigating Relief in presenting report to House after prior release to newspapers, 154.

Requesting intervention by Attorney General into the receivership being investigated by the Sabbath Committee of the House of Representatives of the United States, 410.

Tendering thanks of House to Chief Clerk of the House for courteous, able and efficient manner in which he attended to the duties of his office, 1514.

Statement by, on
Relative to connection between number of persons on relief and number of persons on W. P. A., 328, 329.

Relative to implication of unfairness in handling of W. P. A. jobs, 331.

BUSHY RUN BATTLEFIELD COMMISSION, members of the, nominated, 22; referred to the Committee on Executive Nominations, 22; reported, 1442, confirmed, 1449-1450.

CALIFORNIA STATE TEACHERS COLLEGE, members of the Board of Trustees of, nominated, 24; referred to Committee on Executive Nominations 24; (J. Buell Snyder and Ephriam S. Tyler) reported with negative recommendation, 708; re-referred to Committee, 708-710; re-reported with favorable recommendation, 711; made special order of business, 769; confirmed 770, (all other names) reported, 1447; confirmed, 1449-1450.

Remarks on, by
Cavalcante, 769.
Coyne, 770.

CANNON, ANDREW A., Representative from Philadelphia County (Nineteenth District).

Motion by, to
Proceed to consideration of conc. resolution urging construction of more ships in Philadelphia, 1505.

Reasons for vote by, on
Motion to take from table Bill No. 153, making appropriation to State Emergency Relief Board, 1050.

Resolution, concurrent offered by,
Urging construction of more ships in Philadelphia, 630.

Statement by, on
The countless laws of state and nation, 1098, 1099.

CAPUTO, EUGENE A., Representative from Beaver County (First District).

Bills introduced by
No. 78.
Providing for the imposition and collection of an emergency State tax on elective public offices, 163.

No. 103.
Imposing temporary tax for State purposes, on telephone instruments, 278.

No. 104.
Imposing and providing for collection of tax for State purposes on gross receipts derived from business of supplying water and natural or artificial gas for domestic and industrial purposes; and making appropriation, 278.

No. 157.
Joint resolution, proposing various amendments to Constitution of Pennsylvania; establishing unicameral system, 822.

Bills reported by
No. 46.
Making appropriation to Department of Forests and Waters, for repair of dikes and construction of new dikes along the Delaware River at Matamoras and Milford, Pike County, 569.

CAPUTO, EUGENE A.—Continued.

No. 169.
Providing revenue for State purposes by imposing tax for limited period of time upon privilege of distilling alcoholic and spirituous liquors, 1320.

Leave of absence granted, 861.

Member of Special Committee, 45.

Presents report of the Committee on Judiciary General on the Impeachment of Judge B. C. Atlee, 1479, (See Appendix Index), 1761.

Remarks by, on
Nomination of Roy E. Furman for Speaker of House, 43.

Request by, for
Permission to have meeting of Committee on Judiciary General during session of the House, 456, 1409.

Resolutions offered by
Authorizing appointment of Committee to investigate charges of political coercion by industries, 1401, 1402.

Authorizing appointment of Committee to investigate the minor Judiciary of this Commonwealth, 1307.

Authorizing appointment of Committee to study the unicameral system as applied to legislative bodies and report its findings, 1035.

CARR, JOHN J., Representative from Philadelphia County (Twenty-second District).

Leave of absence granted, 661.

CARSON, WALTERS, Representative from Washington County (Second District).

Leaves of absence granted, 266, 483, 661, 923, 1299.

Motion by, to
Dispense with further reading of the Journal, 1048.

Resolution offered by
Extending congratulations of the House to Robert Francis Smith, Postmaster, upon the birth of grandson, 749.

CASTOR, LEWIS F., JR., Representative from Philadelphia County (Seventeenth District).

CAVALCANTE, ANTHONY, Senator from Fayette County (Thirty-second District).

Amendments offered by, to
Resolution requesting Budget Secretary to furnish information on number of employes on per diem basis, together with names and addresses, 779.

Bill introduced by
No. 50.
Limiting amount of moneys allocated to and expended in counties by the State Emergency Relief Board for the maintenance of unemployable residents to amounts expended by political subdivisions charged by law with care of the poor, 307.

Motion by, for

Recess, 1419.
Senate to recede from its amendments non-concurred in by House to House Bill No. 156, making appropriation to State Emergency Relief Board, 1388.

Motion by, to
Discharge Committee on Finance from further consideration of Bill No. 20 (House No. 21), imposing temporary chain store tax, 1009.

Discharge Committee on Judiciary Special from further consideration of Bill No. 98 (House No. 143), prohibiting employment of miners in the bituminous mines, unless certificated after examination by a miners' examining board and the payment of certain fees, 1391

CAVALCANTE, ANTHONY.—Continued.

Discharge Committee on State Government from further consideration of Senate resolution requesting members of the Senate to answer certain interrogatories concerning interest they may have in any legislation before the Senate, 1231.

Dispense with Rule 21 which requires amended bills to be noted on the calendar, 1121.

Lay on table Senate resolution authorizing appointment of a Committee to investigate the Works Progress Administration in Pennsylvania, 177.

Postpone Bill No. 28 (House No. 19), amending Corporate Net Income Tax Law of 1935, by increasing rate of tax, 1202.

Postpone Bill No. 113 (House No. 159), authorizing issuance of tax anticipation notes, 1259.

Postpone for the present further action on Bill No. 105 (House No. 154), confirming transfer of money, 966.

Print resolution authorizing Committee on Education to investigate conditions reported to exist in State Teachers Colleges, 448.

Read certain bills first time, 810.

Read in full Senate resolution requesting members of the Senate to answer certain interrogatories concerning interest they may have in any legislation before the Senate, 1231.

Recede from amendments made by Senate to House conc. resolution authorizing transfer of moneys heretofore appropriated to S. E. R. B. and now lapsing, to the State Emergency Relief Board, 399.

Recommit Bill No. 28 (House No. 19), amending Corporate Net Income Tax Act of 1935, by increasing rate of tax for a limited period of time, 1028.

Reconsider vote by which Bill No. 28 (House No. 19), amending the Corporate Net Income Tax Act of 1935, by increasing rate of tax for a limited period of time, was defeated, 1028.

Suspend Rule 39 for immediate consideration of Senate resolution requesting members to answer certain interrogations as to the personal interest they may have in any legislation before the Senate, 498.

Suspend Rule 39 to permit immediate consideration of Senate resolution requesting the Senate Committee investigating the W. P. A., to furnish weekly reports; motion not agreed to, 481, 482.

Objections raised by, to
Immediate consideration of House conc. resolution authorizing transfer of money, 85.

Immediate consideration of resolution authorizing investigation of conditions in State Teachers Colleges, 448.

Suspension of Rule 39 for immediate consideration of resolution requesting Secretary of Property and Supplies to transmit to the Session of 1937 statement showing the cost of repairs to the Senate Galleries, for damage done by the unemployed, 1440.

Point of Information raised by, on
Number of members needed to overrule decision of the chair regarding Constitutional question, 543.

Points of Order raised by, on
Legality of Resolution authorizing appointment of committee to investigate the Works Progress Administration, 171.

Motion to adjourn may not be made after a motion to adjourn has been defeated, until some business has intervened, (not sustained), 482.

Resolution requesting Senate to remain in Session is not necessary, 917, 918.

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Questions of Parliamentary Inquiry raised by, on
Vote required to pass resolution imposing special duties on committee during the interim, 1418, 1419.

Whether a two-thirds vote of the Senate is not necessary to override decision of the President, 962.

Whether motion to reconsider vote requires constitutional majority, 797.

Questions of Personal Privilege raised by, on
Ability of State Boards to invest in tax anticipation notes, 1264, 1265.

Attack made upon him by Senator Prince, 1255.

Direct relief, 124, 125.

Lobbying, 1230, 1231.

Personal interest of members in legislation before the Senate, 497.

Relief expense figures, 950, 951.

Remarks of Senator Prince, 580, 581.

Remarks relating to civil service in connection with Bill No. 41 (House No. 55), establishing system of unemployment insurance, 854.

Revenue figures as presented by McClure, 920, 921.

Remarks by, on
Bill No. 4, Joint resolution proposing amendment to Section 1 of Article VIII of the Constitution of Pennsylvania, relative to qualifications of electors, 742.

Bill No. 8, Joint resolution proposing amendment to Section 1 of Article XVIII of the Constitution of Pennsylvania, relative to submission of amendments thereto, 743, 1276.

Bill No. 28 (House No. 19), amending Corporate Net Income Tax Law of 1935, by increasing rate of tax, 1203.

Bill No. 41 (House No. 55), establishing a system of unemployment compensation, 1172.

Bill No. 55 (House No. 59), amending certain sections and repealing Section 2 of the Mothers' Assistance Law of 1919, by providing for appointment of board of trustees of each county and changing qualifications of eligibles, 653, 654.

Bill No. 104 (House No. 153), making appropriation to State Emergency Relief Board, 958, 959.

Bill No. 105 (House No. 154), confirming transfer of money from special funds to the General Fund, and providing for its subsequent return from the General Fund, 968, 969.

Bill No. 107 (House No. 156), making appropriation to State Emergency Relief Board, 1354, 1355, 1357.

Bill No. 113 (House No. 159), authorizing issuance of tax anticipation notes, 1259.

Charges made against Members of the Senate, 1254.

Executive nominations reported from committee, 810.

Facts presented by Senator McGinnis concerning relief, 774, 775.

House conc. resolution uathorizing transfer of moneys heretofore, apporpriated to S. E. R. B. and now lapsing, to S. E. R. B., 312, 313.

Motion to discharge Committee on Finance from further consideration of Bill No. 20 (House No. 21), imposing temporary tax on chain stores, 1009.

Motion to proceed to consideration of nominations of J. Buell Snyder and Ephraim S. Tyler, reported negatively from Committee on Executive Nominations, 708, 709.

CAVALCANTE, ANTHONY.—Continued.

Motion to recommit Bill No. 50, limiting amount of moneys allocated to and expended in counties by the State Emergency Relief Board for the maintenance of unemployable residents to amounts expended by political subdivisions charged by law with care of poor, 796.

Motion to request information from Dr. De Schweinitz on relief, 717.

Motion to suspend Rule 39 for immediate consideration of resolution authorizing appointment of Committee to Analyze Report on Mothers' Assistance Boards presented by the Department of Welfare, 1119.

Nominations of J. Buell Snyder and Ephraim S. Tyler as Members of Board of Trustees of California State Teachers College, which were reported favorably from Committee on Executive Nominations, 711; 769, 770.

Question of Personal Privilege raised by Graff, 705.

Relief situation, 795, 829, 830, 833, 834.

Resolution authorizing appointment of Committee to analyze report on Mothers' Assistance Boards, presented by the Department of Welfare, 1393, 1394.

Resolution authorizing appointment of Committee to Investigate relief and reports of electorial freedom being denied unemployed, 1350, 1351.

Resolution authorizing appointment of committee to investigate the Works Progress Administration in Pennsylvania, 172, 174, 177.

Resolution authorizing investigation of the Works Progress administration, 403.

Resolution continuing subcommittee appointed to investigate Indiana State Teachers College, 1418, 1421.

Resolution directing Finance Committee to investigate legality of tax anticipation notes, and amounts of money various boards of the Commonwealth may have available for investment, 1241.

Resolution directing sub-committee of Committee on Education to investigate conditions reported to be existing in State Teachers Colleges, 778.

Resolution requesting Budget Secretary to furnish information on number of employes on per diem basis, together with names and addresses, 779.

Resolution requesting information from the Relief Administrator, 309.

Resolution requesting the Department of Welfare to furnish information relative to removals of Trustees of Mothers' Assistance Boards, 808, 809.

Request for roll call by, on
Adoption of amendments to House conc. resolution authorizing transfer of funds (for May), for relief, 126.

Appeal from the decision of the chair on legality of resolution authorizing investigation of Works Progress Administration, 171.

Bill No. 30 (House No. 27), amending Personal Property Tax Act of 1935, by increasing rate of tax, 979.

Motion for Senate to insist upon its amendments to Bill No. 41 (House No. 55), establishing system of unemployment compensation, 1194.

Motion to adjourn, 482, 723, 1265.

Motion to discharge Committee on Finance from further consideration of Senate Bill No. 20 (H. B. No. 21), Chain Store Tax, 723, 1009.

Motion to discharge Committee on State Government from further consideration of Senate resolution requesting members of the Senate to answer certain interrogatories concerning interest they may have in any legislation before the Senate, 1231.

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Motion to postpone Bill No. 29 (House No. 19), amending Corporate Net Income Tax Law of 1935, by increasing rate of tax, 1202.

Motion to postpone Bill No. 41 (House No. 55), establishing system of unemployment compensation, 1131.

Motion to reconsider vote on Bill No. 4, proposing amendment to Constitution of Pennsylvania, relative to qualifications of electors, 797.

Resolution authorizing appointment of Committee to investigate relief and reports of electoral freedom being denied unemployed, 1352.

Resolution continuing sub-committee appointed to investigate Indiana State Teachers College, 1423.

Resolution directing sub-committee of Committee on Education to investigate conditions reported to be existing in State Teachers Colleges, 778.

Request for verification of roll call by, on

Motion to adjourn, 724.

Resolution offered by
Requesting members of the Senate to answer certain interrogatories concerning interest they may have in any legislation before the Senate, 498; referred to Committee on State Government, 498.

Requesting weekly reports from the Special Committee of the Senate investigating the Works Progress Administration in Pennsylvania, 481.

Requesting weekly reports of activity of the Senate Committee investigating the W. P. A. in Pennsylvania, 508.

CENSORS, STATE BOARD OF, members of, nominated, 17; referred to Committee on Executive Nominations, 17;

CHAIRMAN OF JUDICIARY GENERAL COMMITTEE, announcements by, 36-42.

CHAPMAN, LEROY E., Senator from Thirty-eighth District, (Venango and Warren Counties).

Member of Conference Committee, 1242.

Member of Special Committee, 807.

Motion by, for
Senate to resolve itself into Committee of the Whole for purpose of considering special amendment to Bill No. 127 (House No. 169), imposing excise tax for a limited period of item on distilled spirituous liquors, 1386 (Not agreed to).

Question of Personal Privilege raised by, on
Editorial in the Oil City Derrick, 1370.

Remarks by, on
Bill No. 68 (House No. 70), prescribing powers and duties of Water and Power Resources Board of the Department of Forests and Waters in relation to creation of flood control districts; and making an appropriation, 1429-1430.

Editorial in Oil City Derrick, 1074.

CHERVENAK, MICHAEL C., JR., Representative from Cambria County (Second District).

Bill introduced by
No. 78.
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Referred to Committee on Municipal Government, 577.
Reported without amendment, 626.
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Signed by President Pro Tempore, 751.

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Referred to Committee on Cities, 886.

CITIES, FIRST CLASS, to classify real estate situated therein, so as to discriminate between parcels employed exclusively for manufacturing purposes and other real estate, authorizing Board of Revision of Taxes in

House Bill No. 147.
Read in place in House by Mr. Burke, 629.
Referred to Committee on Cities, 629.

CITIES, FIRST CLASS, to recover in part delinquent taxes levied on dilapidated unrented property, enabling

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Referred to Committee on Cities, 544.

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Referred to Committee on Cities, 133.
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House Bill No. 82.
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Referred to Committee on Cities, 225.
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Signed by Speaker, 1029.
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In Senate (No. 86).
Referred to Committee on Municipal Government, 651.
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CITIES, to allow members of fire department twenty-four consecutive hours of rest each week and fourteen days of vacation each year, by providing that provisions of said act shall be mandatory; and prohibiting diminution of salary, amending act of 1935, requiring certain

House Bill No. 81.
Read in place in House by Mr. Eberharter, 225.
Referred to Committee on Cities, 225.
Reported without amendment, 546.
First reading, 596.
Second reading, 632.
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Referred to Committee on Municipal Government, 651.
Reported with amendment, 944.
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COAKLEY, CHARLES B., Representative from Northampton County (Second District).

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Motion by, to
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Motion by, to
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No. 52.
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No. 53.
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No. 134.
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Lay on table Bill No. 27 and Senate amendments, amending the Personal Property Tax Act of 1935, by increasing rate of tax; removing certain exemptions; changing listing date, date for filing reports, and date and manner of payment, 111.

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Lay on table Bill No. 69, relating to reforestation and flood control, recalled from Governor and amended by House, in which amendments Senate refused to concur. 1483.

Lay on table Bill No. 81, providing twenty-four consecutive hours of rest, and two weeks vacation each year for firemen in certain cities, together with veto message from Governor, 1274.

Lay on table Bill No. 82, providing two platoon system for firemen in cities of the second class, together with veto message from Governor, 1273.

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Demanding repayment of Motor License Funds; from the Pennsylvania Motor Federation, referred to Committee on Appropriations, 1284.

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From Mrs. A. Mitchell Palmer thanking House for Resolution adopted upon the passing of her husband, A. Mitchell Palmer, 381.

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From the Harrisburg Association of Baptist Churches protesting Sunday movies and lotteries, referred to the Committee on Ways and Means in the House, 314.

From the Luzerne County Unemployed League Inc. relative to relief; read in the Senate, 847-848.

From the Philadelphia Criminal Justice Association, requesting adoption of resolution authoriding appointment of commission to prepare a bill for submission to the next legislature concerning conditions found by grand jury, 649; referred to Committee on Judiciary General, 649.

From the Secretary of Revenue in reply to Senate resolution requesting information relative to the Personal Property, Corporate Net Income and Cigarette Taxes, 479-480.

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Protesting against the conduct of the unemployed in the Senate Chamber, from R. B. Mateer, 1311.

Protesting diversion of firemen's relief funds, from the Western Pennsylvania Firemen's Association, 410.

Protesting diversion of Highway funds; from the Pennsylvania Lincoln Highway Association, referred to the Committee on Appropriations, 1031.

Protesting diversion of Highway Funds, from the Travelers Protective Association, Referred to Committee on Appropriations, 861.

Protesting increase in Cigarette Tax, from the National Association of Tobacco Distribution, referred to the Committee on Ways and Means, 1316.

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Protesting increase in license fees for motor trucks, resolution from the Gretna Grange No. 1543, Washington, Pa., referred to Committee on Highways, 352.

Protesting passage of House Bill No. 105 raising revenue by authorizing Liquor Control Board to issue package retailers licenses, from the Pennsylvania Restaurant Association; referred to Committee on Judiciary General, 812.

Protesting passage of House Bill No. 122 suspending laws authorizing sale of goods and chattels for taxes, from the County Commissioners of Clarion County; referred to Committee on Municipal Corporations, 724.

Protesting passage of House Bill No. 138 regulating hours of employment, from the Pennsylvania Grocers Association, referred to Committee on Labor, 1031.

Requesting that celebration at the closing session of the Legislature be deferred until after adjournment, from the State Federation of Pennsylvania Women, 1098; referred to the Committee on Rules, 1098.

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Urging passage of House Bill No. 108 making appropriation to State Emergency Relief Board for adjustment and payment of certain claims; resolution from the Workers Alliance of America, Bethlehem, 781; referred to Committee on Appropriations, 781.

Urging passage of relief appropriations; telegram from charitable organizations of Luzerne County, referred to Committee on Appropriations, 1048.

Urging passage of relief appropriations; telegram from Mayor and City Council of Erie, referred to Committee on Appropriations, 1048.

Urging passage of relief appropriations; telegrams from officials of Berks County, referred to Committee on Appropriations, 1048.

Urging passage of relief appropriations; telegram from service clubs of Luzerne County, referred to Committee on Appropriations, 1048.

Urging passage of relief apropriations; telegram from Wyoming Valley Chamber of Commerce ,referred to Committee on Appropriations, 1048.

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CONRAD WEISER MEMORIAL PARK ASSOCIATION, member of the Board of Trustees for the Care of Perpetual Endowment Fund of, nominated, 22; referred to Committee on Executive Nominations, 22; reported, 1442; confirmed, 1449-1450.

CONSTITUTION OF PENNSYLVANIA, authorizing appropriations for pensions or gratuities for military services, to blind persons and for assistance of aged, Joint resolution proposing amendment to Section 18 of Article III of

House Bill No. 5
Read in place in House by Mr. Moomaw, 63.
Referred to Committee on Constitutional Amendments, 63.

CONSTITUTION OF PENNSYLVANIA, authorizing General Assembly to provide for social insurance, covering unemployment, sickness, accident, death and maternity, Joint resolution proposing amendment to Article III of

CONSTITUTION OF PENNSYLVANIA.—Continued.

House Bill No. 30.
Read in place in House by Mr. Hoopes, 66.
Referred to Committee on Constitutional Amendments, 66.
Reported without amendment, 455.
First reading, 485.
Second reading and amended, 511.
Third reading and final passage, 549, 550.

In Senate (No. 70)
Referred to Committee on Constitutional Changes, 540.

CONSTITUTION OF PENNSYLVANIA, by adding thereto a section, authorizing the State to issue bonds for acquisition of lands and buildings, and construction and improvement of State owned buildings and the equipment thereof, Joint resolution proposing amendment to Article IX of

House Bill No. 136.
Read in place in House by Messrs. Cohen and Turner, 628.
Referred to Committee on Constitutional Amendments, 628.
Reported without amendment, 740.
First reading, 751.
Second reading, 785.
Third reading and final passage, 817.
Returned from Senate with amendments, in which House concurred, 1304.
Signed by Speaker, 1305.

In Senate (No. 102)
Referred to Committee on Constitutional Changes, 807.
Reported without amendment, 918.
First reading, 919.
Second reading, 948.
Over in its order, 1011.
Over in its order, 1075.
Resumed and recommitted, 1077.
Re-reported with amendment, 1236.
Over in its order, 1256.
Over in its order, 1278.
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Returned from House with Senate amendments concurred in, 1301.
Signed by President, 1302.

Remarks on, by
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CONSTITUTION OF PENNSYLVANIA, by adding thereto Section eighteen, enabling Legislature to provide by law for qualified electors to vote when unavoidably absent from residence on occurrence of any election, Joint resolution proposing amendment to section eight

Senate Bill No. 72.
Read in place in Senate by Mr. Harris, 541.
Referred to Committee on Constitutional Changes, 541.

CONSTITUTION OF PENNSYLVANIA, by adding thereto Section 1 C, limiting tax rate which may be placed on real estate with certain exceptions, Joint Resolution proposing amendment to Article IX of

Senate Bill No. 73.
Read in place in Senate by Mr. Ziesenheim, 572.
Referred to Committee on Constitutional Changes, 572.

CONSTITUTION OF PENNSYLVANIA, by adding thereto Section 1C, relating to reduction of tax on assessed valuation of real estate, Joint Resolution proposing amendment to Article IX of

Senate Bill No. 75.
Read in place in Senate by Mr. Ziesenheim, 573.
Referred to Committee on Constitutional Changes, 573.
Reported with amendment, 918.
First reading, 919.
Second reading, 947, 948.
Third reading and final passage, 1010.
Returned from House with amendments, in which Senate concurred, 1455.
Signed by President pro tempore,——,

CONSTITUTION OF PENNSYLVANIA.—Continued.

Remarks on, by
Huffman, 1010.
Ziesenheim, 1010.
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In House (No. 164)
Referred to Committee on Constitutional Amendments, 1029.
Reported without amendment, 1098.
First reading, 1098.
Second reading and recommitted, 1111.
Re-reported with amendment, 1378.
Recommitted, 1409.
Re-reported with amendment, 1496.
Returned from Senate with House amendments concurred in, 1518.
Third reading and final passage, 1496-1501.
Signed by Speaker, 1519.

Remarks on, by
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CONSTITUTION OF PENNSYLVANIA, changing senatorial apportionment, Joint resolution proposing amendment to Sections 16, 17 and 18 of Article II of

House Bill No. 116.
Read in place in House by Mr. John E. Brown, 455.
Referred to Committee on Constitutional Amendments, 455.

CONSTITUTION OF PENNSYLVANIA, establishing Magistrates' Courts in the City of Philadelphia, Joint resolution proposing amendment to Section 12 of Article V of

Senate Bill No. 1.
Read in place in Senate by Mr. Woodward, 33.
Referred to Committee on Constitutional Changes, 33.

CONSTITUTION OF PENNSYLVANIA; establishing unicameral system, Joint resolution proposing various amendments to

House Bill No. 157.
Read in place in House by Messrs. Caputo, Harkins, Tronzo and Eroe, 822.
Referred to Committee on Constitutional Amendments, 822.

CONSTITUTION OF PENNSYLVANIA, providing for uniformity, levying and collection of property taxes and granting certain exemptions, Joint Resolution proposing amendment to Section 1 of Article IX of

Senate Bill No. 65.
Read in place in Senate by Mr. Law, 472.
Referred to Committee on Constitutional Changes, 472.

CONSTITUTION OF PENNSYLVANIA, providing for uniformity of property and capitation taxes, and granting uniform exemptions in certain cases, Joint resolution proposing amendment to Section 1 of Article IX of

Senate Bill No. 2.
Read in place in Senate by Mr. Woodward, 33.
Referred to Committee on Constitutional Changes, 33.

CONSTITUTION OF PENNSYLVANIA, relating to amount of indebtedness which may be incurred by municipalities, Joint resolution proposing amendment to Section 8 of Article IX of

House Bill No. 74.
Read in place in House by Mr. Holstrom, 154.
Referred to Committee on Constitutional Amendments, 154.
Reported without amendment, 266.
First reading, 284.
Second reading, 333.
Third reading and final passage, 353.

CONSTITUTION OF PENNSYLVANIA.—Continued.

Remarks on, by
Wickersham, 353.
Holstrom, 353.

In Senate (No. 57)
Referred to Committee on Constitutional Changes, 351.
Reported without amendment, 841.
First reading, 841.
Second reading and recommitted, 856, 857.

CONSTITUTION OF PENNSYLVANIA, relating to laws providing for organization and government of counties under system of proportional representation, Joint Resolution proposing amendment to Section 1 of Article XIV of

House Bill No. 114.
Read in place in House by Mr. John E. Brown, 352.
Referred to Committee on Constitutional Amendments, 352.

CONSTITUTION OF PENNSYLVANIA, relating to levying and collection of property, capitation and excise taxes; and providing exemptions, Joint Resolution proposing amendment to Section 1 of Article IX of

House Bill No. 111.
Read in place in House by Mr. Simon, 352.
Referred to Committee on Constitutional Amendments, 352.
Reported without amendment, 646.
First reading, 661.
Second reading, 687.
Third reading and final passage, 730, 731.

In Senate (No. 92)
Referred to Committee on Constitutional Changes, 711.

CONSTITUTION OF PENNSYLVANIA, relating to levying of property and excise taxes, and providing exemptions, Joint resolution proposing amendment to Section 1 of Article IX of

House Bill No. 6.
Read in place in House by Mr. Moomaw, 63.
Referred to Committee on Constitutional Amendments, 63.

CONSTITUTION OF PENNSYLVANIA, relating to Magistrates' Courts in Philadelphia, Joint resolution proposing amendment to Section 12 of Article V of

Senate Bill No. 111.
Read in place in Senate by Mr. Woodward, 917.
Referred to Committee on Constitutional Changes, 917.

CONSTITUTION OF PENNSYLVANIA, relating to manner by which appointments and promotions may be made in civil service of State, Joint Resolution proposing amendment to Article XII of

Senate Bill No. 61.
Read in place in Senate by Mr. Woodward, 400.
Referred to Committee on Constitutional Changes, 400.

CONSTITUTION OF PENNSYLVANIA, relating to municipal indebtedness, Joint resolution proposing amendment to Article IX of Section 15 of

House Bill No. 51.
Read in place in House by Mr. Turner, 134.
Referred to Committee on Appropriations, 134.
Reported without amendment, 1098.
First reading, 1098.
Second reading and amended, 1110.
Third reading and final passage, 1153, 1154.

Remarks on, by
Turner, 1154.

In Senate (No. 116)
Referred to Committee on Constitutional Changes, 1120.

CONSTITUTION OF PENNSYLVANIA, relating to qualifications of electors, Joint Resolution proposing amendment to Article VIII of Section 1 of

CONSTITUTION OF PENNSYLVANIA.—Continued.

Senate Bill No. 74.
Read in place in Senate by Mr. Ziesenheim, 572.
Referred to Committee on Constitutional Changes, 572.
Reported without amendment, 679.
First reading, 679.
Second reading, 705.
Over in its order, 746.
Over in its order, 799.
Third reading and amended, 807.
Defeated on final passage, 855.

Remarks on, by
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CONSTITUTION OF PENNSYLVANIA, relating to uniformity, levying and collection of property taxes, and providing manner by which exemptions may be made, Joint Resolution proposing amendment to Section 1 of Article IX of

Senate Bill No. 60.
Read in place in Senate by Mr. Woodward, 400.
Referred to Committee on Constitutional Changes, 400.
Reported without amendment, 918.
First reading, 919.
Second reading, 947.
Third reading and final passage, 1009, 1010.
Returned from House with amendments, in which Senate concurred, 1433, 1434.
Signed by President Pro Tempore, 1434.

Remarks on, by
Woodward, 1433, 1434.
Huffman, 1433, 1434.

In House (No. 163)
Referred to Committee on Constitutional Amendments, 1029.
Reported without amendment, 1378.
First reading, 1378.
Second reading, and amended, 1408.
Third reading and final passage, 1469, 1470.
Returned from Senate with House amendments concurred in, 1476.
Signed by Speaker, 1478.

CONSTITUTION OF PENNSYLVANIA, relating to uniformity of taxes, and naming exemptions which may be made by law by the General Assembly, Joint resolution proposing amendment to Section 1, Article 9 of

Senate Bill No. 110.
Read in place in Senate by Mr. Law, 885.
Referred to Committee on Constitutional Changes, 885.

CONSTITUTION OF PENNSYLVANIA, relating to uniformity of taxes levied, and exemptions, Joint resolution proposing amendment to Section 1 of Article IX of

Senate Bill No. 27.
Read in place in Senate by Mr. J. Albert Reed, 178.
Referred to Committee on Constitutional Changes, 178.

CONSTITUTION OF PENNSYLVANIA, relative to creation of debt by State, Joint resolution proposing amendment to Section 4 of Article IX of

Senate Bill No. 5.
Read in place in Senate by Mr. Woodward, 33.
Referred to Committee on Constitutional Changes, 33.

CONSTITUTION OF PENNSYLVANIA, relative to incurring indebtedness, Joint resolution proposing an amendment to Section 8 of Article IX of

Senate Bill No. 6.
Read in place in Senate by Mr. Woodward, 33.
Referred to Committee on Constitutional Changes, 33.
Reported without amendment, 809.
First reading, 810.
Second reading and recommitted, 856.
Re-reported with amendment, 920.
Over in its order, 944.
Third reading and amended, 949, 950.
Final passage, 999, 1000.
Returned from House without amendment, 1232.
Signed by President, 1232.

CONSTITUTION OF PENNSYLVANIA.—Continued.

Remarks on, by
Woodward, 944, 949.
Rodgers, 949.

In House (No. 162)
Referred to Committee on Constitutional Amendments, 1029.
Reported without amendment, 1113.
First reading, 1114.
Second reading, 1153.
Postponed, 1190, 1191.
Resumed on third reading and final passage, 1245, 1246.
Signed by Speaker, 1249.

Remarks on, by
Witkin, 1191.
Dent, 1191.

CONSTITUTION OF PENNSYLVANIA, relative to purposes for which Legislature may provide for issuance of bonds by State, Joint resolution proposing amendment to Section 4 of Article IX of

Senate Bill No. 118.
Read in place in Senate by Mr. Rodgers, 1302.
Referred to Committee on Constitutional Changes, 1302.

CONSTITUTION OF PENNSYLVANIA, relative to qualifications of electors, Joint resolution proposing amendment to Section 1 of Article VIII of

Senate Bill No. 4.
Read in place in Senate by Mr. Woodward, 33.
Referred to Committee on Constitutional Changes, 33.
Reported without amendment, 678.
First reading, 679.
Second reading, 704.
Third reading and defeated on final passage, 742.
Vote by which bill was defeated, reconsidered, and bill postponed, 797, 798.
Resumed and defeated on final passage, 800, 801.

Remarks on, by
Woodward, 742, 801.
Shapiro, 742.
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McGinnis, 742, 800, 801.
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CONSTITUTION OF PENNSYLVANIA, relative to submission of amendments thereto, Joint resolution proposing amendment to Section 1 of Article XVIII of

House Bill No. 31.
Read in place in House by Mr. Hoopes, 66.
Referred to Committee on Constitutional Amendments, 66.

CONSTITUTION OF PENNSYLVANIA, relative to submission of amendments thereto, Joint Resolution proposing amendment to Section 1 of Article XVIII of

House Bill No. 101.
Read in place in House by Mr. Homer S. Brown, 278.
Referred to Committee on Constitutional Amendments, 278.
Reported without amendment, 460.
First reading, 485.
Second reading, 511.
Third reading and final passage, 558.

In Senate (No. 71)
Referred to Committee on Constitutional Changes, 540.

CONSTITUTION OF PENNSYLVANIA, relative to submission of amendments thereto, Joint resolution proposing amendment to Section 1 of Article XVIII of

Senate Bill No. 3.
Read in place in Senate by Mr. Woodward, 33.
Referred to Committee on Constitutional Changes, 33.

CONSTITUTION OF PENNSYLVANIA, relative to submission of amendments thereto, Joint resolution proposing an amendment to Section 1 of Article XVIII of

CONSTITUTION OF PENNSYLVANIA.—Continued.

Senate Bill No. 8.
Read in place in Senate by Mr. George L. Reed, 34.
Referred to Committee on Constitutional Changes, 34.
Reported without amendment, 678.
First reading, 679.
Second reading, 704.
Third reading and final passage, 742-744.
Returned from House with amendments, in which Senate non-concurred, 1103, 1104.
Returned from House with amendments adhered to, Senate insists upon its non-conc., and appoints Conference Com., 1105, 1106.
Signed by President, 1291.

Remarks on, by
Reed, George L., 742, 743, 1104, 1276.
Cavalcante, 743, 1276.
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Returned from House with notice of appointment of Conf. Com., 1118.
Report of Conference Committee presented, 1254.
Report of Conference Committee adopted, 1276.
Returned from House with notice of adoption of Conf. Com. Report, 1280.

In House (No. 155)
Referred to Committee on Constitutional Amendments, 781.
Reported with amendment, 990.
First reading, 1029.
Second reading, 1064.
Vote on second reading reconsidered, and bill passed second reading with amendments, 1096.
Third reading and final passage, 1111.
Returned from Senate with amendments non-conc. in, and House insists upon its amendments, 1113.
Signed by Speaker, 1303.

Remarks on, by
Brown, Homer S., 1095, 1096.
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Returned from Senate with notice of appointment of Conference Committee, and House appoints Conference Committee, 1114.
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CONSTITUTION OF PENNSYLVANIA, relative to submission of amendments thereto, in case of an emergency, Joint resolution proposing amendment to Article XVIII of

Senate Bill No. 9.
Read in place in Senate by Mr. Law, 34.
Referred to Committee on Constitutional Changes, 34.

CONSTITUTION OF PENNSYLVANIA, relative to submission of amendments thereto, Joint resolution proposing amendment to Section 1 of Article XVIII of

Senate Bill No. 10.
Read in place in Senate by Mr. Law, 34.
Referred to Committee on Constitutional Changes, 34.

CONSTITUTION OF UNITED STATES; and making an appropriation, providing for participation of Commonwealth of Pennsylvania in celebration of 150th Anniversary of Framing of

House Bill No. 39.
Read in place in House by Mr. Shugarts, 79.
Referred to Committee on Appropriations, 79.
Reported without amendment, 152.
First reading, 157.
Second reading, 193.
Third reading and final passage, 238, 239.
Returned from Senate with amendment, in which House concurred, 1158.
Signed by Speaker, 1161.
Approved by Governor, 1266.

In Senate (No. 34)
Referred to Committee on Federal Relations, 220.
Reported without amendment, 223.
First reading, 224.
Second reading, 264.

CONSTITUTION OF UNITED STATES.—Continued.

Third reading, 280, 281.
Recommitted, 305.
Re-reported with amendment, 1087.
Final passage, 1127.
Returned from House with Senate amendments concurred in, 1151.
Signed by President, 1151.

CONSTITUTION OF UNITED STATES, creating a State Commission to cooperate with Sesquicentennial Commission in celebration of 150th Anniversary of Formation of; and making an appropriation

Senate Bill No. 11.
Read in place in Senate by Mr. Woodward, 60.
Referred to Committee on Appropriations, 60.

CONSTITUTION OF UNITED STATES, giving Congress power to enact national legislation, providing for assistance to needy, Joint resolution making application to Congress to call a convention for purpose of proposing amendment to the

House Bill No. 166.
Read in place in House by Messrs. Sowers and Beadman, 1226.
Referred to Committee on Constitutional Amendments, 1226.

CONSTITUTION OF UNITED STATES, Joint Resolution of the 74th Congress relative to anniversary of the formation of the, in the Senate 6; in House 47.

CONSTITUTION OF UNITED STATES, providing for participation of Commonwealth of Pennsylvania in National Celebration of One Hundred Fiftieth Anniversary of Framing, Signing, Ratification by Pennsylvania, and Final Adoption and Promulgation of

Senate Bill No. 24.
Read in place in Senate by Mr. Woodward, 168.
Referred to Committee on Appropriations, 168.

CONSTITUTION OF UNITED STATES, SESQUICENTENNIAL, communication relative to, received by the Governor from Congressman Bloom, presented to Senate, 6; to House, 47.
Communication from Philadelphia City Council relative to celebration of, presented to House, 49.

COOLAHAN, FRANK A., Representative from Allegheny County (Twelfth District).

Leave of absence granted, 1189.

Member of Special Committee, 1518.

COOPER, ALEX S., as Senate Librarian, election of, 60.

COOPER, RICHARD A., Representative from Philadelphia County (Sixth District).

Election returns, 40.

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Remarks by, at
Memorial Services for Hon. Samuel B. Hart, 763.

Resolution offered by,
Extending sympathy on death of Hon. Samuel B. Hart, 763-764.

Statement by, on
Conduct of Judge B. C. Atlee, 1482.

CORDIER, ROBERT J., Representative from Lackawanna County (Third District).

Bill reported by
No. 110.
Providing that no person shall be denied, refused or have discontinued direct or work relief for reason that such person has received payment of World War adjusted service, 461

Resolution offered by,
Requesting information from the Secretary of Revenue regarding total amounts of appropriations of this session and total of unrequisitioned funds, 510.

CORPORATE NET INCOME TAX LAW OF 1935, by making further provisions relative to filing of consolidated reports, amending

House Bill No. 41.
Read in place in House by Mr. Homer S. Brown, 79.
Referred to Committee on Ways and Means, 79.
Reported without amendment, 160.
First reading, 165.
Second reading, 209.
Third reading and final passage, 251.

In Senate (No. 36)
Referred to Committee on Finance, 220.

CORPORATIONS, making claim against street railway, traction or motor power companies in certain cases, relating to proceedings for the forfeiture of rights, privileges or franchises of

Senate Bill No. 46.
Read in place in Senate by Mr. Woodward, 279.
Referred to Committee on Judiciary General, 279.
Reported without amendment, 882.
First reading, 884.
Second reading, 903, 904.
Over in its order, 945.
Over in its order, 1008.
Over in its order, 1074.
Over in its order, 1129.
Recommitted, 1175.

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COYNE, JAMES J., Senator from Allegheny County (Forty-third District) part of

Amendment offered by, to
Motion to adjourn, 1013.

Bills reported by
No. 34 (House No. 39)
Providing for participation of Commonwealth of Pennsylvania in celebration of 150th Anniversary of framing of Constitution of United States; and making appropriation, 223.

No. 41 (House No. 55)
Establishing system of unemployment compensation, 1104.

No. 86 (House No. 82)
Amending act of 1915, as amended, relating to firemen in cities of the first class, by changing hours of day and night shifts, 921.

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Discharge Committee on Conference on House Bill No. 55, relating to unemployment insurance, 1437 (Withdrawn).

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Return to Governor in conformity with his communication the nominations of C. A. Schoch, as member of the Board of Trustees of the Pennsylvania Industrial School and of Colonel William B. Reilly, as member of the Armory Board of the State of Pennsylvania, 407.

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Bill No. 4, Joint resolution proposing amendment to Section 1 of Article 8 of the Constitution of Pennsylvania, relative to qualifications of electors, 742.

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Executive nominations reported from Committee, 810.

Motion to discharge Committee on Insurance from further consideration of Bill No. 41 (House No. 55), establishing a system of unemployment compensation, 850, 851.

Motion to re-refer to Committee on Executive Nominations the names of J. Buell Snyder and Ephriam S. Taylor which were negatively reported, 710.

Nominations of J. Buell Snyder and Ephriam S. Taylor as Members of Board of Trustees of California State Teachers College, which were reported favorably from Committee on Executive Nominations, 711, 712, 770.

Requests by, for
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Resolutions offered by,
Congratulating John Woodruff, Winner of the 800 metre run at the Olympic Games in Berlin, 1381-1382.

Extending sympathy of the Senate to family and friends of Hon. Robert Sellers Frazer, recently Chief Justice of the Supreme Court of Pennsylvania, 1328.

Granting use of Senate Chamber for public hearing on House Bill No. 55 establishing unemployment compensation system, 776.

DANVILLE STATE HOSPITAL, members of the Board of Trustees of, nominated, 19; referred to Committee on Executive Nominations, 19; (Frank E. McArran, D. E. Edmondson, William B. Seibert, C. E. Ervin, M. E. Reeder, Edward J. Mullen and M. G. Youngman), reported 1448; confirmed, 1449-1450.

DAVIES, E. T., Representative from Lackawanna County (Sixth District).

Bill introduced by
No. 118.
Abating accrued penalties on certain delinquent taxes, where such taxes have heretofore been paid in full at face, 483.

DECEDENTS' ESTATES, by limiting the heirs or next of kin of an estate entitled to take from his estate, amending Act of 1917, relating to

House Bill No 99.
Read in place in House by Messrs. Sowers and Beadman, 278.
Referred to Committee on Judiciary General, 278.

DECKER, JOHN W., Representative from Centre County.

Leave of absence granted, 724.

Resolution offered by,
Congratulating the organization participating in the massed concert of the Bands of Cumberland County, 1323.

DEE, LEO P., as Transcribing clerk, election of as, 81.

DELAWARE RIVER JOINT COMMISSION, report of for 1935, presented to Senate 31; to House 49; appendix, 1669.

DELAWARE RIVER JOINT TOLL BRIDGE COMMISSION, member of the, nominated, 22; referred to Committee on Executive Nominations, 22; reported, 1442; confirmed, 1449-1450.

DELAWARE RIVER JOINT TOLL BRIDGE COMMISSION of Commonwealth of Pennsylvania and State of New Jersey, to proceed with incidental investigations for proposed toll bridge across Delaware River at Delaware Water Gap; and making appropriation, authorizing.

House Bill No. 102.
Read in place in House by Mr. Achterman, 278.
Referred to Committee on Highways, 278.

DENNING, STEPHEN C., Representative from Philadelphia County (First District).

Motion by, to
Dispense with further reading of the Journal, 724.

Point of Order raised by, on
Remarks on Bill No. 70, relating to flood control, 531.

DENT, JOHN H., Representative from Westmoreland County (Second District).

Amendments offered by, to
Bill No. 51, Joint resolution proposing amendment to Article IX of Section 15 of the Constitution of Pennsylvania, relating to municipal indebtedness, 1110.

Bill No. 56, making appropriation to Department of Health to defray cost of pumping water from flooded anthracite mines, 193.

Bills introduced by
No. 38.
Abating certain tax penalties, 77.

No. 78.
Providing for the imposition and collection of an emergency State tax on elective public offices, 163.

No. 128.
Making appropriation to Department of Property and Supplies, for purpose of erecting, constructing and equipping new building or additions to existing buildings at Torrance State Hospital, 545.

Member Conference Committee, 1227.

Member of Standing Committees, 73.

Motion by, to
Postpone Bill No. 162 (Senate No. 6), Joint resolution proposing amendment to Section 8 of Article IX of the Constitution of Pennsylvania, relative to incurring indebtedness, 1190.

estion of Parliamentary Inquiry raised by, on
Concurrent resolution without sanction of Senate is not valid, 1038.

Remarks by, on
Administration of relief, 320-321.

Bill No. 55, establishing system of unemployment compensation, 249, 250.

Bill No. 57, providing for and regulating assistance to and burial of aged, indigent persons, 441, 442.

Bill No. 70, prescribing powers and duties of Water and Power Resources Board in relation to creation of flood control districts; and making and appropriation, 530, 531.

House conc. resolution authorizing transfer of money from the Liquid Fuels Tax Fund to General Fund for relief (first part of July), 936, 937.

House conc. resolution authorizing transfer of moneys heretofore appropriated to S. E. R. B. and now lapsing, to the State Emergency Relief Board, 373, 378.

Motion for recess, 386, 387.

Motion to postpone Bill No. 162 (Senate No. 6), proposing amendment to Constitution of Pennsylvania, relative to incurring indebtedness, 1191.

Request for immediate consideration of House conc. resolution authorizing transfer of money from the State Stores Fund to the General Fund for relief, (first part of July), 1038.

Request by, for
Permission to have meeting of Committee on Highways during session of the House, 735.

Use of Hall of House for a public hearing by the Committee on Highways, 80.

DENT, JOHN H.—Continued.

Resolution offered by
Extending congratulations of House to Hon. James E. Lovett upon his birthday, 1316, 1317.

Statements by, on
Differences existing between Republicans and Democrats on Unemployment Insurance Bill, 1506, 1507.

Necessity of raising money for relief, 1092.

Statement by United Press on House Bill No. 55, establishing system of unemployment insurance, 924.

DIEHL, HARRY E., Representative from Blair County (Second District).

Bills introduced by
No. 54.
Supplementing Old Age Assistance Act of 1935, by making appropriation for payment to applicants in counties which do not have sufficient funds available, 134.

No. 78.
Providing for the imposition and collection of an emergency State tax on elective public offices, 163.

Bills reported by
No. 58.
Supplementing General Appropriation Act of 1935, by providing for additional appropriations to certain departments, boards and commissions, 152.

No. 63.
Amending Vehicle Code of 1929, by requiring extra fees for assignment of special registration plates, 736.

No. 101.
Joint resolution proposing amendment to Section 1 of Article XVIII of the Constitution of Pennsylvania, relative to submission of amendments thereto, 460.

Leave of absence granted, 661.

Remarks by, on
Bill No. 70, prescribing powers and duties of Water and Power Resources Board in relation to creation of flood control districts; and making an appropriation, 531.

DILLEY, LEE NORMAN, Representative from Mercer County.

Bill introduced by
No. 76.
Amending Unemployment Relief Act of Specail Session of 1933, by imposing time limit within which reimbursements may be obtained for premiums on Workmen's Compensation Insurance, covering persons engaged on certain work relief projects, 154.

Bills reported by
No. 71.
Conferring powers and imposing duties on Water and Power Resources Board, 161.

No. 95.
Further amending Personal Property Tax Act of 1885, by requiring all corporations incorporated by or under the law of any other State, or of the United States, and doing business in this Commonwealth to designate a resident treasurer for certain purposes, 491.

Leaves of absence granted, 483, 680, 886.

Motion by, to
Postpone Bill No. 76, amending Unemployment Relief Act of Special Session of 1933, by imposing time limit within which reimbursements may be obtained for premiums on Workmen's Compensation Insurance, 357.

Resume consideration of Bill No. 76, amending Unemployment Relief Act of the Special Session of 1933, by imposing time limit within which reimbursements may be obtained for premiums on workmen's compensation insurance, covering persons engaged on certain work relief projects, 533.

DILLEY, LEE NORMAN.—Continued.

Remarks by, on
Bill No. 76, amend Unemployment Relief Act of the Special Session of 1933, by imposing time limit within which reimbursements may be obtained for premiums on workmen's compensation insurance, covering persons engaged on certain work relief projects, 533.

DOLLAR SAVINGS BANK, semi-annual report of, presented to House, 48; appendix, 1660.

DONORA, BOROUGH COUNCIL OF, Petition from favoring immediate legislation covering the subject of flood control, 219.

DOWNEY, GEORGE E., Representative from Lancaster County (First District).

Leaves of absence granted, 661, 927.

Motion by, to
Adjourn, 80.

Request by, for
Permission to have meeting of Committee on Military Affairs during session of the House, 460.

Resolution reported by
Requesting the Executive Director of the State Emergency Relief Board to furnish list of persons employed by State Emergency Relief Board and compensation of each, 156.

DOWNEY, JOHN J., Representative from Schuylkill County (First District).

Leave of absence granted, 1208.

DUFFORT, HARRY L., Representative from Philadelphia County (Twenty-second District).

EALY, CHARLES H., Senator from Bedford, Fulton and Somerset Counties (Thirty-sixth District).

Appeal from the decision of the chair by, on
Questioning legality of resolution authorizing investigation of Works Progress Administration, 171.

Bills reported by
No. 22 (House No. 14).
Transferring money from Motor License Fund to General Fund, and providing for its return from the General Fund, 222.

No. 31 (House No. 43).
Further amending Personal Property Tax Act of 1879, by increasing rate of tax, 875.

No. 47 (House No. 1).
Abating certain tax penalties, 351.

No. 51 (House No. 52).
Providing for reduction of interest rates on outstanding callable bonds of the Commonwealth, 574.

No. 68 (House No. 70).
Prescribing powers and duties of the Water and Power Resources Board of the Department of Forests and Waters in relation to creation of flood control districts; and making an appropriation, 882.

No. 79 (House No. 100).
Further amending Transfer Inheritance Tax Law of 1919, by defining as transfers and taxing rights of survivorship in property, 875.

Leave of absence granted, 901.

Member of Special Committee, 4, 611, 612.

Motion by, for
Recess, 222, 401, 749.

Senate to appoint Conference Committee on House No. 59, relating to Mothers' Assistance, 658.

Motion by, to
Dispense with further reading of the Journal, 611.

EALY, CHARLES H.—Continued.

Lay on table House Bill No. 109, authorizing construction of Flood Control Works in Municipalities, 1073.

Proceed to consideration of Bill No. 64 (House No. 109), recalled from the Governor, authorizing construction of Flood Control Works, 1077.

Recommit Bill No. 47 (House No. 1), abating certain tax penalties, 401.

Recommit Bill No. 50, limiting amount of moneys allocated to and expended in counties by the State Emergency Relief Board for the maintenance of unemployable residents to amounts expended by political subdivisions charged by law with care of poor, 795.

Question of Legislative Inquiry raised by, on
Number of days allowed a committee to study legislation before it until motion to discharge is in order, 723.

Question of Parliamentary Inquiry raised by, on
Whether House rejected all amendments which Senate inserted in Bill No. 55 (House No. 59), relating to Mothers' Assistance, 654.

Question of Personal Privilege raised by, on
Relief situation, 1014-1015.

Unemployment relief, statement by Arthur Hadley on, 168-169.

Remarks by, at
Memorial Services for Hon. James E. Norton, 804-805.

Remarks by, on
Bill No. 41 (House No. 55), establishing a system of unemployment compensation, 1173.

Bill No. 47 (House No. 1), abating certain tax penalties, 351.

Bill No. 107 (House No. 156), making appropriation to State Emergency Relief Board, 1353, 1354.

Motion to request information from Dr. DeSchweinitz on relief, 718-719.

Report of Conference Committee on House conc. resolution authorizing transfer of moneys heretofore appropriated to S. E. R. B. and now lapsing, to the State Emergency Relief Board, 450.

Senate conc. resolution authorizing appointment of Joint Committee to prepare a plan of permanent administration of unemployment relief, 1195.

Waste and extravagance in unemployment relief, 125.

Request by, for
Bill No. 102 (House No. 136), Joint Resolution proposing amendment to Article IX of the Constitution of Pennsylvania, by adding thereto a section, authorizing the State to issue bonds for the acquisition of lands and buildings, and construction and improvement of State owned buildings and the equipment thereof, to go over in its order, 1011.

Request for roll call by, on
Amendments to Bill No. 107 (House No. 156), making appropriation to State Emergency Relief Board, 1359.

Resolution offered by
Authorizing appointment of committee to notify House that Senate is organized, 4.

EASTERN STATE PENITENTIARY, members of the Board of Trutees, nominated, 19; referred to Committee on Executive Nominations, 19; reported, 1441; confirmed, 1449, 1450.

EASTERN STATE PENITENTIARY, Members of the Board of Trustees Nominated and referred, 671; reported and confirmed, 1237.

EAST STROUDSBURG STATE TEACHERS COLLEGE, members of the Board of Trustees of, nominated, 23; referred to Committee on Executive Nominations, 23; Reported and confirmed, 919; (all except Richard P. McNichols).

EBERHARTER, HERMAN P., Representative from Allegheny County (Third District).

Amendments offered by, to
Bill No. 17 (Senate No. 23), making appropriation to State Emergency Relief Board, 585.

Bill No. 81, amending Act of 1935, requiring certain cities to allow members of fire department twenty-four consecutive hours of rest each week and fourteen days of vacation each year, by providing that provisions of said act shall be mandatory; and prohibiting diminution of salary, 645, 646.

Bills introduced by
No. 14.
Transferring money from the Motor License Fund to the General Fund and providing for the subsequent return from the General Fund, 64.

No. 15.
Transferring money from Liquid Fuels Tax Fund to General Fund, and providing for the subsequent return from the General Fund, 64.

No. 16.
Transferring money from Fire Insurance Tax Fund to the General Fund, and providing for the subsequent return from the General Fund, 64.

No. 17.
Making appropriation to State Emergency Relief Board for direct relief, work relief, and expenses, 64.

No. 18.
Making appropriation to State Emergency Relief Board for direct relief, work relief, and expenses, 64.

No. 78.
Providing for the imposition and collection of an emergency State tax on elective public offices, 163.

No. 81.
Amending act of 1935, requiring certain cities to allow members of fire department twenty-four consecutive hours of rest each week and fourteen days vacation each year, by providing that provisions of said act shall be mandatory, 225.

No. 82.
Amending act of 1915, as amended relating to firemen in cities of the second class by changing hours of day and night shifts, 225.

No. 153.
Making an appropriation to the State Emergency Relief Board for direct relief, work relief and expenses, 754.

No. 154.
Ratifying, confirming and validating the transfer of money from special funds to the General Fund, and providing for its subsequent return from the General Fund, 754.

No. 156.
Making appropriation to State Emergency Relief Board for direct relief, work relief and expenses, Bill, 811.

Member of Conference Committee, 1465.

Member of Special Committee, 46, 602.

Member of Standing Committee, 75.

Motion by, for
House to cocur in Senate amendments to House Bill No. 18, making appropriation to State Emergency Relief Board, 1375.

House to insist upon its non-concurrence in Senate amendments to House Bill No. 156, making appropriation to State Emergency Relief Board, and that Committee of Conference be appointed, 1465.

House to non-concur in Senate amendments to House Bill No. 18, making appropriation to State Emergency Relief Board, 1317.

EBERHARTER, HERMAN P.—Continued.

House to non-concur in Senate amendments to House Bill No. 156, making appropriation to State Emergency Relief Board, 1405.

Motion by, to
Adjourn, 166, 826.

Expunge from records uncomplimentary side remarks made in interrogation, 553 (Not in order).

Lay on table Bill No. 18, making appropriation to State Emergency Relief Board, together with Senate amendments, 1269.

Lay on table Bill No. 153, making appropriation to State Emergency Relief Board, together with Senate amendments, 991, 992.

Lay on table Bill No. 154, confirming transfer of moneys from special funds to the General Fund, and providing for its subsequent return from the General Fund, 996.

Make Bill No. 25, imposing State excise tax on electric power and current generated, manufactured and sold within this Commonwealth, special order of business, 360.

Postpone Bill No. 25, imposing State excise tax on electric power and current generated, manufactured and sold within this Commonwealth, 488.

Postpone Bill No. 160 (Senate No. 87), abating certain tax penalties and interest under certain circumstances, 1068.

Recommit Bill No. 18, making appropriation to State Emergency Relief Board for direct relief, work relief and expenses, 636.

Recommit Bill No. 61, imposing income tax for State purposes on residents of Pennsylvania, including fiduciaries and on income of non-residence derived from property or business in Pennsylvania, 609.

Recommit Bill No. 63, amending Vehicle Code of 1929, by requiring extra fees for assignment of special registration plates, 783, (Withdrawn).

Recommit Bill No. 110, providing that no person shall be denied, refused or have discontinued direct or work relief, for reason that such person has received payment of World War adjusted service certificate, 485, (Withdrawn).

Recommit House conc. resolution authorizing the State Emergency Relief Board and those in charge of distributing relief to refuse help to aliens known to be illegally within this Commonwealth, 750.

Recommit House resolution requesting the Executive Director of the State Emergency Relief Board to furnish list of persons employed by State Emergency Relief Board and compensation of each, 324.

Reconsider vote on Bill No. 17 (Senate No. 23), making appropriation to State Emergency Relief Board, 585.

Reconsider vote on Bill No. 81, relating to hours of rest weekly, and vacation of members of fire department in certain cities, and prohibiting dimunition of salaries, 645.

Objections raised by, to
Motion to suspend Rule 84 for purpose of rereading resolution requesting information from the Federal Relief Administration, 99.

Reading of resolution introduced by McCreary, 188.

Second reading of resolution requesting information from Federal Relief Administration, 98.

EBERHARTER, HERMAN P.—Continued.

Point of Order raised by, on
Question of Mr. Cohen is improper, 394.

Points of Order raised by, on
Remarks on Bill No. 68, authorizing Department of Forests and Waters to make survey and investigation with respect to flood control and water conservation; and making appropriation, 298.

Uncomplimentary side remaks being included in interrogation, 552.

Question of Personal Privilege.
Statements made by certain Senators in a Joint Meeting, 396-397.

Remarks by, on
Amendments to Bill No. 17 (Senate No. 23), making appropriation to State Emergency Relief Board, 585, 586.

Amendment to Senate conc. resolution authorizing adjournment of Legislature until May twenty-fifth, 274, 275.

Bill No. 18, making appropriation to the State Emergency Relief Board, 1376, 1377.

Bill No. 57, providing for and regulating assistance to and burial of aged, indigent persons, 437.

Bill No. 63, amending the Vehicle Code of 1929, by requiring extra fees for assignment of special registration plates, 786, 787, 788.

House conc. resolution authorizing transfer of moneys heretofore appropriated to S. E. R. B. and now lapsing, to the State Emergency Relief Board, 372, 377.

Motion to suspend rule 84 for purpose of reading resolution introduced by McCreary for the information of the House, 189-190.

Relief estimates, 1056, 1058.

Resolution requesting the Executive Director of the State Emergency Relief Board to furnish list of persons employed by S. E. R. B. and compensation of each, 324-325.

Request by, for
Bill No. 123, providing for public sale by Cities of the First Class, of negotiable tax anticipation certificates representing registered delinquent taxes, to go over in its order, 786.

Permission to make statement, 1285.

Request by, to
Read certain bill first time, 822.

Resolution, concurrent, offered by
Thanking State Police for performance given at its barracks at Hershey, 1064, adopted by House, 1064.

Resolutions reported by
Authorizing Speaker of the House to appoint a Committee of six members and five citizens to make survey and recommendations on reapportionment of the Legislative Districts (House), by Zappala, 1152.

Fixing last day for introduction of bills in the House, 509.

House conc. authorizing Joint Commision to Investigate Magistrates System in Philadelphia, 1266.

House conc. requesting investigation by Public Service Commission of street railway companies operating in Philadelphia County to ascertain possibility of transporting pupils at a rate not to exceed twenty-five cents per week, 781.

House conc. requesting officers of Steel Corporations to read Sections 7 and 8 of National Labor Relations Act. 1402.

EBERHARTER, HERMAN P.—Continued.

Requesting and urging City of Philadelphia to comply at earliest possible moment with the act of 1935 (P. L. 639) allowing firemen twenty-four hours consecutive rest per week, 586.

EDINBORO STATE TEACHERS COLLEGE, members of the Board of Trustees of, nominated, 24; referred to Committee on Executive Nominations, 24; (C. E. Bordwell, Ritchie T. Marsh, Charles B. Stegner, F. A. Loveland, Albert L. Thomas, Miss Rowena MacBride), Reported, 1447; confirmed, 1449, 1450.

ELECTION RETURNS, of Members, presentation and opening of, 36-42.

ELECTION RETURNS, of Senators, presentation and opening of, 1-3.

ELECTION, SPECIAL, returns of Members, presentation and opening of, 40-42.

ELECTION, SPECIAL, returns of Members, resolution (House) by O'Keefe, authorizing opening of, 40.

ELECTION, SPECIAL, in Berks County, 3d Legislative District to fill vacancy caused by resignation of Frank W. Ruth, issued by Chairman of the Judiciary General Committee, writ calling for a, 36, 38.

ELECTION, SPECIAL, in Berks County, 4th Legislative District to fill vacancy caused by death of Wilson G. Sarig, issued by Chairman of the Judiciary General Committee, writ calling for a, 36, 38.

ELECTION, SPECIAL, in Forest County to fill vacancy caused by death of Alexander R. Wheeler, 36, 38, 39.

ELECTION, SPECIAL, in Lancaster County, 2nd Legislative District, to fill vacancy caused by death of Edwin R. Spangler, 36, 39.

ELECTION, SPECIAL, in Philadelphia County, 6th Legislative District to fill vacancy caused by death of Samuel B. Hart, issued by Chairman of the Judiciary General Committee, writ calling for a, 36.

ELECTION, SPECIAL, in Philadelphia County, 10th Legislative District to fill vacancy caused by resignation of Hon. Alexander C. Green, issued by Chairman of the Judiciary General Committee, writ calling for a, 36.

ELECTION, SPECIAL, in Philadelphia County, 13th Legislative District to fill vacancy caused by resignation of Louis Schwartz, writ calling for a, 36, 37.

ELECTION, SPECIAL, in Philadelphia County, 21st Legislative District to fill vacancy caused by resignation of Patrick Conner, issued by Chairman of Judiciary General Committee, writ calling for a, 36, 37.

EMERGENCY RELIEF IN NORTHAMPTON COUNTY, Final Report of Legislative Committee to Investigate, appendix, 1728.

EMPLOYMENT, and providing penalties for violation thereof, limiting hours of

House Bill No. 138.
Read in place in House by Messrs. Falkenstein and Scanlon, 629.
Referred to Committee on Labor, 629.
Reported with amendment, 751.
First reading and recommitted, 784.

EROE, WILLIAM J., JR., Representative from Lawrence County (First District).

Amendments offered by, to
Bill No. 1, abating certain tax penalties, 275.

Bills introduced by
No. 2.
Fixing rate of penalty and interest collectible on certain delinquent taxes, except in cities of first and second class and school districts of first class, 63.

No. 4.
Providing for the preservation of tax liens levied by political subdivisions of this Commonwealth, except cities of first and second class and school districts of first class, 63.

No. 25.
Imposing State excise tax on electric power and current generated manufactured and sold within this Commonwealth, 65.

EROE, WILLIAM J., JR.—Continued.

No. 130.
Further amending Act of 1879, by increasing for limited period of time rate of tax on gross receipts of certain companies and persons, 567.

No. 157.
Joint resolution proposing various amendments to Constitution of Pennsylvania; establishing unicameral system, 822.

Bills reported by
No. 58.
Supplementing General Appropriation Act of 1935, by providing additional appropriations to certain departments, boards and commisions, 870, 871.

No. 61.
Imposing income tax for State purposes on residents of Pennsylvania, including fiduciaries and on income of non-residents derived from property or business in Pennsylvania, 160.

Motion by, for
Previous question on Bill No. 85, relating to prevention of political coercion and political promises in return for public relief, 553, 556.

Motion by, to
Expunge remarks of Mr. Witkin with reference to the Governor, 1055.

Postpone Bill No. 25, imposing State excise tax on electric current generated, manufactured and sold within this Commonwealth, 147.

Postpone Bill No. 44, amending General County Assessment Law of 1933, making real estate of public service companies, with certain exceptions, subject to taxation for school purposes, 461.

Recommit Bill No. 130, further amending Personal Property Tax of 1879, by increasing for a limited period of time tax on gross receipts, and imposing temporary emergency tax upon gross receipts of companies and persons engaged in water and natural or artificial gas business, 638.

Recommit Bill No. 25, imposing temporary State excise tax on electric power and current generated and sold within the Commonwealth, 216, 533.

Reconsider vote on Bill No. 1, abating certain tax penalties, 275.

Reconsider vote on Bill No. 25, imposing temporary State excise tax on electric power and current generated and sold within the Commonwealth, 215, 216, 414, 533.

Resume consideration of House Bill No. 25, imposing State excise tax on electric power and current generated, manufactured and sold within this Commonwealth, 215, 533.

Point of Order raised by, on
Question on W. P. A. political coercion being out of order in debate on Bill No. 85, relating to prevention of political coercion and political promises in return for public relief, 552.

Request by, for
Permission to have meeting of Committee on Municipal Corporations during Session of the House, 116, 157.

Request for roll call by, on
Resolution authorizing appointment of committee to study the unicameral system as applied to legislative bodies and report its findings, 1306.

Remarks by, on
Motion to recommit Bill No. 25, imposing State excise tax on electric power and current generated, manufactured and sold within this Commonwealth, 147.

EROE, WILLIAM J., JR.—Continued.

Resolutions offered by
Authorizing appointment of committee to study the unicameral system as applied to legislative bodies and report its findings, 1035.

Disavowing unethical procedure of Committee Investigating Relief in presenting report to House after prior release to newspapers, 154.

Recommending to the Congress of the U. S. passage of H. R. No. 5529 preventing profiteering in time of war, 314; referred to Committee on Rules, 314.

Requesting the early repayment of Motor License Fund for money transferred for relief, 1247, 1248.

FALKENSTEIN, FRANCIS J., Representative from Philadelphia County (Fifth District).

Bill introduced by
No. 138.
Limiting hours of employment, and providing penalties for violation thereof, 629.

Resolution offered by
Authorizing appointment of committee to gather information relative to the making of appointments in divorce cases, receiverships and others over which the Judges of the Common Pleas Court of Philadelphia have jurisdiction, referred to Committee on Rules, 381.

FARVIEW STATE HOSPITAL, members of the Board of Trustees of, nominated, 19; referred to Committee on Executive Nominations, 19; (Lewis G. Hill, Harold C. Edwards, Philip T. Lonergan, Hiram E. Wood, Arthur Rohrman, A. M. Cook, and William Sredencheck), reported, 1442; confirmed, 1449-1450.

FASCISM in the United States, resolution directing attention to the growth of, referred to the Committee on Judiciary General, 94.

FEDERAL RELIEF ADMINISTRATION, requesting information, resolution (House), by Turner, 95.

FERKO, JOSEPH A., Representative from Philadelphia County (Twenty-sixth District).

Member of Special Committee, 395; resigns, 395, 845.

FILES AND SUPPLIES forwarded to Members of House, resolution (House) by Moomaw, requesting Secretary of Department of Property and Supplies to have, 1505.

FINNERTY, JOHN J., Representative from Philadelphia County (Eighteenth District).

Bill introduced by
No. 117.
Imposing State tax on safety razor blades, 455.

Leave of absence granted, 661.

Member of Special Committee, 821, 845.

Motion by, to
Postpone Bill No. 19, amending excise tax law of 1935, by increasing the rate of tax for a limited period of time, 149.

Resolutions offered by
Celebrating the Fourth of July and inviting Senate to attend services, 842.

Requesting House to hold services on 160th Anniversary of adoption of Declaration of Independence, 826.

FIRE INSURANCE TAX FUND, and providing for its return from General Fund, transferring money to General Fund from

House Bill No. 16.
Read in place in House by Mr. Eberharter, 64.
Referred to Committee on Appropriations, 64.

FISCAL CODE OF 1929, by making further provision relative to the settlement, resettlement and collection of certain taxes, and further defining powers and duties of Department of Revenue in relation thereto, amending

FISCAL CODE OF 1929.—Continued.

House Bill No. 165.
Read in place in House by Mr. Cohen, 1095.
Referred to Committee on Ways and Means, 1100.
Reported without amendment, 1112.
First reading, 1112.
Second reading, 1162.
Third reading and final passage, 1190.
Returned from Senate without amendment, 1267.
Signed by Speaker, 1271.
Approved by Governor, 1303.

In Senate (No. 117).
Referred to Committee on Finance, 1187.
Reported without amendment, 1195.
First reading, 1207.
Second reading, 1235, 1236.
Third reading and final passage, 1260.
Signed by President, 1262.

FISH COMMISSIONERS, MEMBER OF BOARD OF, nominated, 17; referred to Committee on Executive Nominations, 17; reported, 1442; confirmed, 1449-1450.

FITCH, FRANK J., Representative from Philadelphia County (Sixteenth District).

Bill introduced by
No. 113.
Amending Act of 1935, imposing Corporate Net Income Tax, by increasing rate of tax for a limited period of time, 352.

Bill reported by
No. 53.
Providing for the issue and sale of bonds to the amount of the outstanding callable bonds of loan of the Commonwealth, 227.

Motion by, to
Dispense with further reading of the Journal, 1106.

Request for roll call by, on
House conc. resolution requesting officers of Steel Corporations to read Sections 7 and 8 of National Labor Relations Act, 1479.

Resolution, concurrent offered by
Requesting officers of Steel Corporations to read Sections 7 and 8 of National Labor Relations Act, 1058.

Resolution offered by
Authorizing Speaker of the House to appoint a Committee of five members from Philadelphia to make survey and recommendations on reapportionment of the Legislative districts therein, 927.

FLANAGAN, EDWARD, Representative from Philadelphia County (Twentieth District).

Bill reported by
No. 60.
Making appropriation to Department of Public Instruction for purpose of rehabilitating free public non-sectarian libraries damaged or destroyed by flood, 569.

Motion by, to
Dispense with further reading of the Journal, 584.

Resolution offered by
Congratulating Hon. Eugene J. Hagerty upon his forty-fourth birthday, 567; adopted, 567.

FLINCHBAUGH, J. M., Representative from York County (Third District).

Bills introduced by
No. 22.
Imposing emergency State tax for a limited period of time on alcoholic liquors sold by Pennsylvania Liquor Control Board, 64.

No. 169.
Providing revenue for State purposes by imposing an Excise Tax for a limited period of time upon the privilege of distilling alcoholic and spirituous liquors, 1319.

FLINCHBAUGH, J. M.—Continued.

Bill reported by
No. 159.
Authorizing the Commonwealth to negotiate temporary emergency loans to defray current expenses of the State government, evidenced by Tax Anticipation Notes, 923.

Leave of absence granted, 923.

Member of Special Committee, 1518.

Member of Standing Committees, 73.

Motion by, to
Postpone Bill No. 22, imposing an emergency State tax for a limited period of time on alcoholic liquors sold by the Pennsylvania Liquor Control Board, 149.

Resume consideration of Bill No. 22, imposing emergency State tax for limited period of time on alcoholic liquors sold by Pennsylvania Liquor Control Board, 216.

Presents report of Committee appointed to notify Senate that House is ready to adjourn sine die, 1519.

Remarks by, on
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FORESTS AND WATERS, DEPARTMENT OF, to investigate, survey and report on location and availability for purchase of certain lands, suitable for reforestation and flood control; and making appropriation, authorizing and directing

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Referred to Committee on Forestry, 153.
Reported without amendment, 161.
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Returned from Senate with amendments, in which House concurred, 1304.
Signed by Speaker, 1305.
Concurrent resolution recalling bill from Governor, 1316.
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Read in place in House by Messrs. Weiss and Andrews, 153.
Referred to Committee on Forestry, 153.
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Returned from Senate without amendments, in which House concurred, 1160, 1161.
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Re-reported with amendment, 1087.
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FORREST, E. ARNOLD, Representative from Montgomery County (Second District).

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FRAZER, HON. ROBERT SELLERS, extending sympathy of the Senate to members of the family of, (Senate) resolution, by Coyne, 1328.

FREY, EDWARD R., Senator from Allegheny County, part of (Thirty-eighth District).

Amendments offered by, to
Bill No. 85 (House No. 81), amending Act of 1935, requiring certain cities to allow members of fire department twenty-four consecutive hours of rest each week and fourteen days of vacation each year, by providing that provisions of said act shall be mandatory, 1086.

Bill introduced by
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No. 58 (House No. 75).
Supplementing Act of 1935 making appropriation for pensions for blind, by increasing current appropriation, to provide pensions for all blind persons eligible to receive same, 1329.

No. 85 (House No. 81).
Requiring certain cities to allow members of fire department twenty-four consecutive hours of rest each week and fourteen days vacation each year, by providing that provisions of said act shall be mandatory, and prohibiting dimunition of salary, 944.

No. 97 (House No. 149).
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Amendments to Bill No. 30 (House No. 27), amending Personal Property Tax Act of 1935, by increasing rate of tax, 979.

Appeal from the decision of the chair holding amendments made in committee to resolution to be inconsistent, 543.

Bill No. 28 (House No. 19), amending Corporate Net Income Tax Law of 1935, by increasing rate of tax for a limited period of time, 972.

Motion for Senate to go into Committee of Whole for purpose of considering special amendments to Bill No. 55 (House No. 59), amending Mothers' Assistance Act of 1919, and repealing section 2, 622.

Motion that Senate insist upon its amendments to Bill No. 55 (House No. 59), relating to Mothers' Assistance, in which House non-concurred, 655.

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Motion to discharge Insurance Committee from further consideration from further consideration of Bill No. 41 (House No. 55), establishing system of unemployment insurance, 853.

Motion to recommit Bill No. 50, limiting amount of moneys allocated to and expended in counties by the State Emergency Relief Board, 797.

Motion to recommit Bill No. 98 (House No. 143), the Miners' Certificate Bill, 860.

Motion to reconsider vote on Bill No. 4, proposing amendment to Constitution of Pennsylvania, relative to qualifications of electors, 797.

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FURMAN, ROY E., Representative from Greene County.

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Remarks by, on
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GALLAGHER, WILLIAM P., Chief Clerk of House given thanks of House for securing copies of the Pennsylvania Manual for each member, 1408.

GAME COMMISSIONERS, members of the Board of, nominated, 17; referred to Committee on Executive Nominations, 17.

GASOLINE TAX, Protest against increasing the, referred to Committee on Finance, 167.

GATES, HERBERT G., Representative from Armstrong County.

Amendments offered by, to
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Reasons for vote by, on
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GELDER, FREDERICK T., Senator from Bradford, Susquehanna and Wyoming Counties (Twenty-third District).

Amendments offered by, to
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Questioning legality of resolution authorizing investigation of Works Progress Administrative, 171.

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No. 23 (House No. 17).
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No. 33 (House No. 29).
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No. 34 (House No. 39).
Providing for participation of Commonwealth in celebration of 150th Anniversary of Framing of Constitution of United States; and making appropriation, 1087.

No. 35 (House No. 40).
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No. 40 (House No. 50).
Supplementing Mothers' Assistance Act of 1935, making appropriation for payment to applicants in counties which do not have sufficient funds, 451.

No. 48 (House No. 68).
Authorizing Department of Forests and Waters to make survey and investigation with respect to flood control and water conservation, and making appropriation, 720, 1087.

No. 49 (House No. 69).
Authorizing and directing Department of Forests and Waters to investigate, survey and report on location and availability for purchase of certain lands suitable for reforestation with flood control as objective, and making appropriation, 720.

No. 53 (House No. 66).
Making appropriation to Department of Property and Supplies, for increasing capacity of overcrowded State institutions, 1205, 1390.

GELDER, FREDERICK T.—Continued.

No. 58 (House No. 75).
Supplementing Act of 1935, making appropriations to Department of Welfare by increasing current appropriation for blind pensions to match sufficient funds from Federal Government, to provide pensions for all blind persons eligible to receive same, 451.

No. 83 (House No. 46).
Making appropriation to Department of Forests and Waters for purpose of repairing existing dikes along Delaware River at Matamoras and Milford, Pike County, 720.

No. 84 (House No. 60).
Making appropriation to Department of Public Instruction for the purpose of rehabilitating and replacing real and personal property of free public nonsectarian libraries, 720.

No. 93 (House No. 134).
Requiring unemployment relief orders to be presented for payment within a certain period, otherwise to be cancelled, 1205, 1268.

No. 94 (House No. 135).
Appropriating to State Emergency Relief Board, for unemployment relief all restitutions and overpayments collected by and for said board, 1205.

No. 104 (House No. 153).
Making an appropriation to the State Emergency Board for direct relief, work relief and expenses, 854, 922.

No. 105 (House No. 154).
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No. 107 (House No. 156).
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No. 108 (House No. 18).
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No. 109 (House No. 58).
Supplementing General Appropriation Act of 1935, by providing for additional appropriations to certain departments, boards and commissions, 1205, 1390.

Bill No. 114 (House No. 161).
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No. 122 (House No. 168).
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No. 123 (House No. 170).
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No. 124 (House No. 171).
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No. 125 (House No. 172).
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Member of Conference Committee, 1417.

Motion by, for
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Senate to insist upon its amendments to Bill No. 41 (House No. 55), relating to unemployment compensation, 1194.

Motion by, to
Adjourn, 981.

Lay on table Bill No. 28 (House No. 19), amending Corporate Net Income Tax Act of 1935, by increasing rate of tax for a limited period of time, non-concurred in by House, 1314.

Lay on table communication from House in forming Senate House has non-concurred in Senate amendments to House Bill No. 156, making appropriation to State Emergency relief Board, 1388.

Postpone Bill No. 4, proposing amendment to Constitution of Pennsylvania, relative to qualifications of electors, 798.

Postpone Bill No. 50, relating to amount of moneys expended by the State Emergency Relief Board in Counties, 917.

Print Senate conc. resolution authorizing the Department of Welfare to accelerate payments for Old Age Assistance to all eligible applicants and pledging the General Assembly of 1937 to appropriate additional funds, 1364.

Proceed to consideration of Bill No. 49 (House No. 69), authorizing Department of Forests and Waters to investigate, survey and report on location and availability for purchase of certain lands suitable for reforestation and flood control; and making appropriation, 1439.

Proceed to consideration of Bill No. 104 (House No. 153), making appropriation to State Emergency Relief Board, 951.

Proceed to consideration of Bill No. 105 (House No. 154), confirming transfer of moneys from special funds to the General Fund, and providing for its subsequent return from the General Fund, 962.

Read certain bills first time, 720, 1330.

Recommit Bill No. 38 (House No. 54), supplementing Old Age Assistance Act of 1935, by making appropriation for payment to applicants in counties which do not have sufficient funds available, 479, 1424.

Recommit Bill No. 40 (House No. 50), supplementing Mothers' Assistance Act of 1935, making appropriation for payment to applicants in counties which do not have sufficient funds, 479, 143.

Recommit Bill No. 48 (House No. 68), authorizing Department of Forests and Waters to make survey and investigation with regard to flood control and water conservation, 746.

Recommit Bill No. 49 (House No. 69), authorizing and directing Department of Forests and Waters to investigate, survey and report on location and availability for purchase of certain lands, suitable for reforestation and flood control; and making an appropriation, 747.

Recommit Bill No. 53 (House No. 66), making appropriation to Department of Property and Supplies for increasing capacity of overcrowded State institutions, 1233.

Recommit Bill No. 58 (House No. 75), supplementing Act of 1935, making appropriation for pensions for blind to match sufficient funds from Federal Government, to provide pensions for all blind persons eligible to receive same, 479.

GELDER, FREDERICK T.—Continued.

Recommit Bill No. 93 (House No. 134), requiring unemployment relief orders to be presented for payment within a certain period, otherwise to be cancelled, 1233.

Recommit Bill No. 94 (House No. 135), appropriating to State Emergency Relief Board for unemployment relief all restitutions and overpayments collected by or for said board, 1233.

Recommit Bill No. 104 (House No. 153), making an appropriation to the State Emergency Relief Board for direct relief work relief and expenses, 920.

Recommit Bill No. 105 (House No. 154), ratifying, confirming and validating the transfer of money from Special Funds to the General Funds, and providing for its subsequent return from the General Fund, 920.

Recommit Bill No. 107 (House No. 156), making appropriation to the State Emergency Relief Board, 1279.

Recommit Bill No. 108 (House No. 18), making appropriation to State Emergency Relief Board, 1314.

Recommit Bill No. 109 (House No. 58), supplementing General Appropriation Act of 1935, by providing for additional appropriations to certain departments, boards and commissions, 1235.

Reconsider vote on Bill No. 4, proposing amendment to Constitution of Pennsylvania, relative to qualifications of electors, 797.

Reconsider vote on Bill No. 18, making appropriation to State Emergency Relief Board, 1314.

Refer to Committee on Appropriations Senate conc. resolution authorizing the Department of Welfare to accelerate payments for Old Age Assistance to all eligible applicants and pledging the General Assembly of 1937 to appropriate additional funds, 1364.

Resume consideration of Bill No. 4, Joint Resolution proposing amendment to Constitution of Pennsylvania, relating to qualifications of electors, 800.

Suspend Rule 39 for immediate consideration of House conc. resolution authorizing transfer of money from the Liquid Fuels Tax Fund and Liquor License Fund to General Fund for relief (part of June and July), 714, 715.

Suspend Rule 39 for immediate consideration of resolution requesting information from New Jersey relief officials; not agreed to, 472.

Objection raised by, to
Immediate consideration of resolution requesting approval of Appropriations Committee before bills are reported from it, 224.

Remarks by, on
Bill No. 38 (House No. 54), supplementing Old Age Assistance Act of 1935, by making appropriation for payment to applicants in counties which do not have sufficient funds available, 1363.

Bill No. 40 (House No. 50), Supplementing Mothers' Assistance Act of 1935, making appropriation for payment to applicants in counties which do not have sufficient funds, 451, 452.

Bill No. 42 (House No. 56), Making appropriation to Department of Health to defray cost of pumping water from flooded anthracite mines, 451, 452.

Bill No. 58 (House No. 75), supplementing Act of 1935, making appropriation for pensions for blind to Department of Welfare, by increasing current appropriation for blind pensions to match sufficient funds from Federal Government, to provide pensions for all blind persons eligible to receive same, 451, 452.

Bill No. 104 (House No. 153), making appropriation to State Emergency Relief Board, 952, 953.

GELDER, FREDERICK T.—Continued.

Bill No. 105 (House No. 154), confirming transfer of money from special funds to General Fund, and providing for its subsequent return from the General Fund, 965, 966.

Bill No. 107 (House No. 156), making appropriation to State Emergency Relief Board, 1356.

House conc. resolution authorizing transfer of moneys heretofore appropriated to S. E. R. B. and now lapsing, to S. E. R. B., 311.

Motion to recommit Bill No. 38 (House No. 54), supplementing Old Age Assistance Act of 1935 by making appropriation for payment to applicants in counties which do not have sufficient funds available, 1424.

Point of order by Thompson, E. J., questioning legality of motion to adjourn from Tuesday evening until following week, 543.

Request sent by Appropriations Committee to Mr. Jones for information, 775.

Senate conc. resolution authorizing the Department of Welfare to accelerate payments for Old Age Assistance to all eligible applicants and pledging the General Assembly of 1937 to appropriate additional funds, 1363, 1364.

Request by, for
Bill No. 107 (House No. 156), making appropriation to State Emergency Relief Board, to go over in its order, 1315, 1328.

Bill No. 114 (House No. 161), making appropriation to Water and Power Resources Board for payment into Flood Control Fund, to go over in its order, 1385.

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Request for roll call by, on
Amendments to Bill No. 107 (House No. 156), making appropriation to State Emergency Relief Board, 1359.

Appeal from decision of the Chair on Bill No. 105 (House No. 154), confirming transfer of money, 962.

House conc. resolution authorizing transfer of money from the Liquid Fuels Tax Fund and Liquor License Fund to General Fund for relief (part of June and July), 720, 744.

Motion to reconsider vote on Bill No. 104 (House No. 153), making appropriation to State Emergency Relief Board, 953.

Resolution, concurrent, offered by
Authorizing adjournment of Legislature until May, eighteenth, 81.

Resolutions offered by
Authorizing appointment of all committees of Senate by President Pro Tempore, 4.

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Resolutions reported by
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GELDER, FREDERICK T.—Continued.

House conc. authorizing transfer of money from the Liquid Fuels Tax Fund and Liquor License Fund to General Fund for relief (part of June and July), 714.

House conc. authorizing transfer of money from the Liquid Fuels Tax Fund and Liquor License Fund to General Fund for relief (part of June and July), 744.

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Requesting approval of the Appropriations Committee before bills are reported out, 310.

GENERAL FUND (see Fire Insurance Tax Fund, Liquid Fuels Tax Fund, Liquor License Fund, Motor License Fund, State Insurance Fund).

GERARD, ANTHONY J., Representative from Allegheny County (Twelfth District).

Bills reported by
No. 49.
Further amending Mothers' Assistance Act of 1919, by providing for payment to newly organized counties of amounts set aside for unorganized counties, 151.

No. 111.
Joint resolution proposing amendment to Section 1 of Article IX of the Constitution of the Commonwealth of Pennsylvania, relating to levying and collection of property capitation and excise taxes; and providing exemptions, 646.

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Members of Special Committees, 46, 586.

Motion by, to
Adjourn, 1310.

Resolution offered by
Authorizing appointment of committee to escort Senate to Hall of House for Joint Session, 46.

Authorizing appointment of committee to escort the Members of the Senate to the Hall of House for Joint Session, to hear address of Governor, 586.

GETTYSBURG COMMISSION, SEVENTY-FIFTH ANNIVERSARY OF THE BATTLE OF, members of, nominated, 22; referred to Committee on Executive Nominations, 22; reported and confirmed, 809.

GILBERTON MINE DISASTER, Report of the Committee to investigate, pursuant to Resolution No. 42 of the Session 1935, 66; appendix, 678.

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GRAFF, PETER, III.—Continued.

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Motion by, for
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Motion by, to
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Resolutions offered by
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GRANGER, NELLIE H., for heroic action in aiding injured in fatal crash of the air liner "Sun Racer", House resolution by Weiss, commending, 456.

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HABBYSHAW, WILLIAM E., Representative from Dauphin County (Second District).

HABERLEN, ROY C., Representative from Westmoreland County (First District).

Bill introduced by
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Making appropriation to Department of Property and Supplies for purpose of erecting, constructing and equipping new buildings or additions to existing buildings at Torrance State Hospital, 544.

Resolution offered by
Extending congratulations of the House to Hon. James E. Lovett upon his birthday, 1316, 1317.

HAGERTY, EUGENE J., Representative from Philadelphia County (Twentieth District).

Bills reported by
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HALUSKA, JOHN J., Representative from Cambria County (Second District).

Bills introduced by
No. 36.
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No. 50.
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No. 73.
Providing for the imposition and collection of an emergency State tax on elective public offices, 163.

Bills reported by
No. 68.
Authorizing Department of Forests and Waters to make survey and investigation with respect to flood control and water conservation; and making an appropriation, 161.

No. 143.
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Motion by, for
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Reasons for vote by, on
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Remarks by, on
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Request for roll call by, on
Amendments offered to Bill No. 85, safeguarding persons receiving or entitled to public relief from political coercion and to prevent political promises in return for public relief, 556.

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HAMILTON, FRANK P., Representatives from Clearfield County (Second District).

Motion by, to
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HAMILTON, ROBERT S., Representative from Philadelphia County (Fourteenth District).

Bill introduced by
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HARKINS, L. KENNETH, Representative from Allegheny County (Eleventh District).

Amendments offered by, to
Bill No. 26, further amending Personal Property Tax Act of 1907, 115.

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Bills introduced by
No. 26.
Amending Personal Property Tax Act of 1907, by increasing rate of tax for a limited period of time, 65.

No. 27.
Amending the Personal Property Tax Act of 1935, by increasing rate of tax; removing certain exemptions; changing listing date, date for filing reports and date and manner of payment, 65.

No. 28.
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No. 49.
Further amending Mothers' Assistance Act of 1919, by providing for payment to newly organized counties of amounts set aside for unorganized counties, 133.

No. 77.
Further amending Personal Property Tax Law of 1913, by permitting taxation for State purposes of property taxable for county purposes; by making further provision regarding penalties, 154.

HARKINS, L. KENNETH.—Continued.

No. 157.
Joint resolution proposing various amendments to the Constitution of Pennsylvania; establishing unicameral system, 822.

Bills reported by
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Amending General County Assessment Law of 1933, making real estate of public service companies with certain exceptions, subject to taxation for school purposes, 315.

Leave of absence granted, 1107.

Motion by, to
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Proceed to consideration of resolution authorizing appointment of committee to study the unicameral system as applied to legislative bodies and report its findings, 1305.

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Request by, for
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Resolutions offered by
Authorizing appointment of Committee to study the unicameral system as applied to legislative bodies and report its findings, 1035.

Congratulating Lenore Kight Wingard on becoming member of Olympic Women's Swimming Team, 1097-1098.

Tendering thanks of House to Hon. Marshall Shepard for his services as Chaplain, 1514.

HARMUTH, CHARLES, Representative from Allegheny County (Twelfth District).

Amendments offered by, to
Bill No. 98, creating a State Planning Board; prescribing its powers and duties; imposing certain duties upon political subdivisions; and making an appropriation, 686.

Bills introduced by
No. 98.
Creating a State Planning Board; prescribing its powers and duties; imposing certain duties upon political subdivisions; and making an appropriation, 261.

HARMUTH CHARLES.—Continued.

No. 142.
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Leaves of absence granted, 749, 842, 923.

Motion by, to
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Remarks by, on
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HARRIS, FRANK J., Senator from Allegheny County, part of (Forty-fifth District).

Bills introduced by
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Validating certain proceedings for municipal improvements, assessments, claims and liens in cities of third class, boroughs and townships of first class, 168.

No. 26.
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No. 72.
Joint resolution proposing amendment to Constitution of Commonwealth of Pennsylvania by enabling Legislature to provide by law for qualified voters to vote when unavoidably absent from residence on occurrence of any election, 541.

Bills reported by
No. 40 (House No. 50).
Supplementing Mothers' Assistance Act of 1935, by making appropriation for payment to applicants in counties which do no have sufficient funds, 1329.

No. 93 (House No. 143).
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Motion by, for
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Discharge Committee on Judiciary Special from further consideration of Bill No. 93 (House No. 143), prohibiting employment of miners in the bituminous mines, unless certificated after examination by a miners' examining board and payment of certain fees, 1391 (defeated).

Dispense with further reading of the Journal, 703.

Lay on table Bill No. 28 (House No. 19), amending Corporate Net Income Tax Law of 1935, by increasing rate of tax for a limited period of time, non-concurred in by House, 1314.

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HARRIS, FRANK J.—Continued.

Proceed to consideration of Bill No. 105 (House No. 154), confirming transfer of money from special funds to General Fund and providing for its subsequent return from the General Fund, 962.

Proceed to consideration of resolution directing Finance Committee to investigate legality of tax anticipation notes, and amounts of money various boards of the Commonwealth may have available for investment, 1240.

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Resume consideration of resolution authorizing appointment of Committee to analyze report on Mothers' Assistance Boards, presented by the Department of Welfare, 1392.

Suspend Rule 39 for immediate consideration of resolution authorizing appointment of Committee to Analyze Report on Mothers' Assistance Boards, presented by the Department of Welfare, 1119.

Suspend Rule 39 for immediate consideration of resolution authorizing President Pro Tempore to appoint Committee of six Senators and five citizens to make survey and recommendations on reapportionment of Senatorial Districts, 780.

Suspend Rule 39 for immediate consideration of resolution condemning un-American principles of the Black Legion and calling upon all groups charged with preservation of the law to do all in their power to eradicate any such organizations, 509.

Suspend Rule 39 for immediate consideration of resolution directing Finance Committee to investigate legality of tax anticipation notes, and amounts of money various boards of the Commonwealth may have available for investment, 1167, 1194.

Suspend Rule 39 for immediate consideration of resolution requesting the Department of Welfare to furnish information relative to removals of Trustees of Mothers' Assistance Boards, 808.

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Remarks by, at
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HARRIS, FRANK J.—Continued.

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Bill No. 98 (House No. 143), providing revenue by prohibiting employment of miners in the bituminous mines, unless certificated after examination by a miners' examining board and the payment of certain fees, 860.

Bill No. 105 (House No. 154), confirming transfer of money from Special Funds to the General Fund, and providing for its subsequent return from the General Fund, 965, 969.

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Motion by Buckman to refer to Committee on Appropriations Resolution requesting meeting of Appropriations Committee, 32.

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Motion to discharge Committee on State Government from further consideration of House conc. resolution authorizing study by Public Service Commission of feasibility of transporting pupils in Allegheny County, for twenty-five cents per week, 582.

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Resolution authorizing appointment of Committee to analyze report on Mothers' Assistance Boards, presented by the Department of Welfare, 1393, 1394.

Resolution directing Finance Committee to investigate legality of tax anticipation notes, and amounts of money various boards of the Commonwealth may have available for investment, 1240-1242.

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Request by, for
Immediate consideration of resolution requesting approval of the Appropriations Committee before bills are reported out, 310.

Request for roll call by, on
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HARRIS, FRANK J.—Continued.

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Resolution authorizing appointment of Committee to analyze report of Mothers' Assistance Boards, presented by the Department of Welfare, 1394.

Resolution directing Finance Committee to investigate legality of tax anticipation notes, and amounts of money various boards of the Commonwealth may have available for investment, 1242.

Resolution, concurrent, offered by
Authorizing adjournment of Legislature until July thirteenth, 854, 855.

Resolutions offered by
Authorizing appointment by the President Pro Tempore of Committee to Analyze Report on Mothers' Assistance Boards, presented by the Department of Welfare, 1118; referred to Committee on Judiciary General, 1119.

Authorizing President Pro Tempore to appoint Committee of six Senators and five citizens to make survey and recommendations on reapportionment of Senatorial Districts, 780.

Condemning un-American principles of the Black Legion and calling upon all groups charged with preservation of the law to do all in their power to eradicate any such organizations, 509.

Directing Finance Committee to investigate legality of tax anticipation notes, and amounts of money various boards of the Commonwealth may have available for investment, 1166, 1167.

Extending congratulations of Senate to Joseph H. Miller and wife upon birth of daughter, 1023.

Resolutions offered by
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Requesting information from the Department of Welfare relative to removals of Trustees of Mothers' Assistance Boards, 808.

HARRISBURG STATE HOSPITAL, members of the Board of Trustees of, nominated, 19; referred to Committee on Executive Nominations, 19; reported and confirmed, 875.

HARTMAN, H. M., Representative from Adams County.

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HARVEY LANING, Senator from Luzerne County, part of (Twenty-first District).

Bills reported by
Bill No. 80 (House No. 110).
Providing that no person shall be denied, refused or have discontinued direct or work relief for reason that such person has received payment of World War adjusted service certificate, 626.

Member of Special Committee, 1458

Motion by, for
Senate to insist upon its amendments to House Bill No. 19, amending Corporate Net Income Tax Law of 1935, by increasing rate of tax for a limited period of time, 1367.

HARVEY LANING.—Continued.

Motion by, to
Dispense with further reading of Journal, 59.

Proceed to consideration of Bill No. 28 (House No. 19), amending Excise Tax Law of 1935, by increasing rate of tax for a limited period of time, 969, 1078.

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Read certain bills first time, 919, 1013.

Recommit Bill No. 48 (House No. 68), authorizing the Department of Forests and Waters to make survey and investigation with respect to flood control and water conservation, 746.

Recommit Bill No. 49 (House No. 69), authorizing and directing the Department of Forests and Waters to investigate, survey and report on location and availability for purchase of certain lands, suitable for reforestation and flood control; and making appropriation, 747.

Recommit Bill No. 64 (House No. 109), authorizing municipalities and townships to erect and construct flood control works and improvements within or without their territorial limits, 575.

Suspend Rule 39 for immediate consideration of Senate resolution requesting information from the State Treasurer, concerning payments to State aided hospitals, 655.

Request by, for
Bill No. 74, Joint resolution proposing amendment to Article VIII of Section 1 of the Constitution of Pennsylvania, relative to qualification of electors, to go over in its order, 746.

Resolution offered by
Requesting the State Treasurer to furnish information to the Senate setting forth the reasons why payments to State-aided hospitals are not being made as contemplated by the Legislature, 655.

HAZLETON STATE HOSPITAL, members of the Board of Trustees of, nominated, 21; referred to Committee on Executive Nominations, 21.

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HEFFERON, JOHN J., Representative from Luzerne County (Third District).

HEISER, WILLIAM J., clerk to committee, election of as, 81.

HEISLER, ALFRED, SR., as Assistant Sergeant-at-Arms, election of, 60.

HERMANSEN, JOHN C., Representative from Luzerne County (Fourth District).

Remarks by, on
Bill No. 36, imposing emergency State tax on liquid fuels, payable by those defined as distributors, 431, 432.

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Question of Personal Privilege raised by, on
Correction of vote in the Journal, 1248.

Remarks by, on
Motion for recess, 387-388.

HETRICK, D. MURRAY, Representative from Juniata County.

Leaves of absence granted, 155, 1266.

Motion by, to
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Request by, for
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HIGHWAYS, STATE, and providing for their construction and maintenance at the expense of the Commonwealth, further amending the Act of 1933, establishing certain streets in boroughs and incorporated towns as

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Referred to Committee on Highways, 492.

HINDMAN, A. O., Representative from Washington County (First District).

Bill introduced by
No. 78.
Providing for the imposition and collection of an emergency State tax on elective public offices, 163.

Leaves of absence granted, 483, 886, 1316.

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Statement by, on
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HIRSCH, J. NOBLE, Representative from Schuylkill County (Third District).

Motion by, to
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HISTORICAL COMMISSION, members of Pennsylvania, nominated, 18; referred to Committee on Executive Nominations, 18; reported, 1441; confirmed, 1449-1450.

HOFFNER, HENRY M., JR., Representative from Chester County (Second District).

Leaves of absence granted, 724, 842, 886.

HOLLAND, ELMER J., Representative from Allegheny County (Sixth District).

Amendments offered by, to
Bill No. 44, making real estate of public service companies with certain exceptions, subject to taxation for school purposes, 416.

Bills introduced by
No. 44.
Amending General County Assessment Law of 1933, making real estate of public service companies with certain exceptions, subject to taxation for school purposes, 133.

No. 86.
Imposing and providing for collection of tax for State purposes on all labor saving machinery, 225.

No. 130.
Further amending Act of 1879, by increasing for a limited period of time tax on gross receipts of certain companies and persons, 567.

Motion by, to
Resume consideration of Bill No. 44, amending General County Assessment Law of 1933, making real estate of public service companies subject to taxation for school purposes, 490.

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HOLLAND, ELMER J.—Continued.

Proceed to consideration of House conc. resolution authorizing study by Public Service Commission of feasibility of transporting pupils, in Allegheny County, for twenty-five cents per week, 188.

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Requesting Public Service Commission to make an investigation on possibility of compelling street railway companies in Allegheny County to issue weekly tickets to school children for twenty-five cents, 95.

Statements by, on
Conditions of the unemployed, 1052-1053.

Letter received by members from the Pennsylvania Malt Beverage Association, 871.

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HOLSTROM, GEORGE R., Representative from Lehigh County (First District).

Bills introduced by
No. 74.
Joint resolution proposing amendment to Section 8 of Article IX of the Constitution of Pennsylvania, relating to amount of indebtedness which may be incurred by municipalities, 154.

No. 105.
Providing revenue by authorizing Liquor Control Board to issue package retailers' licenses for sale of malt or brewed beverages for consumption off premises, 278.

Remarks by, on
Bill No. 74, proposing amendment to Section 8 of Article IX of the Constitution of Pennsylvania, relating to amount of indebtedness which may be incurred by municipalities, 353.

Motion to recommit Bill No. 105, authorizing Liquor Control Board to issue package retailers' licenses for sale of malt and brewed beverages for consumption off premises, 784.

Request for roll call by, on
Motion to recommit Bill No. 105, authorizing Liquor Control Board to issue package retailers' licenses for sale of malt or brewed beverages for consumption off the premises, 784.

HOMSHER, JOHN J., Senator from Lancaster County, part of (Thirteenth District).

Congratulations of Senate extended to upon his seventy-seventh birthday, 836.

Motion by, for
Recess, 451, 672, 1296.

Motion by, to
Dispense with further reading of the Journal, 1101.

Recommit Bill No. 33 (House No. 29), providing expenses for the Extraordinary Session of 1936, 265.

Remarks by, on
Resolution congratulating him upon his seventy-seventh birthday, 836, 837.

HOOPES, DARLINGTON, Representative from Berks County (First District).

Amendments offered by, to
Bill No. 18, making appropriation to the State Emergency Relief Board, for direct relief, work relief, and expenses, 633, (Not agreed to, 635).

Bill No. 27, relating to increase of personal property tax, 215.

Bill No. 30, Joint resolution proposing amendment to Article III of the Constitution of Pennsylvania, authorizing the General Assembly to provide for social insurance covering unemployment, sickness, accident, death and maternity, 511.

Bills introduced by
No. 30.
Joint resolution proposing amendment to Article III of the Constitution of Pennsylvania, authorizing General Assembly to provide for social insurance, 66.

No. 31.
Joint resolution proposing amendment to Section 1 of Article XVIII of the Constitution of Pennsylvania, relative to submission of amendments thereto, 66.

No. 139.
Making appropriation to State Emergency Relief Board for direct and work relief and prescribing powers and duties of the board with reference thereto, 629.

Files reasons for vote on House Bill No. 153, appropriating money to the State Emergency Relief Board, 1089.

Leave of absence granted, 303.

Motion by, for
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Previous question on Bill No. 35, safeguarding persons receiving or entitled to receive public relief, from political coercion, 608.

Motion by, for
Recess, 1115.

Motion by, to
Lay on table Bill No. 18, making appropriation to State Emergency Relief Board, together with Senate amendments, 1377 (Not agreed to).

Reject report of the Committee on Judiciary General on the Impeachment of Judge B. C. Atlee, 1482.

Point of Order raised by, on
Interrogation with reference to amendment to Bill No. 85, relating to prevention of coercion and political promises in return for public relief, 552.

Question of Parliamentary Inquiry raised by, on
Procedure by which members dissatisfied with report presented by committee can prevent its acceptance, 1481, 1482.

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Reconsider vote on Bill No. 108 (House No. 18), making appropriation to State Emergency Relief Board, 1314.

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Motion to reconsider vote on Bill No. 104 (House No. 153), making appropriation to State Emergency Relief Board, 953.

Motion to reconsider vote on Bill No. 105 (House No. 154), confirming transfer of money from special funds to the General Fund, and providing for its subsequent return from the General Fund, 963.

Resolution directing Finance Committee to investigate legality of tax anticipation notes, and amounts of money various boards of the Commonwealth may have available for investment, 1242.

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BABNIS, FRANK, nominated, 402.
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BITER, FERDINAND J., nominated, 1280.
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CAMPBELL, GRANT L., nominated, 82.
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HEGE, H. B., nominated, 402.
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MOYER, RAYMOND H., nominated, 1014.
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SPARROW, EDGAR R., nominated, 1166.
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THEAKSTON, VOSS D., nominated, 402.
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WILHIDE, RUSSELL, nominated 82.
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Reported, 1416.
Confirmed, 1416.

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KAHLE, I. DANA, Senator from Cameron, Clarion, Clinton, Elk and Forest Counties (Twenty-sixth District).

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KELDER, RALPH E., Representative from Pike County.

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KELSO, JAMES, Representative from Lawrence County (Second District).

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KILROY, ELMER, Representative from Philadelphia County (Twenty-fourth District).

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KINNEY, WILLIAM D., Representative from Erie County (First District).

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KOBELAK, FRANK J., Representative from Allegheny County (Sixth District).

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KUTZTOWN STATE TEACHERS COLLEGE, members of the Board of Trustees of, nominated, 23; referred to Committee on Executive Nominations, 23; reported, 1448; confirmed, 1449-1450.

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Referred to Committee on Ways and Means, 64.
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House Bill No. 22.
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Referred to Committee on Ways and Means, 64.
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LOCUST MOUNTAIN STATE HOSPITAL, members of the Board of Trustees of, nominated, 21; referred to Committee on Executive Nominations, 21.

LONG, BENJAMIN L., Representative from Philadelphia County (Twelfth District).

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LONGAKER, JOHN H., Representative from Montgomery County (Third District).

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LOVETT, JAMES E., Representative from Westmoreland County (Second District).

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LYNCH, MARSHALL, Representative from Fulton County.

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MALE, HENRY A., Representative from Northampton County (Second District).

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MALLEN, GEORGE J., Representative from Philadelphia County (Fourth District).

MALLERY, CHARLES R., Senator from Blair and Huntingdon Counties (Thirtieth District).

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Bill No. 101 (House No. 63), amending Vehicle Code of 1929, by requiring extra fees for assignment of special registration plates, 946.

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MANSFIELD STATE TEACHERS COLLEGE, members of the Board of Trustees of, nominated, 23; referred to Committee on Executive Nominations, 23; (Miss Marion C. Stone) reported and confirmed, 1238; (Miss Mary A. McInroy and J. B. Matthews) reported with negative recommendation and not confirmed, 1368; (Vine B. Hughes, W. A. MacCausland and W. W. Beaman) reported and confirmed, 1368.

MANSFIELD STATE TEACHERS COLLEGE, members of the Board of Trustees of, nominated, 506, referred to Committee on Executive Nominations, 506; (George J. Bermingham) reported and confirmed, 660; (Walton B. Geiger) reported and confirmed, 1104.

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MASON, J. GORDON, Representative from Luzerne County (Seventh District).

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McCLURE, JOHN J., Senator from Delaware County (Ninth District).

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McCLURE, JOHN J.—Continued.

Bill No. 44 (House No. 28), amending Personal Property Tax Act of 1897, by increasing rate of tax, to go over in its order, 1175.

Immediate consideration of resolution asking for information from the Relief Administrator, 309.

Request for roll call by, on
Amendments to Bill No. 127 (House No. 169), providing revenue, by imposing tax on privilege of distilling alcoholic and spirituous liquors for a limited period of time, 1345.

Motion to adjourn, 1106, 1266.

Motion to postpone Bill No. 28 (House No. 19), amending Corporate Net Income Tax Law of 1935, by increasing rate of tax, 1202.

Motion to reconsider vote on Bill No. 28 (House No. 19), amending Corporate Net Income Tax Law of 1935, by increasing rate of tax, 1198.

Resolutions offered by
Requesting information from the State Relief Administrator, 308.

Requesting use of the Senate Chamber for a public hearing of the Finance Committee, 349.

McCREARY, RALPH S., Representative from Erie County (Fourth District).

Amendments offered by, to
Bill No. 92, imposing taxes upon certain classes of personal property to provide revenue for State and county purposes, 863, 865, 867, 869, 925.

Bill introduced by
No. 92.
Imposing taxes upon certain classes of personal property to provide revenue for State and county purposes, 226.

Files reasons for vote on House Bill No. 27, Personal Property Tax, 1160.

Files reasons for vote on motion to discharge committee from further consideration of House conc. resolution, authorizing transfer of funds, 333.

Leaves of absence granted, 483, 546, 1248, 1305.

Member of Special Committee, 396.

Motion by, to
Postpone Bill No. 92, imposing taxes upon certain classes of personal property to provide revenue for State and county purposes, 893, 989, 112.

Proceed to consideration of House conc. resolution authorizing joint committee to make a study with regard to reducing the legal rate of interest from six per cent to four per cent, 1309.

Resume consideration of Bill No. 92, providing revenue for State and county purposes, by imposing taxes upon certain classes of personal property, 925, 1112.

Reasons for vote by, on
Concurrence in Senate amendments to Bill No. 27, amending Personal Property Tax Act of 1935, by increasing rate of tax, and removing certain exemptions, 1160.

Remarks by, on
Bill No. 92, imposing taxes upon certain classes of personal property to provide revenue for State and county purposes, 925, 926, 1246, 1247.

House conc. resolution authorizing transfer of money from the Liquid Fuels Tax Fund for relief (first part of July), 933.

Resolution authorizing appointment of committee to study the unicameral system as applied to legislative bodies and report its findings, 1306.

McCREARY, RALPH S.—Continued.

Request by, for
Unanimous consent for a reading of resolution introduced by himself, 188-189.

Resolutions, concurrent, offered by
Authorizing joint committee to make a study with regard to reducing the legal rate of interest from six per cent. to four per cent., 1113.

Requesting reduction of salaries of State Employes, 226.

Statements by, on
Lack of consideration being given a resolution and bill introduced by him and resting in Committee on Ways and Means, 488-489.

Legal rate of interest, 1108-1109.

Requesting any further amendments be made to bill by Senate, 926.

Statement on House Bill No. 92, imposing taxes on certain classes of personal property to provide revenue for State and county purposes, 926.

McCREESH, JOHN J., Senator from Philadelphia County (Fourth District).

Motion by, to
Discharge Committee on Finance from further consideration of Bill No. 20 (House No. 21), imposing temporary license tax on chain stores, 722.

Suspend Rule 21, requiring amended bills to be printed on calendar, 712.

Presents communication from members of the Church of the Epiphany, Philadelphia, 885.

Request for roll call by, on
Motion to adjourn, 1013.

Motion to send for absent members of the Senate, 1283.

Resolution concurrent offered by,
Requesting investigation by Public Service Commission of street railway companies operating in Philadelphia County to ascertain possibility of transporting pupils at a rate not to exceed twenty-five cents per week, 780.

McDERMOTT, JAMES J., Representative from Lehigh County (First District).

Bill reported by
No. 164 (Senate No. 75)
Joint resolution proposing amendment to Article IX of the Constitution of Pennsylvania, by adding thereto Section 10, relating to reduction of tax on assessed valuation of real estate, 1098.

Request by, for
Unanimous consent to read certain bill first time, 1098.

McDEVITT, HON. HARRY S., oath of office administered to John R. K. Scott by, 3.

Thanks of Senate tendered to for administering oath of office to John R. K. Scott, resolution (Senate) by Aron, 3.

McDEVITT, JOHN J., Representative from Philadelphia County (Fifteenth District).

Leave of absence granted, 661.

Member of Special Committee, 534.

Remarks by, at
Memorial Services for Hon. Samuel B. Hart, 762-763.

Remarks by, on
Motion to discharge committee on Judiciary Special from further consideration of House conc. resolution authorizing transfer of moneys heretofore appropriated to S. E. R. B., and now lapsing, to the S. E. R. B., 332

McDEVITT, JOHN J.—Continued.

Request for roll call by, on
Motion to lay on table, Bill No. 154, confirming transfer of money from special funds to the General Fund, and providing for its subsequent return from the General Fund, together with amendments, 996.

McELROY, JOHN E., Representative from Allegheny County (Ninth District).

Motion by, to
Adjourn, 701.

Motion by, to
Dispense with further reading of the Journal, 922.

McFADDEN, WILLIAM, compiling clerk, appointment by the Chief Clerk as, 168.

McGINNIS, BERNARD B., Senator from Allegheny County, part of (Forth-second District).

Bills introduced by
No. 81.
Requiring school districts to progressively reduce their tax rate on real estate; and providing that the Commonwealth shall pay to school districts amount of such annual loss in revenue, 628.

No. 120.
Further amending Act of 1897, to provide revenue by taxation, by providing certain exemptions, 1314.

Motion by, to
Discharge Committee on Insurance from further consideration of Bill No. 41 (House No. 55), establishing a system of unemployment compensation, 850.

Discharge committee on State Government from further consideration of House conc. resolution authorizing study by Public Service Commission of feasibility of transporting pupils, in Allegheny County, for twenty-five cents per week, 582; motion withdrawn, 582; motion renewed, 657; motion withdrawn, 657.

Print Senate resolution directing Appropriations committee to ascertain from officials of New Jersey causes for the decline in relief cases and the methods used, 472; motion withdrawn, 480.

Suspend Rule 39 for immediate consideration of House conc. resolution authorizing study by Public Service Commission of feasibility of transporting pupils, in Allegheny County for twenty-five cents per week, 658.

Objections raised by, to
Immediate consideration of resolution authorizing appointment of Committee to analyze Report on Mothers' Assistance Boards, presented by the Department of Welfare, 1119.

Immediate consideration of Senate resolution directing Appropriations Committee to ascertain from officials of New Jersey causes for the decline in relief cases and the methods used, 472; objections withdrawn because of insertion of amendments, 480.

Questions of Personal Privilege raised by, on
Administration of relief, 122-123.

Bill No. 41 (House No. 55), relating to unemployment insurance, 850.

High cost of fares charged by Utilities in Pennsylvania, 582.

Motion to discharge committee on State Government from further consideration of House conc. resolution authorizing the Public Service Commission to investigate the possibility of reducing the fares to children in Allegheny County, 657.

Relief situation, 773-774.

Remarks by, on
Bill No. 4, Joint resolution proposing amendment to Section 1 of Article VIII of the Constitution of Pennsylvania relative to qualifications of electors, 742.

McGINNIS, BERNARD, B.—Continued.

Bill No. 28 (House No. 19), amending the Corporate Net Income Tax Law of 1935, by increasing rate of tax, 1203.

Bill No. 41 (House No. 55), establishing a system of unemployment compensation, 850, 1172, 1173.

Bill No. 104 (House No. 153), making appropriation to State Emergency Relief Board, 960, 961.

Bill No. 120, further amending the Act of 1897, to provide revenue by taxation, by providing certain exemptions, 1432.

Motion to discharge Committee on Insurance from further consideration of Bill No. 41 (House No. 55), establishing system of unemployment compensation, 850, 851, 852.

Motion to discharge committee on State Government from further consideration of House conc. resolution authorizing study by Public Service Commission of feasibility of transporting pupils in Allegheny County, for twenty-five cents per week, 657.

Motion to resume consideration of Bill No. 4, Joint resolution proposing amendment to Constitution of Pennsylvania, relative to qualifications of electors, 800, 801.

Motion to suspend Rule 39 for immediate consideration of resolution authorizing appointment of Committee to analyze Report on Mothers' Assistance Boards, presented by the Department of Welfare, 1119.

Relief, 795.

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Resolution authorizing appointment of Committee to investigate the Works Progress Administration in Pennsylvania, 177-178.

Resolution continuing sub-committee appointed to investigate Indiana State Teachers College, 1419-1420, 1422.

Resolution directing Appropriations Committee to ascertain from officials of New Jersey causes for the decline in relief cases and the methods used, 472.

Resolution directing sub-committee of Committee on Education to investigate conditions reported to be existing in State Teachers Colleges, 778.

Resolution requesting Budget Secretary to furnish information on number of employes on per diem basis, together with names and addresses, 779.

Request for roll call by, on
Motion to discharge Committee on Insurance from further consideration of Bill No. 41 (House No. 55), establishing system of unemployment compensation, 853

McHENRY, OLIVER S., Representative from Columbia County.

Leave of absence granted, 1305.

McKINNEY, JOHN H., Representative from Venango County.

Remarks by, on
Bill No. 36, imposing State emergency tax on liquid fuels, payable by those defined as distributors, 432.

MEDICAL EDUCATION AND LICENSURE, members of State Board of, nominated, 16; referred to the Committee on Executive Nominations, 16; reported, 1441; confirmed, 1449-1450.

MELCHIORRE, CHARLES, Representative from Philadelphia County (Fifth District)

Bills reported by
No. 15.
Transferring money from Liquid Fuels Tax Fund to General Fund, and providing for its return from the General Fund, 74.

MELCHIORRE, CHARLES.—Continued.

No. 42.
Amending Act of 1897, taxing certain stocks of Building and Loan Associations, by increasing rate of tax on full paid, prepaid, and fully matured or partly matured stock, 161.

No. 100.
Further amending Transfer Inheritance Tax Law of 1919, by defining as transfers and taxing right of survivorship in property, 491.

No. 130.
Further amending Personal Property Tax Act of 1879, by increasing for a limited period of time rate of tax imposed on gross receipts, and imposing temporary emergency tax upon gross receipts of companies and persons engaged in water, and natural or artificial gas business, 570.

No. 153.
Making appropriation to the State Emergency Relief Board for direct relief, work relief and expenses, 755.

No. 154.
Ratifying, confirming and validating the transfer of money to the General Fund from special funds, and providing for its subsequent return from the General Fund, 755.

No. 161.
Making appropriation to Water and Power Resources Board for payment into Flood Control Fund, 991.

Point of Order raised by,
Answers to interrogations must be confined to the question, 1056.

Request by, for
Certain bill to be read first time, 991.

MENTZER, C. FRED, Representative from Westmoreland County, (Third District).

Bill introduced by
No. 124.
Making appropriation to Department of Property and Supplies for purpose of erecting, constructing, and equipping new buildings or additions to existing buildings at Torrance State Hospital, 544.

Bill reported by
Bill No. 1, relating to abatement of certain tax penalties, 260 261.

Leaves of absence granted, 469, 545, 661 (withdrawn), 665, 842, 1107, 1266, 1305.

Motion by, to
Adjourn, 755.

Dispense with further reading of the Journal, 63.

Resolutions offered by,
Congratulating Hon. James E. Lovett upon his birthday, 1316-1317.

Extending sympathy to widow and children of Hon. Carl Woodward, 567.

MERRELL, ALBERT F., Representative from Susquehanna County.

Leaves of absence granted, 886, 1107, 1316.

MICKLE, J. WARREN, Deputy Secretary of Commonwealth for cooperation and assistance in handling difficult matters, resolution (House) by Alexander, tendering thanks of House to, 1515.

MILK CONTROL BOARD, members of the, nominated, 17; referred to Committee on Executive Nominations, 17;

MILK CONTROL BOARD, Member of the, nominated and referred to Committee on Executive Nominations, 219-220.

MILLER, CHARLES E., Senator from Northumberland, Snyder and Union Counties (Twenty-seventh District).

Motion by, to
Read certain bills first time, 577, 922, 980.

Objections raised by, to
Suspension of Rule 39 for immediate consideration of resolution requesting Secretary of Property and Supplies to transmit to the Session of 1937 statement showing the cost of repairs to the Senate Galleries, for damage done by the unemployed, 1440.

Request for roll call by, on
Motion to recommit Bill No. 102 (House No. 136), Joint resolution proposing amendment to Constitution of Pennsylvania, authorizing State to issue bonds for acquisition of lands and buildings, 1078.

Motion to reconsider vote on Bill No. 105 (House No. 154), confirming transfer of money from special funds to the General Fund, and providing for its subsequent return from the General Fund, 963.

Resolution, concurrent offered by,
Authorizing payment of salaries of Senators and Members of House of Representatives during Extraordinary Session of 1936, 5; ret. from House conc. in, 59; conc. in by House, 46; approved by Governor, 62.

MILLER, HERMAN P., resignation of, as Senate Librarian, 5.

Resolution of regret, adopted by Senate on resignation of, (Senate) by Reed, Geo. L., 5.

MILLERSVILLE STATE TEACHERS COLLEGE, members of the Board of Trustees of, nominated, 23; referred to Committee on Executive Nominations, 23; reported and confirmed, 1149.

MINERS in the bituminous mines, unless certified after examination by a miners' examining board and the payment of certain fees, providing revenue by prohibiting employment of

House Bill No. 143.
Read in place in House by Mr. John E. Brown, 629.
Referred to Committee on Mines and Mining, 629.
Reported without amendment, 665.
First reading, 667.
Second reading, and amended, 687-689.
Third reading and final passage, 731, 732.

In Senate (No. 98)
Referred to Committee on Judiciary Special, 776.
Reported without amendment, 802.
First reading, 811.
Recommitted, 860.

Remarks on, by
Harris, 860.
Reed, George L., 860.

MINERS' EXAMINING BOARD (see Miners).

MINES, DEPARTMENT OF, to inform House whether prosecutions are being brought in reference to Gilberton Mine Disaster, (House) resolution by Bradley, 1373.

MOOMAW, PAUL C., Representative from Franklin County.

Amendments offered by, to
Bill No. 55, establishing a system of unemployment compensation, 202, 203, 204, 208, 209.

Bill No. 85, safeguarding persons receiving or entitled to public relief, from political coercion and to prevent political promises in return for public relief, 513.

Bills introduced by
No. 5.
Joint resolution proposing amendment to Section 18 of Article III of the Constitution of Pennsylvania, authorizing appropriations for pensions or gratuities for military services, to blind persons and for assistance of aged, 63.

No. 6.
Joint resolution proposing amendment to Section 1 of Article IX of the Constitution of Pennsylvania, relating to levying of property and excise taxes, and providing exemptions, 63.

MOOMAW, PAUL C.—Continued.

No. 7.
Relieving unemployment, by prohibiting, except in certain cases, qualification tests for appointment to public position under this Commonwealth, 63.

No. 20.
Amending Vehicle Code of 1929, as amended, by revising certain registration fees and revising existing regulations for weight of certain motor vehicles, 64.

No. 24.
Amending Tractor Code of 1929, by revising certain registration fees and existing regulations for weight of certain vehicles, 65.

No. 55.
Establishing a system of unemployment compensation, 134.

No. 65.
Amending Act of 1934, relating to burial of aged, indigent persons, by changing age, citizenship and resident requirements of applicants, 140.

No. 78.
Providing for the imposition and collection of an emergency State tax on elective public offices, 163.

Bills reported by
No. 73.
Enabling persons, associations, partnerships and corporations to borrow money and secure payment thereof by the execution and recordation of chattel mortgages on chattels of any kind or description, 227.

No. 98.
Creating a State Planning Board; prescribing its powers and duties; imposing certain duties upon political subdivisions; and making an appropriation, 631.

Files reasons for vote on motion to adjourn, 384.

Leaves of absence granted, 384, 842, 1299.

Member of Conference Committee, 1227.

Member of Special Committee, 73.

Motion by, for
House to insist upon its non-concurrence in Senate amendments to Bill No. 55, establishing system of unemployment compensation, 1227.

House to non-concur in Senate amendments to Bill No. 55, provising system of unemployment compensation, 1215.

Motion by, for
Order of the day, 1064.

Motion by, to
Dispense with further reading of the Journal, 1323.

Recommit Bill No. 20, further amending Vehicle Code of 1929 by revising certain registration fees and revising existing regulations for weight of certain motor vehicles, 138.

Recommit Bill No. 24, amending Tractor Code of 1929, by revising certain registration fees and existing regulations for weight of certain vehicles, 139.

Point of Order raised by, on
Motion to lay on table is not debatable, 1491.

Presents report of the Committee appointed to analyze, with the Secretary of Property and Supplies, the bids on amplifying system, 218; report adopted, 218.

Reasons for vote by, on
Amendments to bill No. 57, Old Age Assistance, 442.

Remarks by, on
Bill No. 55, establishing system of unemployment compensation, 247, 248, 250.

MOOMAW, PAUL C.—Continued.

Bill No. 57, providing for and regulating assistance to and burial of aged, indigent persons, 438, 441.

House conc. resolution authorizing transfer of moneys heretofore appropriated to S. E. R. B. and now lapsing, to the State Emergency Relief Board, 374.

Resolutions offered by
Authorizing appointment of Committee to confer with Secretary of Property and Supplies and make selection of Equipment of Amplification System, 58.

Authorizing appointment of Committee who together with the Secretary of Property and Supplies will analyze bids received on Amplifying System, 73.

Extending sympathy of House to members of the families of Firemen of Chambersburg who were injured or killed, in accident while going to fire, 1267.

Requesting Secretary of Department of Property and Supplies to have files and supplies forwarded to Members of House, 1505.

Statement by, on
Unemployment Compensation Bill, 1505-1506.

MOONEY, THOMAS P., Representative from Allegheny County (Second District).

Bills reported by
No. 82.
Amending Act of 1915, as amended, relating to firemen in second class cities, by changing hours of day and night shifts, 546.

No. 149.
Amending Act of 1936, abating certain tax penalties, by adding section providing for compensation of delinquent tax collectors, their employes and expenses for collection of delinquent taxes, 667.

Leaves of absence granted, 1285, 1332.

MOORE, ROBERT H., Representative from Philadelphia County (Tenth District).

MOORE, S. EDWARD, as Parliamentarian, appointment of, 46.

MORAN, J. P., Representative from Allegheny County (Tenth District).

Bills introduced by
No. 78.
Providing for the imposition and collection of an emergency State tax on elective public offices, 163.

No. 94.
Imposing and providing for the collection of a tax on telephone instruments for State purposes, 226.

Motion by, to
Dispense with further reading of the Journal, 283.

Proceed to consideration of resolution authorizing appointment of committee of five to investigate ways, means and methods for program of taxes, on those best able to pay, 1488.

Point of Order raised by, on
Remarks must be confined to resolution before the House 1489.

Reasons for vote by, on
Amendments to Bill No. 57, Old Age Assistance, 442.

Remarks by, on
House conc. resolution authorizing transfer of moneys heretofore appropriated to S. E. R. B. and now lapsing, to the State Emergency Relief Board, 383.

Resolution authorizing appointment of committee of five to investigate ways, means and methods for program of taxes, on those best able to pay, 1490.

MORAN, J. P.—Continued.

Request for roll call by, on
House conc. resolution authorizing transfer of money from the Liquid Fuels Tax Fund and Liquor License Fund to General Fund for relief (part of June and July), 698.

Request for verification of roll call by, on
House conc. resolution authorizing transfer of money from the Liquid Fuels Tax Fund and Liquor License Fund to General Fund for relief (part of June and July), 698.

Resolution offered by,
Authorizing appointment of committee of five to investigate ways and means and methods for program of taxes, on those best able to pay, 1298.

MORTGAGES, CHATTEL, on chattels of any kind or description, enabling persons, associations, partnerships and corporations to borrow money and secure repayment thereof by the execution and recordation of

House Bill No. 73.
Read in place in House by Mr. Zappala, 154.
Referred to Committee on State Government, 154.
Reported without amendment, 227.
First reading and recommitted, 267.
Second reading and amended, 287, 288.
Third reading and final passage, 339, 340.
Returned from Senate without amendment, 990.
Signed by Speaker, 991.
Approved by Governor, 1114.

In Senate (No. 54).
Referred to Committee on Judiciary General, 307.
Reported without amendment, 882.
First reading, 884.
Second reading, 904, 905.
Third reading and final passage, 945.
Signed by President, 948.

MOTHERS' AND OLD AGE ASSISTANCE from liability for assistance received, relieving real and personal property of recipients of

Senate Bill No. 119.
Read in place in Senate by Mr. Edward Jackson Thompson, 1314.
Referred to Committee on State Government, 1314.
Reported without amendment, 1340.
First reading, 1372.
Second reading, 1387.
Third reading and final passage, 1432.

In House (No. 173).
Referred to Committee on Judiciary General, 1478.

MOTHERS' ASSISTANCE ACT OF 1919, authorizing Department of Welfare to coperate with and disburse moneys received from Federal Government, amending

Senate Bill No. 15.
Read in place in Senate by Mr. Rice, 83.
Referred to Committee on State Government, 83.

MOTHERS' ASSISTANCE ACT OF 1919, by providing for appointment of board of trustees of each county and changing qualifications of eligibles, amending certain sections and repealing Section 2 of

House Bill No. 59.
Read in place in House by Miss Brancato, 134.
Referred to Committee on Pensions and Gratuities, 134.
Reported without amendment, 266.
First reading, 284.
Second reading, 333-335.
Third reading and final passage, 354.
Returned from Senate with amendments, in which House non-concurred, 640-642.
Returned from Senate with amendments adhered to, House insists upon its non-conc., and appoints Conf. Com., 665.
Returned from Senate with notice of appointment of Conf. Com., 667.
Report of Conf. Com. presented, 1467.
Report of Conf. Com. adopted, 1487.
Returned from Senate with notice of adoption of Conf. Com. Report, 1503.
Signed by Speaker, 1519.

MOTHERS' ASSISTANCE ACT OF 1919.—Continued.

Remark on, by
Brancato, 641, 642.

In Senate (No. 55).
Referred to Committee on State Government, 351.
Reported without amendment, 451.
First reading, 453.
Second reading and recommitted, 477-479.
Re-reported with amendment, 584.
Third reading and final passage, 617-623.
Returned from House with Senate amendments non-concurred in, and Senate insists upon its amendments, 651, 652.
Returned from House with non-conc. adhered to and notice of appointment of Conf. Com., and Senate appoints Conf. Com., 658.
Returned from House with notice of adoption of Conference Com. Report, 1450.
Report of Conf. Com. presented and adopted, 1450-1453.
Signed by President Pro Tempore, 1459.

Remarks on, by
Reed, George L., 612, 621, 652, 653, 654, 655.
Thompson, Edw. J., 619, 620, 621, 622, 654.
Buckman, 620, 622, 654.
Woodward, 620, 621.
Shapiro, 621, 653.
Batchelor, 622.
Harris, 652, 653.
Cavalcante, 653, 654.
Law, 654.

MOTHERS' ASSISTANCE ACT OF 1919, by providing for payment to newly organized counties of amounts set aside for unorganized counties, further amending

House Bill No. 49.
Read in place in House by Mr. Harkins, 133.
Referred to Committee on Appropriations, 133.
Reported without amendment, 151.
First reading, 157.
Second reading, 192.
Third reading and final passage, 236, 237.
Returned from Senate with amendments, in which House concurred, 639, 640.
Signed by Speaker, 646.
Approved by Governor, 680.

In Senate (No. 39).
Referred to Committee on State Government, 221.
Reported without amendment, 451.
First reading, 452.
Second reading, 475, 476.
Over in its order, 505.
Over in its order, 537, 538.
Third reading and amended, 574, 575.
Final passage, 613, 614.
Returned from House with Senate amendments concurred in, 649.
Signed by President Pro Tempore, 650.

Remarks on, by
Thompson, Edw. J., 537, 538, 575.
Woodward, 538.
Reed, George L., 537, 538, 612.
Shapiro, 574, 575.
Buckman, 574, 575.
Shapiro, 614.

MOTHERS' ASSISTANCE ACT OF 1919, by vesting duties of State Supervisor in Department of Welfare, amending

House Bill No. 89.
Read in place in House by Mr. Wasserman, 226.
Referred to Committee on Pensions and Gratuities, 226.

MOTHERS' ASSISTANCE ACT OF 1935, making appropriation for payment to applicants in counties which do not have sufficient funds, supplementing

MOTHERS' ASSISTANCE ACT OF 1935.—Continued.

House Bill No. 50.
Read in place in House by Mr. Haluska, 134.
Referred to Committee on Appropriations, 134.
Reported without amendment, 152.
First reading, 158.
Second reading, 194.
Third reading and final passage, 239.

Remark on, by
Atkins, 239.

In Senate (No. 40).
Referred to Committee on Appropriations, 221.
Reported without amendment, 451.
First reading, 453.
Second reading, 476.
Recommitted, 479.
Re-reported with amendment, 1329.
Over in its order, 1340.
Recommitted, 1425.

Remarks on, by
Gelder, 451, 452.
Harris, 1340.
Huffman, 1398.
Reed, Geo. L., 1398.
Pytko, 1398.
Huffman, 1425.

MOTHERS' ASSISTANCE FUND, members of the Board of Trustees of nominated and referred, 82; (Mrs. Susan Straup and Mrs. Ethel S. Truver) reported and confirmed, 1416 (Carbon County).

MOTHERS' ASSISTANCE FUND, members of the Board of Trustees of, nominated, 170; referred, 170 (Chester County).

MOTHERS' ASSISTANCE FUND, members of the Board of Trustees of, nominated, 874; referred, 874; reported, 1449; confirmed, 1450 (Cumberland County).

MOTHERS' ASSISTANCE FUND, members of the Board of Trustees of, nominated, 170; referred, 170; reported and confirmed, 578, 579 (Fulton County).

MOTHERS' ASSISTANCE FUND, members of the Board of Trustees of, nominated, 170; referred 170 (Jefferson County)

MOTHERS' ASSISTANCE FUND, members of the Board of Trustees of, nominated, 8; referred 8; Mrs. Bernice A. Shannon (Lawrence County).

MOTHERS' ASSISTANCE FUND, members of the Board of Trustees of, nominated and referred, 305; reported and confirmed 659 (Warren County).

MOTHERS' ASSISTANCE FUND, members of the Boards of Trustees of the, nominated, 24; referred to Committee on Executive nominations, 24; reported, confirmed, *(See list by counties).

Allegheny County, reported, confirmed.
Armstrong County, reported, 1442; confirmed, 1449-1450.
Beaver County, reported, 1442; confirmed, 1449-1450.
Bedford County, reported, confirmed.
Berks County, reported, 1442; confirmed, 1449-1450.
Blair County, reported, confirmed.
Bradford County, reported, 1442; confirmed, 1449-1450.
Bucks County, reported, confirmed.
Butler County, reported, confirmed.
Cambria County, reported, 1443; confirmed, 1449-1450.
Cameron County, reported, 1443; confirmed, 1449-1450.
Carbon County, reported, 1443; confirmed, 1449-1450.
Centre County, reported, 1443; confirmed, 1449-1450.
Chester County, reported, confirmed.
Clarion County, reported, 1443; confirmed, 1449-1450.
Clearfield County, reported, 1443; confirmed, 1449-1450.
Clinton County, reported, 1443; confirmed, 1449-1450.
Columbia County, reported, 1443; confirmed, 1449-1450.
Cumberland County, reported, 1444; confirmed, 1449-1450.
Delaware County, reported, confirmed.
Elk County, reported, 1444; confirmed, 1449-1450.
Erie County, reported, confirmed.
Fayette County, reported, 1444; confirmed, 1449-1450.
Forest County, reported, 1444; confirmed, 1449-1450.
Franklin County, reported, 1444; confirmed, 1449-1450.
Fulton County, reported, confirmed.
Greene County, reported, 1444; confirmed, 1449-1450.

MOTHERS' ASSISTANCE FUND.—Continued.

Huntingdon County, reported, confirmed.
Jefferson County, reported, confirmed.
Juniata County, reported, 1444; confirmed, 1449-1450.
Lackawanna County, reported, confirmed.
Lancaster County, reported, 1444-1445; confirmed, 1449-1450.
Lawrence County, reported, 1445; confirmed, 1449-1450.
Lebanon County, reported, confirmed.
Lehigh County, reported, 1445; confirmed, 1449-1450.
Luzerne County, reported, confirmed.
Lycoming County, reported, 1445; confirmed, 1449-1450.
McKean County, reported, 1445; confirmed, 1449-1450.
Mercer County, reported, 1445; confirmed, 1449-1450.
Mifflin County, reported, 1445; confirmed, 1449-1450.
Montgomery County, reported, 1445; confirmed, 1449-1450.
Northampton County, reported, 1445; confirmed, 1449-1450.
Perry County, reported, 1445; confirmed, 1449-1450.
Philadelphia County, reported, 1446; confirmed, 1449-1450.
Pike County, reported, confirmed.
Potter County, reported, 1446; confirmed, 1449-1450.
Schuylkill County, reported, confirmed.
Snyder County, reported, confirmed.
Somerset County, reported, 1446; confirmed, 1449-1450.
Sullivan County, reported, 1446; confirmed, 1449-1450.
Susquehanna County, reported, 1446; confirmed, 1449-1450.
Tioga County, reported, 1368; confirmed, 1369.
Union County, reported, confirmed.
Warren County, reported, 1446; confirmed, 1449-1450.
Wayne County, reported, 1446; confirmed, 1449-1450.
Wyoming County, reported, 1446; confirmed, 1449-1450.
York County, reported, 1447; confirmed, 1449-1450.

MOTION PICTURES, to be taken of various State Buildings, of the Legislature in session and of each Department with an official of such department explaining briefly the functions thereof, House resolution authorizing, 630.

MOTOR LICENSE FUND, and providing for its return from General Fund or by taxation, House conc. resolution (by Cohen), authorizing transfer of money to State Emergency Relief Board, 295.

MOTOR LICENSE FUND, and providing for its return from General Fund, transferring money to General Fund from

House Bill No. 14.
Read in place in House by Mr. Eberharter, 64.
Referred to Committee on Appropriations, 64.
Reported without amendment, 75.
First reading, 79.
Second reading, 116.
Third reading and final passage, 151.
Returned from Senate with amendments, in which House concurred, 302.
Signed by Speaker, 315.
Approved by Governor, 380.

In Senate (No. 22).
Referred to Committee on Appropriations, 167.
Reported with amendment, 222.
First reading, 224.
Second reading, 263.
Third reading and final passage, 280.
Returned from House with Senate amendments concurred in, 282.
Signed by President, 307.

MOTOR LICENSE FUND, early repayment of requested (House), resolution by Erce and Kelso, 1247, 1248.

MOTOR LICENSE FUND, transfer of money from, to General Fund, conc. resolution (Senate) by Geo. L. Reed authorizing, 61.

MOTOR LICENSE FUND, transferring money to the General Fund from

House Bill No. 23
Read in place in House by Mr. Homer S. Brown, 65.
Referred to Committee on Appropriations, 65.

MOTOR VEHICLE CODE OF 1929, by requiring extra fees for the assignment of special registration plates, amending

House Bill No. 127.
Read in place in House by Mr. John A. Smith, 544.
Referred to Committee on Highways, 545.

MOTOR VEHICLE junk business, imposing fees for the establishment and maintenance of, and regulating the

House Bill No. 112.
Read in place in House by Mr. Parks, 352.
Referred to Committee on Ways and Means, 352.

MOTOR VEHICLES, amending the Vehicle Code of 1929, as amended, by revising certain registration fees and revising existing regulations for weight of certain

House Bill No. 20.
Read in place in House by Mr. Moomaw, 64.
Referred to Committee on Highways, 64.
Reported without amendment, 80.
First reading, 100.
Second reading and recommitted, 135-138.

MOUL, CLAYTON E., Representative from York County (Second District).

Resolutions offered by,
Congratulating the organizations participating in the massed concert of the Bands of Cumberland County, 1323.

Tendering thanks of House to Hon. Henry C. Niles, for administering oath of office to Speaker-elect, Roy C. Furman, 45.

MUIR, W. W., Representative from Warren County.

Leaves of absence granted, 66, 155, 484, 981, 1266, 1309.

MULVIHILL, DENNIS J., resignation of as Assistant Chief Clerk, 5.

MUNICIPAL CLAIMS, authorizing cities of third class, boroughs and townships to sue out writs of scire facias on certain

Senate Bill No. 26.
Read in place in Senate by Mr. Harris, 168.
Referred to Committee on Judiciary General, 168.

MUNICIPAL IMPROVEMENTS, abating certain interest, charges, expenses and fees added to claims imposed or assessed for

House Bill No. 131.
Read in place in House by Mr. Reising, 570.
Referred to Committee on Municipal Corporations, 570.

MUNICIPAL IMPROVEMENTS, assessments, claims and liens in cities of third class, boroughs, and townships of first class, validating certain proceedings for

Senate Bill No. 25.
Read in place in Senate by Mr. Harris, 168.
Referred to Committee on Municipal Government, 168.

MUNICIPALITIES (see Flood Control Works).

MUNICIPALITIES, validating Act of 1874 and amendments and supplements thereto, regulating manner of increasing indebtedness of

House Bill No. 45.
Read in place in House by Mr. Barber.
Referred to Committee on Municipal Corporations, 133.
Reported without amendment, 161.
First reading, 165.
Second reading, 210, 211.
Third reading and final passage, [illegible]
Returned from Senate with amendments, in which House concurred, 700, 701.
Signed by Speaker, 735.
Approved by Governor, 786.

In Senate (No. 37).
Referred to Committee on Judiciary General, 221.
Reported with amendment, 626.
First reading, 626.
Second reading, 656.
Third reading and final passage, 672.
Returned from House with Senate amendments concurred in, 703.
Signed by President Pro Tempore, 707.

MUNLEY, WILLIAM J., Representative from Lackawanna County (Fifth District).

Bill introduced by
No. 56.
Making appropriation to Department of Health to defray cost of pumping water from flooded anthracite mines, 134.

Resolution offered by,
Congratulating E. J. Lynett, Sr., publisher of the Scranton Times upon his eightieth birthday, 1115.

MURRIN, J. BRADY, Representative from Butler County.

Bills introduced by
No. 110.
Providing that no person shall be denied, refused or have discontinued direct or work relief for reason that such person has received World War adjusted service, 314.

No. 121.
Further amending the Act of 1933, establishing certain streets in boroughs and incorporated towns as State highways, and providing for their construction and maintenance at the expense of the Commonwealth, 492.

Bill reported by
No. 1.
Abating certain tax penalties, 116.

No. 45.
Validating Act of 1874 and amendments and supplements thereto, regulating manner of increasing indebtedness of municipalities, 161.

Leaves of absence granted, 261, 631, 981, 1107, 1243, 1305.

Member of Special Committee, 845.

Reasons for vote by, on
House Bill No. 27, relating to increase in rate of personal property tax, 259.

Resolution, concurrent offered by
Petitioning the President and the Works Progress Administration to discontinue employment of labor on bermes, gutters and banks of the state highways and instead to employ labor in the improvement of the traveled surface of highways, 630; referred to Committee on Rules, 630.

MYERS, JOHN H., former Speaker of the State of Kansas, address by, 410.

MYERS, ROBERT L., JR., as Secretary to Governor, appointment of, presented to Senate, 4.

NAGEL, REUBEN A., Representative from Beaver County (Second District).

Amendments offered by, to
Bill No. 85, Safeguarding persons receiving or entitled to public relief, from political coercion and to prevent political promises in return for public relief, 550 (Not agreed to), 554, 556.

Bills introduced by
No. 72.
Providing for and regulating annual licensing of persons, copartnerships, associations and corporations engaged in business of outdoor advertising, 153.

No. 103.
Imposing temporary tax for State purposes on telephone instruments, 278.

No. 104.
Imposing and providing for collection of temporary tax for State purposes on gross receipts derived from business of supplying water and natural or artificial gas for domestic and industrial purposes; and making appropriation, 278.

NAGEL, REUBEN A.—Continued.

Motion by, to
Reconsider vote on Bill No. 85, safeguarding persons receiving or entitled to public relief, from political coercion and to prevent political promises in return for public relief, 550, 553, 554.

Remarks by, on
Bill No. 85, safeguarding persons receiving relief from political coercion and to prevent political promises in return for public relief, 555.

Resolution offered by
Authorizing appointment of committee to investigate charges of political coercion by industries, 1401, 1402.

Statement by, on
Political coercion of employes of Jones and Laughlin Corporation, 1190.

NANTICOKE STATE HOSPITAL, members of the Board of Trustees of, nominated, 20; referred to Committee on Executive Nominations, 20.

NATUROPATHS, providing revenue by requiring a certificate to be obtained by

House Bill No. 132.
Read in place in House by Mr. Sowers, 628.
Referred to Committee on Public Health and Sanitation, 628.

Extending thanks of House to, for administering oath of office to Speaker-elect, Roy C. Furman, resolution (House), by Moul, 45.

NILES, HENRY C.

Extending thanks of House to, for administering oath of office to Speaker-elect, Roy C. Furman, resolution (House), by Moul, 45.

NILES, HON. HENRY C., oath of office, administered by, to members-elect of the House of Representatives, 42; to Speaker-elect of House, 45.

NILES, HON. HENRY C., oath of office, to be taken by the members-elect of the House of Representatives, resolution requesting administration of, by 42.

NORRISTOWN STATE HOSPITAL, members of the Board of Trustees of, nominated, 19; referred to Committee on Executive Nominations, 19; reported, 1440; confirmed, 1449, 1450.

NORTON, HON. JAMES E., motion to adjourn out of respect to the memory of (by Buckman), 34.

NORTON, HON. JAMES E., resolution extending sympathy of Senate to family of (Senate), by Ruth, 34.

NORTON, HON. JAMES E., resolution (Senate), by Ruth, authorizing appointment of committee to draft suitable resolution on death of, 573; committee appointed, 631; memorial services held, and resolution of condolence adopted, 802-806.

Remarks at, by

NORTON, HON. JAMES E., writ issued for special election for Senator in Eleventh Senatorial District to fill vacancy caused by death of, 1, 2.

NOTARIES PUBLIC

ABBOTT, JOHN BARNES, nominated, 14.
Referred, 14.
Reported, 91.
Confirmed, 94.

ABRAMS, MISS ELEANOR M., nominated, 13.
Referred, 13.
Reported, 91.
Confirmed, 94.

ACE, R. KENNETH, nominated, 14.
Referred, 14.
Reported, 91.
Confirmed, 94.

ADAMS, A. B., nominated, 16.
Referred, 16.
Reported, 93.
Confirmed, 94.

NOTARIES PUBLIC.—Continued.

ADAMS, CHARLES, nominated, 507.
Referred, 506.
Reported, 540.
Confirmed, 540.

ADAMS, MISS EDNA, nominated, 506.
Referred, 506.
Reported, 539.
Confirmed, 540.

ADAMS, MRS. JANE E., nominated, 15.
Referred, 15.
Reported, 92.
Confirmed, 94.

ADAMS, RALPH S., nominated, 1166.
Referred, 1165.
Reported, 1206.
Confirmed, 1206.

ADAMS, UBER S., nominated, 1312.
Referred, 1312.
Reported, 1368.
Confirmed, 1369.

AHERN, JOSEPH P., nominated, 12.
Referred, 12.
Reported, 89.
Confirmed, 94.

ALBRECHT, MISS ANNA V., nominated, 117.
Referred, 117.
Reported, 222.
Confirmed, 222.

ALLEN, MISS MARGARET C., nominated, 15.
Referred, 15.
Reported, 93.
Confirmed, 94.

ALTERMAN, MURRAY, L., nominated, 1279.
Referred, 1279.
Reported, 1297.
Confirmed, 1297.

AMES, GEORGE B., nominated, 16.
Referred, 16.
Reported, 93.
Confirmed, 94.

ANDERSON, EMIL L., nominated, 8.
Referred, 8.
Reported, 85.
Confirmed, 94.

ANDERSON, MRS. M. C., nominated, 508.
Referred, 506.
Reported, 538.
Confirmed, 540.

ANDREWS, MISS HELEN, nominated, 15.
Referred, 15.
Reported, 92.
Confirmed, 94.

ANGLEMOYER, WILLIAM M., nominated, 11.
Referred, 11.
Reported, 88.
Confirmed, 94.

ANSILL, JOSEPH G., nominated, 15.
Referred, 15.
Reported, 92.
Confirmed, 94.

ANTHONY, CHARLES E., nominated, 10.
Referred, 10.
Reported, 87.
Confirmed, 94.

ANTON, MISS MARIAN E., nominated, 16.
Referred, 16.
Reported, 93.
Confirmed, 94.

NOTARIES PUBLIC.—Continued.

ANWYL, MISS LILLIAN M., nominated, 572.
Referred, 571.
Reported, 579.
Confirmed, 580.

APPEL, ROBERTS R., nominated, 13.
Referred, 13.
Reported, 90.
Confirmed, 94.

APPLE, HAVEY B., nominated, 16.
Referred, 16.
Reported, 93.
Confirmed, 94.

ARBAUGH, MRS. S. R., nominated, 10.
Referred, 10.
Reported, 88.
Confirmed, 94.

ARMSTRONG, ALBERT B., nominated, 9.
Referred, 9.
Reported, 87.
Confirmed, 94.

ARMSTRONG, JR., JOHN W., nominated, 82.
Referred, 82.
Reported, 222.
Confirmed, 222.

ARMSTRONG, MISS MARY, nominated, 15.
Referred, 15.
Reported, 92.
Confirmed, 94.

ARMSTRONG, MISS VIOLET, nominated, 15.
Referred, 15.
Reported, 92.
Confirmed, 94.

ARNOLD, MISS HELEN G., nominated, 1302.
Referred, 1302.
Reported, 1369.
Confirmed, 1369.

ASHMORE, FRANCIS W., nominated, 507.
Referred, 506.
Reported, 540.
Confirmed, 540.

ASTOR, LEON C., nominated, 15.
Referred, 15.
Reported, 92.
Confirmed, 94.

ATCHISON, CLAUDE E., nominated, 14.
Referred, 14.
Reported, 92.
Confirmed, 94.

ATKINSON, L. L., nominated, 9.
Referred, 9.
Reported, 87.
Confirmed, 94.

AULL, MISS MARY AGNES, nominated, 8.
Referred, 8.
Reported, 85.
Confirmed, 94.

AUSTERLITZ, MISS T. ELEANOR, nominated, 943.
Referred, 943.
Reported, 950.
Confirmed, 950.

AVELLINO, JAMES, nominated, 14.
Referred, 14.
Reported, 91.
Confirmed, 94.

AYER, C. FRANK, nominated, 1166.
Referred, 1165.
Reported, 1206.
Confirmed, 1206.

NOTARIES PUBLIC.—Continued.

BACKHAUSEN, WILLIAM H., nominated, 535.
Referred, 535.
Reported, 578.
Confirmed, 580.

BAGSHAW, J. W., nominated, 12.
Referred, 12.
Reported, 90.
Confirmed, 94.

BAILEY, ELWOOD, nominated, 849.
Referred, 843.
Reported, 875.
Confirmed, 876.

BAILEY, RICHMOND W., nominated, 11.
Referred, 11.
Reported, 88.
Confirmed, 94.

BAIN, MISS THEOLA B., nominated, 9.
Referred, 9.
Reported, 87.
Confirmed, 94.

BAKER, J. T., nominated, 12.
Referred, 12.
Reported, 89.
Confirmed, 94.

BAKER, MISS ROSE M., nominated, 169.
Referred, 169.
Reported, 408.
Confirmed, 409.

BAKOWSKI, MICHAEL, nominated, 535.
Referred, 535.
Reported, 578.
Confirmed, 580.

BALAITY, MISS CELIA, nominated, 1340.
Referred, 1340.
Reported, 1416.
Confirmed, 1417.

BALDWIN, C. E., nominated, 16.
Referred, 16.
Reported, 93.
Confirmed, 94.

BALLENTYNE, MISS MARGARET, nominated, 16.
Referred, 16.
Reported, 93.
Confirmed, 94.

BANEY, RICHARD T., nominated, 8.
Referred, 8.
Reported, 86.
Confirmed, 94.

BANISTER, EDW. SCOTT, nominated, 14.
Referred, 14.
Reported, 92.
Confirmed, 94.

BANMILLER, WILLIAM J., nominated, 14.
Referred, 14.
Reported, 91.
Confirmed, 94.

BARE, K. C., nominated, 13.
Referred, 13.
Reported, 90.
Confirmed, 94.

BARNES, CHARLES W., nominated, 901.
Referred, 901.
Reported, 918.
Confirmed, 919.

BARNI, JOHN J., nominated, 8.
Referred, 8.
Reported, 85.
Confirmed, 94.

NOTARIES PUBLIC.—Continued.

BAROSS, FRANK A., nominated, 11.
Referred, 11.
Reported, 88.
Confirmed, 94.

BARR, GEO. S., nominated, 1165.
Referred, 1165.
Reported, 1206.
Confirmed, 1206.

BARRANTE, ANTHONY A., nominated, 506.
Referred, 506.
Reported, 539.
Confirmed, 540.

BARRETT, KENNETH R., nominated, 1[illegible]
Referred, 16.
Reported, 93.
Confirmed, 94.

BATOFF, HERMAN, nominated, 15.
Referred, 15.
Reported, 92.
Confirmed, 94.

BAUER, CHARLES A., nominated, 670.
Referred, 670.
Reported, 677.
Confirmed, 678.

BAUER, J. ROBERT, nominated, 703.
Referred, 703.
Reported, 707.
Confirmed, 708.

BAUGHMAN, N. M., nominated, 16.
Referred, 16.
Reported, 93.
Confirmed, 94.

BEACH, MRS. THELMA M., nominated, 9.
Referred, 9.
Reported, 86.
Confirmed, 94.

BEADLE, MISS KATE A., nominated, 507.
Referred, 506.
Reported, 539.
Confirmed, 540.

BEALER, CHARLES A., nominated, 14.
Referred, 14.
Reported, 91.
Confirmed, 94.

BEALL, JR., J. THOS., nominated, 10.
Referred, 10.
Reported, 88.
Confirmed, 94.

BEAN, CHRISTIAN T., nominated.
Referred, 13.
Reported, 91.
Confirmed, 94.

BEARY, A. H., nominated, 670.
Referred, 670.
Reported, 677.
Confirmed, 678.

BEAUCHAMP, E. A., nominated, 12.
Referred, 12.
Reported, 89.
Confirmed, 94.

BEBY, MISS LILLIAN N., nominated, 611.
Referred, 611.
Reported, 659.
Confirmed, 660.

BEHRLE, MISS ELEANOR, nominated, 12.
Referred, 12.
Reported, 89.
Confirmed, 94.

NOTARIES PUBLIC.—Continued.

BELLI, MISS MARY, nominated, 16.
Referred, 16.
Reported, 93.
Confirmed, 94.

BELO, MISS MARY, nominated, 10.
Referred, 10.
Reported, 87.
Confirmed, 94.

BELSITO, FLOYD L., nominated, 15.
Referred, 15.
Reported, 92.
Confirmed, 94.

BENDINER, SABATO M., nominated, 14.
Referred, 14.
Reported, 91.
Confirmed, 94.

BENNETHUM, MISS FLORENCE E., nominated, 13.
Referred, 13.
Reported, 90.
Confirmed, 94.

BENNETT, BERNARD, nominated, 10.
Referred, 10.
Reported, 87.
Confirmed, 94.

BENNETT, MISS MAYSIE A., nominated, 14.
Referred, 14.
Reported, 92.
Confirmed, 94.

BENNETT, MISS REBECCA, nominated, 611.
Referred, 611.
Reported, 659.
Confirmed, 660.

BENSON, GEORGE H., nominated, 10.
Referred, 10.
Reported, 88.
Confirmed, 94.

BENSON, W. EVERETT, nominated, 848.
Referred, 848.
Reported, 875.
Confirmed, 876.

BERGER, MEYER H., nominated, 14.
Referred, 14.
Reported, 92.
Confirmed, 94.

BERNABEI, UBI C., nominated, 10.
Referred, 10.
Reported, 87.
Confirmed, 94.

BERNINGER, ARTHUR, nominated, 11.
Referred, 11.
Reported, 89.
Confirmed, 94.

BEST, WILBERT C., nominated, 507.
Referred, 506.
Reported, 539.
Confirmed, 540.

BEN VENUTI, MISS MILDRED A., nominated, 776.
Referred, 776.
Reported, 792.
Confirmed, 792.

BICKERT, FREDERICK H., nominated, 15.
Referred, 15.
Reported, 92.
Confirmed, 94.

BIRD, W. H., nominated, 13.
Referred, 13.
Reported, 71.
Confirmed, 94.

NOTARIES PUBLIC.—Continued.

BITTNER, MISS MAUD M., nominated, 10.
Referred, 10.
Reported, 87.
Confirmed, 94.

BITTNER, O. R., nominated, 670.
Referred, 670.
Reported, 677.
Confirmed, 678.

BLACK, MISS MARY S., nominated, 9.
Referred, 9.
Reported, 87.
Confirmed, 94.

BLAIR, GEORGE C., nominated, 10.
Referred, 10.
Reported, 88.
Confirmed, 94.

BLANCH, MISS GRACE F., nominated, 8.
Referred, 8.
Reported, 85.
Confirmed, 94.

BLESSING, MRS. VIRGINIA B., nominated, 12.
Referred, 12.
Reported, 89.
Confirmed, 94.

BLISSELL, MISS FRANCES H., nominated, 1312.
Referred, 1312.
Reported, 1369.
Confirmed, 1369.

BLONDIN, WEAVER C., nominated, 14.
Referred, 14.
Reported, 92.
Confirmed, 94.

BLOOM, LEO A., nominated, 507.
Referred, 506.
Reported, 539.
Confirmed, 540.

BLOSSER, MRS. FLORENCE M., nominated, 12.
Referred, 12.
Reported, 89.
Confirmed, 94.

BLOYER, HARRY J., nominated, 507.
Referred, 506.
Reported, 540.
Confirmed, 540.

BLUNKOSKY, JR., JOSEPH, nominated, 10.
Referred, 10.
Reported, 87.
Confirmed, 94.

BOBBING, ERNEST J., nominated, 14.
Referred, 14.
Reported, 92.
Confirmed, 94.

BOGGS, MRS. ELIZABETH M., nominated, 1229.
Referred, 1229.
Reported, 1237.
Confirmed, 1238.

BOHN, MRS. HILDA E., nominated, 10.
Referred, 10.
Reported, 87.
Confirmed, 94.

BOLDEN, H. GORDON, nominated, 8.
Referred, 8.
Reported, 86.
Confirmed, 94.

BOLLINGER, JOSEPH B., nominated, 16.
Referred, 16.
Reported, 93.
Confirmed, 94.

NOTARIES PUBLIC.—Continued.

BOMBERGER, WALTER L., nominated, 13.
Referred, 13.
Reported, 90.
Confirmed, 94.

BONNEY, J. R., nominated, 13.
Referred, 13.
Reported, 90.
Confirmed, 94.

BONOMA, MISS CLARA E., nominated, 10.
Referred, 10.
Reported, 88.
Confirmed, 94.

BORDLEY, EDGAR, nominated, 15.
Referred, 15.
Reported, 92.
Confirmed, 94.

BOREESE, JOSEPH J., nominated, 15.
Referred, 15.
Reported, 93.
Confirmed, 94.

BORKE, MRS. WINIFRED E., nominated, 11.
Referred, 11.
Reported, 89.
Confirmed, 94.

BORTHWICK, MRS. EDNA D., nominated, 12.
Referred, 12.
Reported, 90.
Confirmed, 94.

BOSS, BEN H., nominated, 10.
Referred, 10.
Reported, 88.
Confirmed, 94.

BOSWORTH, RAYMOND R., nominated, 901.
Referred, 901.
Reported, 918.
Confirmed, 919.

BOTTOLFSEN, PAUL G., nominated, 670.
Referred, 670.
Reported, 677.
Confirmed, 678.

BOVAIRD, JOHN K., nominated, 13.
Referred, 13.
Reported, 91.
Confirmed, 94.

BOWEN, MRS. INA KING, nominated, 11.
Referred, 11.
Reported, 89.
Confirmed, 94.

BOWER, DANIEL H., nominated, 9.
Referred, 9.
Reported, 86.
Confirmed, 94.

BOWMAN, CHAS. F., nominated, 9.
Referred, 9.
Reported, 86.
Confirmed, 9..

BOWMAN, GEORGE E., nominated, 1302.
Referred, 1302.
Reported, 1369.
Confirmed, 1369.

BOWMAN, LUTHER K., nominated, 572.
Referred, 571.
Reported, 579.
Confirmed, 580.

BOWYER, VIRGIL F., nominated, 670.
Refetred, 670.
Reported, 677.
Confirmed, 678.

NOTARIES PUBLIC.—Continued.

BOYD, MRS. MARY JANE, nominated, 12.
Referred, 12.
Reported, 89.
Confirmed, 94.

BOYD, T. Y., nominated, 16.
Referred, 16.
Reported, 93.
Confirmed, 94.

BRADY, HARRY D., nominated, 13.
Referred, 13.
Reported, 90.
Confirmed, 94.

BRADY, MISS MARY A., nominated, 13.
Referred, 13.
Reported, 90.
Confirmed, 94.

BRANDES, MRS. MILDRED, nominated, 8.
Referred, 8.
Reported, 85.
Confirmed, 94.

BRASSELL, T. M., nominated, 10.
Referred, 10.
Reported, 87.
Confirmed, 94.

BREDICKAS, A. F., nominated, 670.
Referred, 670.
Reported, 677.
Confirmed, 678.

BREHM, JR., JOS. J., nominated, 14.
Referred, 14.
Reported, 91.
Confirmed, 94.

BREMAN, MISS SYLVIA, nominated, 506.
Referred, 506.
Reported, 539.
Confirmed, 540.

BRENNAN, MISS ELEANOR, nominated, 12.
Referred, 12.
Reported, 90.
Confirmed, 94.

BRENNER, FRED H., nominated, 1165.
Referred, 1165.
Reported, 1206.
Confirmed, 1206.

BRENNER, NORMAN A., nominated, 14.
Referred, 14.
Reported, 91.
Confirmed, 94.

BRICHETTI, MISS, DORINA A., nominated, 349.
Referred, 349.
Reported, 408.
Confirmed, 409.

BRICKER, P. H., nominated, 11.
Referred, 11.
Reported, 88.
Confirmed, 94.

BRIGGS, JR., GEORGE A., nominated, 670.
Referred, 670.
Reported, 677.
Confirmed, 678.

BRIGHT, JR., WM. E., nominated, 827.
Referred, 827.
Reported, 840.
Confirmed, 841.

BRINTZENHOFF, J. K., nominated, 219.
Referred, 219.
Reported, 408.
Confirmed, 409.

NOTARIES PUBLIC.—Continued.

BRITT, THERMAN P., nominated, 13.
Referred, 13.
Reported, 91.
Confirmed, 94.

BROGAN, MISS HELENE, nominated, 10.
Referred, 10.
Reported, 87.
Confirmed, 94.

BROOKOVER, EARLE M., nominated, 9.
Referred, 9.
Reported, 86.
Confirmed, 94.

BROWN, GEORGE S., nominated, 14.
Referred, 14.
Reported, 91.
Confirmed, 94.

BROWN, MISS HELEN I., nominated, 11.
Referred, 11.
Reported, 89.
Confirmed, 94.

BROWN, JOHN I., nominated, 11.
Referred, 11.
Reported, 88.
Confirmed, 94.

BROWN, MISS MIRIAM I., nominated, 170.
Referred, 170.
Reported, 408.
Confirmed, 409.

BROWN, MORRIS, nominated, 14.
Referred, 14.
Reported, 92.
Confirmed, 94.

BROWN, RALPH C., nominated, 12.
Referred, 12.
Reported, 90.
Confirmed, 94.

BROWN, ROBERT W., nominated, 1193.
Referred, 1193.
Reported, 1236.
Confirmed, 1238.

BROWN, WM. G., nominated, 741.
Referred, 741.
Reported, 745.
Confirmed, 745.

BROZIER, PHIL., nominated, 16.
Referred, 16.
Reported, 93.
Confirmed, 94.

BRUNER, J. NORMAN, nominated, 14.
Referred, 14.
Reported, 92.
Confirmed, 94.

BRUNNER, MAX M., nominated, 14.
Referred, 14.
Reported, 91.
Confirmed, 94.

BRUNNER, MISS VICTORIA M., nominated,
Referred, 12.
Reported, 89.
Confirmed, 94.

BRUSCH, MISS MARIE, nominated, 14.
Referred, 14.
Reported, 91.
Confirmed, 94.

BRYANT, J. WM., nominated, 11.
Referred, 11.
Reported, 88.
Confirmed, 94.

NOTARIES PUBLIC.—Continued.

BUBB, HUGH J., nominated, 13.
Referred, 13.
Reported, 91.
Confirmed, 94.

BUCKLEY, A. S., nominated, 1291.
Referred, 1291.
Reported, 1296.
Confirmed, 1297.

BUCKWALTER, J .W., nominated, 11.
Referred, 11.
Reported, 88.
Confirmed, 94.

BUERKLE, E. C., nominated, 506.
Referred, 506.
Reported, 539.
Confirmed, 540.

BUNTING, JOSIAH, 2nd, nominated, 14.
Referred, 14.
Reported, 91.
Confirmed, 94.

BURGESS, MISS KATHRYN, nominated, 535.
Referred, 535.
Reported, 578.
Confirmed, 580.

BURGMANN, JOS. G., nominated, 14.
Referred, 14.
Reported, 91.
Confirmed, 94.

BUNDY, MRS. RUTH L., nominated, 10.
Referred, 10.
Reported, 87.
Confirmed, 94.

BUNSA, EDWARD B., nominated, 741.
Referred, 741.
Reported, 745.
Confirmed, 745.

BUOB, EDWIN L., nominated, 15.
Referred, 15.
Reported, 92.
Confirmed, 94.

BUONO, FRANK J., nominated, 14.
Referred, 14.
Reported, 92.
Confirmed, 94.

BURK, MISS CLAIRE E., nominated, 14.
Referred, 14.
Reported, 91.
Confirmed, 94.

BURKET, L. ODER, nominated, 650.
Referred, 650.
Reported, 659.
Confirmed, 660.

BURKHART, MISS JEANNETTE, nominated, 611.
Referred, 611.
Reported, 659.
Confirmed, 660.

BURWELL, RALPH, nominated, 507.
Referred, 506.
Reported, 540.
Confirmed, 540.

BURI, ELMER F., nominated, 9.
Referred, 9.
Reported, 86.
Confirmed, 94.

BURGDORF, MISS E. G., nominated, 8.
Referred, 8.
Reported, 86.
Confirmed, 94.

NOTARIES PUBLIC.—Continued.

BURKHARDT, MRS. FLORENCE, nominated, 13.
Referred, 13.
Reported, 90.
Confirmed, 94.

BURROUGHS, J. W., nominated, 901.
Referred, 901.
Reported, 918.
Confirmed, 919.

BURTON, MISS ELEANOR, nominated, 10.
Referred 10.
Reported, 87.
Confirmed, 94.

BUSHONG, MRS. DAISY M., nominated, 12.
Referred, 12.
Reported, 89.
Confirmed, 94.

BUSTIN, MISS MARY A., nominated, 506.
Referred, 506.
Reported, 539.
Confirmed, 540.

BUTTS, MRS. IRENE, nominated, 776.
Referred, 776.
Reported, 792.
Confirmed, 792.

BUXTON, MRS. BLANCHE DEMERS, nominated, 14.
Referred, 14.
Reported, 92.
Confirmed, 94.

BYERS, MISS, LAURA E., nominated, 402.
Referred, 402.
Reported, 454.
Confirmed, 454.

BYRNES, ROBERT F., nominated, 9.
Referred, 9.
Reported, 86.
Confirmed, 94.

BYROM, EDWARD H., nominated, 776.
Referred, 776.
Reported, 792.
Confirmed, 792.

CALHOUN, MISS MARGARET K., nominated, 14.
Referred, 14.
Reported, 91.
Confirmed, 94.

CALNAN, MRS. JENNIE M., nominated, 11.
Referred, 11.
Reported, 88.
Confirmed, 94.

CAMPBELL, HARRY, nominated, 507.
Referred, 506.
Reported, 540.
Confirmed, 540.

CAMPBELL, MISS IONE E., nominated, 10.
Referred, 10.
Reported, 87.
Confirmed, 94.

CAMPBELL, RALPH N., nominated, 849.
Referred, 848.
Reported, 875.
Confirmed, 876.

CAMPBELL, WILLIAM CLARK, nominated, 10.
Referred, 10.
Reported, 88.
Confirmed, 94.

NOTARIES PUBLIC.—Continued.

CANFIELD, MRS. DOROTHY, nominated, 15.
Referred, 15.
Reported, 93.
Confirmed, 94.

CANFIELD, JAMES A., nominated, 13.
Referred, 13.
Reported, 90.
Confirmed, 94.

CANOLE, JOHN H., nominated, 11.
Referred, 11.
Reported, 88.
Confirmed, 94.

CAPUTO, JOHN, nominated, 1013.
Referred, 1013.
Reported, 1044.
Confirmed, 1044.

CARBERRY, MRS. ARDA ROSE, nominated, 791.
Referred, 791.
Reported, 809.
Confirmed, 810.

CAREY, CARY, nominated, 9.
Referred, 9.
Reported, 86.
Confirmed, 94.

CARLEY, MRS. MARIE F., nominated, 15.
Referred, 15.
Reported, 92.
Confirmed, 94.

CARLIN, MISS MARGARET E., nominated, 15.
Referred, 15.
Reported, 92.
Confirmed, 94.

CARLISLE, MISS FRANCES E., nominated, 82.
Referred, 82.
Reported, 222.
Confirmed, 222.

CARNES, MISS CORA M., nominated, 12.
Referred, 12.
Reported, 90.
Confirmed, 94.

CARP, MISS SYLVIA, nominated, 1253.
Referred, 1253.
Reported, 1297.
Confirmed, —.

CARR, MISS ELIZABETH L., nominated, 15.
Referred, 15.
Reported, 92.
Confirmed, 94.

CARR, MISS MARGARET S., nominated, 15.
Referred, 15.
Reported, 92.
Confirmed, 94.

CARRANO, ANTHONY D., nominated, 1279.
Referred, 1279.
Reported, 1297.
Confirmed, 1297.

CARRIGAN, MRS. E. E., nominated, 14.
Referred, 14.
Reported, 91.
Confirmed, 94.

CARROLL, DANIEL A., nominated, 10.
Referred, 10.
Reported, 87.
Confirmed, 94.

NOTARIES PUBLIC.—Continued.

CARROLL, J. R., nominated, 10.
Referred, 10.
Reported, 88.
Confirmed, 94.

CARROLL, MISS MARGARET A., nominated, 13.
Referred, 13.
Reported, 90.
Confirmed, 94.

CARROLL, WILBER S., nominated, 10.
Referred, 10.
Reported, 87.
Confirmed, 94.

CARSON, J. HERBERT, nominated, 16.
Referred, 16.
Reported, 93.
Confirmed, 94.

CASE, CHARLES R., nominated, 535.
Referred, 535.
Reported, 578.
Confirmed, 580.

CASEY, J. H., nominated, 14.
Referred, 14.
Reported, 91.
Confirmed, 94.

CASHDOLLAR, HOWARD L., nominated, 10.
Referred, 10.
Reported, 88.
Confirmed, 94.

CASPER, MILTON, nominated, 15.
Referred, 15.
Reported, 93.
Confirmed, 94.

CASSEL, JR., LINFORD B., nominated, 507.
Referred, 506.
Reported, 540.
Confirmed, 540.

CASSELL, EZRA C., nominated, 11.
Referred, 11.
Reported, 89.
Confirmed, 94.

CASTERLINE, MRS. THOMASINA T., nominated, 13.
Referred, 13.
Reported, 90.
Confirmed, 94.

CAULEY, MISS MARGARET M., nominated, 1101.
Referred, 1101.
Reported, 1149.
Confirmed, 1150.

CAWLEY, MISS MARGARET B., nominated, 12.
Referred, 12.
Reported, 90.
Confirmed, 94.

CHALLY, MRS. GRACE, nominated, 12.
Referred, 12.
Reported, 90.
Confirmed, 94.

CHIPAK, FRANK, nominated, 670.
Referred, 670.
Reported, 677.
Confirmed, 678.

CHOPECK, MISS ANN M., nominated, 13.
Referred, 13.
Reported, 90.
Confirmed, 94.

NOTARIES PUBLIC.—Continued.

CHRIST, JOHN I., nominated, 507.
Referred, 506.
Reported, 540.
Confirmed, 540.

CIRELLI, MICHAEL S., nominated, 8.
Referred, 8.
Reported, 85.
Confirmed, 94.

CLAIRE, GUY S., nominated, 13.
Referred, 13.
Reported, 91.
Confirmed, 94.

CLARK, HARRY E., nominated, 11.
Referred, 11.
Reported, 88.
Confirmed, 94.

CLARK, MISS JANE E., nominated, 82.
Referred, 82.
Reported, 222.
Confirmed, 222.

CLARK, JOHN J., nominated, 8.
Referred, 8.
Reported, 86.
Confirmed, 94.

CLARK, JOHN J., nominated, 15.
Referred, 15.
Reported, 93.
Confirmed, 94.

CLARK, KENNETH S., nominated, 507.
Referred, 506.
Reported, 540.
Confirmed, 540.

CLARK, MISS MARY R., nominated, 12.
Referred, 12.
Reported, 89.
Confirmed, 94.

CLARK, W. THOS., nominated, 14.
Referred, 14.
Reported, 92.
Confirmed, 94.

CLAY, H. R., nominated, 10.
Referred, 10.
Reported, 88.
Confirmed, 94.

CLAYTON, FRED A., nominated, 507.
Referred, 506.
Reported 539.
Confirmed, 540.

CLAYTON, ROBERT L., nominated, 14.
Referred, 14.
Reported, 91.
Confirmed, 94.

CLEMENS, JACOB R., nominated, 9.
Referred, 9.
Reported, 86.
Confirmed, 94.

CLEMENTS, MRS. ROSE W., nominated, 14.
Referred, 14.
Reported, 92.
Confirmed, 94.

CLINE, MISS CONSUELO, nominated, 10.
Referred, 10.
Reported, 87.
Confirmed, 94.

NOTARIES PUBLIC.—Continued.

CLINE, MISS CONSUELO, nominated, 1312.
Referred, 1312.
Reported, 1368.
Confirmed, 1369.

CLOKEY, SAMUEL, nominated, 15.
Referred, 15.
Reported, 92.
Confirmed, 94.

CLUST, FRANK R., nominated, 13.
Referred, 13.
Reported, 91.
Confirmed, 94.

CLYDE, CHARLES F., nominated, 11.
Referred, 11.
Reported, 89.
Confirmed, 94.

COHEN, ARTHUR, nominated, 15.
Referred, 15.
Reported, 92.
Confirmed, 94.

COHEN, MISS LEAH, nominated, 10.
Referred, 10.
Reported, 88.
Confirmed, 94.

COHEN, LEONARD M., nominated, 15.
Referred, 15.
Reported, 92.
Confirmed, 94.

COHEN, LOUIS, nominated, 849.
Referred, 848.
Reported, 875.
Confirmed, 876.

COHEN, MISS MARGARET, nominated, 16.
Referred, 16.
Reported, 93.
Confirmed, 94.

COLEMAN, CHESTER A., nominated, 670.
Referred, 670.
Reported, 677.
Confirmed, 678.

COLL, JOHN COLGATE, nominated, 10.
Referred, 10.
Reported, 87.
Confirmed, 94.

COLL, MISS KATHLEEN M., nominated, 849.
Referred, 848.
Reported, 875.
Confirmed, 876.

COLLINS, MRS. ANNIS K., nominated, 15.
Referred, 15.
Reported, 93.
Confirmed, 94.

COLLINS, MISS MARGARET, nominated, 1312.
Referred, 1312.
Reported, 1369.
Confirmed, 1369.

CONNELL, O. J., nominated, 11.
Referred, 11.
Reported, 88.
Confirmed, 94.

CONNER, MISS FRANCES M., nominated, 14.
Referred, 14.
Reported, 92.
Confirmed, 94.

NOTARIES PUBLIC.—Continued.

CONNER, HOMER G., nominated, 14.
Referred, 14.
Reported, 92.
Confirmed, 94.

CONNOR, THOMAS P., nominated, 15.
Referred, 15.
Reported, 92.
Confirmed, 94.

CONNORS, MISS MARY A., nominated, 15.
Referred, 15.
Reported, 92.
Confirmed, 94.

CONRAD, FREDERICK D., nominated, 535.
Referred, 535.
Reported, 578.
Confirmed, 580.

CONROY, MRS. STARLING B., nominated, 670.
Referred, 670.
Reported, 677.
Confirmed, 678.

CONSTANTIN, THOMAS M., nominated, 219.
Referred, 219.
Reported, 408.
Confirmed, 409.

CONWAY, MISS ANN M., nominated, 8.
Referred, 8.
Reported, 86.
Confirmed, 94.

COOPER, FRANK A., nominated, 1013.
Referred, 1013.
Reported, 1044.
Confirmed, 1044.

CORBY, MRS. ANNA E., nominated, 12.
Referred, 12.
Reported, 90.
Confirmed, 94.

COTNEY, FRANCIS A., nominated, 14.
Referred, 14.
Reported, 91.
Confirmed, 94.

COTSACK, PETER, nominated, 1312.
Referred, 1312.
Reported, 1369.
Confirmed, 1369.

COULSON, MISS CATHERINE E., nominated, 14.
Referred, 14.
Reported, 92.
Confirmed, 94.

COULSTON, MISS ALICE, nominated, 15.
Referred, 15.
Reported, 92.
Confirmed, 94.

COULTHARD, THOMAS J., nominated, 12.
Referred, 12.
Reported, 90.
Confirmed, 94.

COURTNEY, BERNARY J., nominated, 11.
Referred, 11.
Reported, 88.
Confirmed, 94.

COVERT, MISS RUTH E., nominated, 9.
Referred, 9.
Reported, 87.
Confirmed, 94.

NOTARIES PUBLIC.—Continued.

COWAN, JAMES H., nominated, 776.
Referred, 776.
Reported, 792.
Confirmed, 792.

CRAGO, ALBERT W., nominated, 10.
Referred, 10.
Reported, 88.
Confirmed, 94.

CRAMER, MRS. THELMA B., nominated, 507.
Referred, 506.
Reported, 540.
Confirmed, 540.

CRAMER, W. J., nominated, 11.
Referred, 11.
Reported, 88.
Confirmed, 94.

CRIDER, MRS. BEULAH M., nominated, 12.
Referred, 12.
Reported, 89.
Confirmed, 94.

CRIBBS, JOSEPH M., nominated, 82.
Referred, 82.
Reported, 222.
Confirmed, 222.

CRISSINGER, M. R., nominated, 507.
Referred, 506.
Reported, 540.
Confirmed, 540.

CROSLEY, MISS RUTH A., nominated, 11.
Referred, 11.
Reported, 89.
Confirmed, 94.

CROSS, H. MILTON, nominated, 12.
Referred, 12.
Reported, 90.
Confirmed, 94.

CROSSLAND, WM. B., nominated, 14.
Referred, 14.
Reported, 92.
Confirmed, 94.

CROUSE, JAMES, nominated, 305.
Referred, 305.
Reported, 409.
Confirmed, 409.

CRUCIGER, WILLIAM O., nominated, 506.
Referred, 506.
Reported, 539.
Confirmed, 540.

CRUSE, ERNEST J., nominated, 349.
Referred, 349.
Reported, 408.
Confirmed, 409.

CUBBAGE, MISS MARIAN B., nominated, 1[illegible]
Referred, 16.
Reported, 93.
Confirmed, 94.

CULP, W. E., nominated, 12.
Referred, 12.
Reported, 89.
Confirmed, 94.

CULP, WILLIAM J., nominated, 10.
Referred, 10.
Reported, 87.
Confirmed, 94.

NOTARIES PUBLIC.—Continued.

CUNNINGHAM, JAMES H., nominated, 670.
Referred, 670.
Reported, 677.
Confirmed, 678.

CURLEY, MRS. GWENDOLYN M., nominated, 670.
Referred, 670.
Reported, 677.
Confirmed, 678.

CURLEY, MISS, WINIFRED L., nominated, 507.
Referred, 506.
Reported, 540.
Confirmed, 540.

CURTIS, MISS F. ELIZABETH, nominated, 10.
Referred, 10.
Reported, 88.
Confirmed, 94.

CZARNECKI, STANLEY, nominated, 11.
Reported, 88.
Confirmed, 94.
Referred, 11.

DAHLEM, MISS HILDA C., nominated, 1279.
Referred, 1279.
Reported, 1297.
Confirmed, 1297.

DALZELL, WM. H., nominated, 791.
Referred, 791.
Reported, 809.
Confirmed, 810.

D'AMBROSIO, EDMUND, nominated, 447.
Referred, 447.
Reported, 454.
Confirmed, 454.

DAMERAU, MISS IDA, nominated, 776.
Referred, 776.
Reported, 792.
Confirmed, 792.

DAMES, WALTER E., nominated, 13.
Referred, 13.
Reported, 91.
Confirmed, 94.

DANAHEY, MISS ROSE, nominated, 10.
Referred, 10.
Reported, 88.
Confirmed, 94.

DANKEL, JACK C., nominated, 13.
Referred, 13.
Reported, 90.
Confirmed, 94.

DANNER, PAUL B., nominated, 572.
Referred, 571.
Reported, 579.
Confirmed, 580.

DARCEY, MISS ELIZABETH M., nominated, 9.
Referred, 9.
Reported, 86.
Confirmed, 94.

DARLINGTON, E. M., nominated, 11.
Referred, 11.
Reported, 88.
Confirmed, 94.

DAUBERT, MISS VIOLA M., nominated, 14.
Referred, 14.
Reported, 91.
Confirmed, 94.

NOTARIES PUBLIC.—Continued.

DAVIES, MISS MELVINA J., nominated, 13.
Referred, 13.
Reported, 90.
Confirmed, 94.

DAVIES, MISS MYRIEL R., nominated, 1166.
Referred, 1165.
Reported, 1206.
Confirmed, 1206.

DAVIES, MISS GRETCHEN R., nominated.
Referred, 535.
Reported, 578.
Confirmed, 580.

DAVIS, RALPH E., nominated, 12.
Referred, 12.
Reported, 90.
Confirmed, 94.

DAVIS, T. P., nominated, 507.
Referred, 506.
Reported, 540.
Confirmed, 540.

DAWSON, ALBERT W., nominated, 10.
Referred, 10.
Reported, 88.
Confirmed, 94.

DEAN, MISS BETTY M., nominated, 507.
Referred, 506.
Reported, 539.
Confirmed, 540.

DEAN, MISS HAZEL G., nominated, 9.
Referred, 9.
Reported, 87.
Confirmed, 94.

DeCHESARO, ANTHONY J., nominated, 169.
Referred, 169.
Reported, 408.
Confirmed, 409.

DEER, MRS. SARA McC., nominated, 10.
Referred, 10.
Reported, 87.
Confirmed, 94.

DeFILIPPO, R. G., nominated, 403.
Referred, 403.
Reported, 408.
Confirmed, 409.

DeHAAS, GEO. M., nominated, 14.
Referred, 14.
Reported, 92.
Confirmed, 94.

DEIKER, MRS. MARY A., nominated, 650.
Referred, 650.
Reported, 659.
Confirmed, 660.

DEIMLER, PAUL E., nominated, 1312.
Referred, 1312.
Reported, 1369.
Confirmed, 1369.

DELANER, FRANCIS J., nominated, 15.
Referred, 15.
Reported, 92.
Confirmed, 94.

DELLET, JAMES P., nominated, 9.
Referred, 9.
Reported, 86.
Confirmed, 94.

NOTARIES PUBLIC.—Continued.

DELSEIT, AMBROSE D., nominated, 9.
Referred, 9.
Reported, 86.
Confirmed, 94.

DeMAURIAC, MRS. MYRTLE B., nominated, 14.
Referred, 14.
Reported, 91.
Confirmed, 94.

DENES, ANDREW, nominated, 10.
Referred, 10.
Reported, 88.
Confirmed, 94.

DENKMANN, REGINALD C., nominated, 13.
Referred, 13.
Reported, 90.
Confirmed, 94.

DENNIS, J. W., nominated, 15.
Referred, 15.
Reported, 92.
Confirmed, 94.

DEUINET, MISS MARY M., nominated, 12.
Referred, 12.
Reported, 89.
Confirmed, 94.

DERR, A. BOYD, nominated, 12.
Referred, 12.
Reported, 89.
Confiremd, 94.

DERR, JAMES M., nominated, 15.
Referred, 15.
Reported, 93.
Confirmed, 94.

DERSHAM, FRANK L., nominated, 16.
Referred, 16.
Reported, 93.
Confirmed, 94.

DESCANO, THOMAS, nominated, 14.
Referred, 14.
Reported, 92.
Confirmed, 94.

DETTERLINE, MISS EVELMA L., nominated, 11.
Referred, 11.
Reported, 88.
Confirmed, 94.

DEVERSON, MISS MARCELLA MARIA, nominated
Referred, 506.
Reported, 539.
Confirmed, 540.

DIBERARDINO, MISS IDA, nominated, 572.
Referred, 571.
Reported, 579.
Confirmed, 580.

DIBERARDINO, LEONARDO, nominated, 9.
Referred, 9.
Reported, 86.
Confiremd, 94.

DICKEY, MISS GLADYS V., nominated, 1193.
Referred, 1193.
Reported, 1236.
Confirmed, 1238.

DICKEY, THOMAS W., nominated, 13.
Referred, 13.
Reported, 90.
Confirmed, 94.

NOTARIES PUBLIC.—Continued.

DICKINSON, MRS. MARY C., nominated, 15.
Referred, 15.
Reported, 92.
Confirmed, 94.

DICKSON, DAVID F., nominated, 10.
Referred, 10.
Reported, 87.
Confirmed, 94.

DIEHL, FRANK R., nominated, 11.
Referred, 11.
Reported, 88.
Confirmed, 94.

DIEHL, MRS. LAURA M., nominated, 670.
Referred, 670.
Reported, 677.
Confirmed, 678.

DIFFENDERFER, MRS. LOU K., nominated, 1302.
Referred, 1302.
Reported, 1369.
Confirmed, 1369.

DILDINE, L. J., nominated, 741.
Referred, 741.
Reported, 745.
Confirmed, 745.

DILLEY, L. N., nominated, 13.
Referred, 13.
Reported, 91.
Confirmed, 94.

DILLON, A. J., nominated, 15.
Referred, 15.
Reported, 93.
Confirmed, 94.

DILLOW, MISS MILDRED E., nominated, 10.
Referred, 10.
Reported, 87.
Confirmed, 94.

DILS, MISS BLANCHE E., nominated, 82.
Referred, 82.
Reported, 222.
Confirmed, 222.

DINGER, ROBERT C., nominated, 15.
Referred, 15.
Reported, 93.
Confirmed, 94.

DIXON, MISS RUTH E., nominated, 13.
Referred, 13.
Reported, 90.
Confirmed, 94.

DOCKERTY, EDWARD D., nominated, 12.
Referred, 12.
Reported, 90.
Confirmed, 94.

DOLAN, JOHN J., nominated, 15.
Referred, 15.
Reported, 92.
Confirmed, 94.

DOLAWAY, MISS K. AVERILL, nominated, 1101.
Referred, 1101.
Reported, 1149.
Confirmed, 1150.

DOMMERMUTH, MISS F. FAYE, nominated, 9.
Referred, 9.
Reported, 86.
Confirmed, 94.

NOTARIES PUBLIC.—Continued.

DONALDSON, CLYDE E., nominated, 572.
Referred, 571.
Reported, 579.
Confirmed, 580.

DONALDSON, MISS E. E., nominated, 1340.
Referred, 1340.
Reported, 1416.
Confirmed, 1417.

DONNOR, ROBERT E., nominated, 12.
Referred, 12.
Reported, 90.
Confirmed, 94.

DONOVAN, MISS M. LILLIAN, nominated, 305.
Referred, 305.
Reported, 409.
Confirmed, 409.

DOOLE, MISS SARA, nominated, 1071.
Referred, 1071.
Reported, 1105.
Confirmed, 1105.

DOOLEY, JAMES J., nominated, 13.
Referred, 13.
Reported, 91.
Confirmed, 94.

DORFIELD, MRS. MARGARET S., nominated, 650.
Referred, 650.
Reported, 659.
Confirmed, 660.

DOUGAN, WILLIAM R., nominated, 15.
Referred, 15.
Reported, 93.
Confirmed, 94.

DOWD, BERNARD V., nominated, 11.
Referred, 11.
Reported, 89.
Confirmed, 94.

DOWDELL, MRS. JEAN F., nominated, 1411.
Referred, 1411.
Reported, 1449.
Confirmed, 1450.

DOWHOWER, HARVEY J., nominated, 11.
Referred, 11.
Reported, 89.
Confirmed, 94.

DOWLING, MISS ANNA, nominated, 14.
Referred, 14.
Reported, 91.
Confirmed, 94.

DOWNS, MISS MYRA L., nominated, 13.
Referred, 13.
Reported, 91
Confirmed, 94

DRAEGER, MISS ANNA L., nominated, 14.
Referred, 14.
Reported, 92.
Confirmed, 94.

DRIZIN, HENRY, nominated, 15.
Referred, 15.
Reported, 92.
Confirmed, 94.

DUFFY, LEO S., nominated, 402.
Referred, 402.
Reported, 454.
Confirmed, 454.

NOTARIES PUBLIC.—Continued.

DUFFY, MISS SARA F., nominated, 12.
Referred, 12.
Reported, 90.
Confirmed, 94.

DUNAY, JOHN C., nominated, 506.
Referred, 506.
Reported, 539.
Confirmed, 540.

DUNBAR, MRS. EMYLE, nominated, 12.
Referred, 12.
Reported, 90.
Confirmed, 94.

DUNN, HERMAN H., nominated, 9.
Referred, 9.
Reported, 86.
Confirmed, 94.

DURKIN, MRS. ELIZABETH, nominated, 13.
Referred, 13.
Reported, 90.
Confirmed, 94.

DURKIN, THOMAS D., nominated, 8.
Referred, 8.
Reported, 86.
Confirmed, 94.

DURSCHINGER, LEONARD J., nominated, 10.
Referred, 10.
Reported, 87.
Confirmed, 94.

EALER, MRS. MARIE LYNN, nominated, 849.
Referred, 848.
Reported, 875.
Confirmed, 876.

EASTMAN, R. K., nominated, 650.
Referred, 650.
Reported, 659.
Confirmed, 660.

EBY, MISS ANNIE M., nominated, 11.
Referred, 11.

EBLING, CHARLES B., nominated, 1327.
Referred, 1327.
Reported, 1368.
Confirmed, 1369.

EDIN, MISS LOUISE C., nominated, 16.
Referred, 16.
Reported, 93.
Confirmed, 94.

EGER, MISS ROSE F., nominated, 10.
Referred, 10.
Reported, 87.
Confirmed, 94.

EICHELE, GEORGE E., nominated, 14.
Referred, 14.
Reported, 92.
Confirmed, 94.

EISENBREY, MRS. MARY K., nominated, 874.
Referred, 874.
Reported, 883.
Confirmed, 883.

EITEL, P. O., nominated, 10.
Referred, 10.
Reported, 87.
Confirmed, 94.

NOTARIES PUBLIC.—Continued.

ELDER, H. S., nominated, 11.
Referred, 11.
Reported, 88.
Confirmed, 94.

ELLIOTT, R. H., nominated, 13.
Referred, 13.
Reported, 90.
Confirmed, 94.

ELLIS, C. R., nominated, 14.
Referred, 14.
Reported, 91.
Confirmed, 94.

EMERY, C. MANTON, nominated, 611.
Referred, 611.
Reported, 659.
Confirmed, 660.

EMMEL, PAUL, nominated, 10.
Referred, 10.
Reported, 88.
Confirmed, 94.

ENGLAND, MRS. RUTH, nominated, 12.
Referred, 10.
Reported, 87.
Confirmed, 94.

ENGLE, F. E., nominated, 12.
Referred, 12.
Reported, 90.
Confirmed, 94.

ENGLEHART, P. H., nominated, 943.
Referred, 943.
Reported, 950.
Confirmed, 950.

ENNIS, WALTER F., nominated, 15.
Referred, 15.
Reported, 93.
Confirmed, 94.

ERISMAN, HENRY J., nominated, 280.
Referred, 280.
Reported, 282.
Confirmed, 282.

ERNST, RAYMOND M., nominated, 14.
Referred, 14.
Reported, 92.
Confirmed, 94.

ERTEL, MISS A. MARIE, nominated, 1327.
Referred, 1327.
Reported, 1368.
Confirmed, 1369.

ERWIN, JR., WM. J., nominated, 403.
Referred, 403.
Reported, 408.
Confirmed, 409.

ESOLA, MISS MARGARET, nominated, 572.
Referred, 571.
Reported, 579.
Confirmed, 580.

ESTERLY, MRS. DELIA N., nominated, 901.
Referred, 901.
Reported, 918.
Confirmed, 919.

EVANS, MRS. FRANCES M., nominated, 9.
Referred, 9.
Reported, 86.
Confirmed, 94.

NOTARIES PUBLIC.—Continued.

EVANS, JAMES D., nominated, 13.
Referred, 13.
Reported, 90.
Confirmed, 94.

EVANS, MISS MARGARET, nominated, 13.
Referred, 13.
Reported, 91.
Confirmed, 94.

EVANS, MISS WINONA M., nominated, 15.
Referred, 15.
Reported, 93.
Confirmed, 94.

FAGLEY, G. A., nominated, 12.
Referred, 12.
Reported, 89.
Confirmed, 94.

FALLON, MISS CATHERINE, nominated, 13.
Referred, 13.
Reported, 90.
Confirmed, 94.

FALOON, O. JAMES, nominated, 572.
Referred, 571.
Reported, 579.
Confirmed, 580.

FANNIBERG, MISS SUSAN A., nominated, 9.
Referred, 9.
Reported, 87.
Confirmed, 94.

FARNAN, MRS. ANNA M., nominated, 15.
Referred, 15.
Reported, 92.
Confirmed, 94.

FARRAN, JR., WILLIAM N., nominated, 15.
Referred, 15.
Reported, 92.
Confirmed, 94.

FARRELL, MISS EMMA E., nominated, 1253.
Referred, 1253.
Reported, 1297.
Confirmed, 1297.

FATZINGER, HAROLD R., nominated, 1047.
Referred, 1047.
Reported, 1105.
Confirmed, 1105.

FAY, ALBERT D., nominated, 12.
Referred, 12.
Reported, 89.
Confirmed, 94.

FEDER, MILTON H., nominated, 15.
Referred, 15.
Reported, 92.
Confirmed, 94.

FEGLEY, MISS FLORENCE, nominated, 507.
Referred, 506.
Reported, 539.
Confirmed, 540.

FEIDELMAN, S. N., nominated, 1013.
Referred, 1013.
Reported, 1044.
Confirmed, 1044.

FELDMAN, MRS., JEANETTE, nominated, 402.
Referred, 402.
Reported, 454.
Confirmed, 454.

NOTARIES PUBLIC.—Continued.

FELDMAN, MISS LENA, nominated, 13.
Referred, 13.
Reported, 90.
Confirmed, 94.

FELDMAN, LOUIS, nominated, 507.
Referred, 506.
Reported, 540.
Confirmed, 540.

FELLMETH, ADOLPH F., nominated, 14.
Referred, 14.
Reported, 91.
Confirmed, 94.

FENIMORE, MISS ATALIE, nominated, 12.
Referred, 12.
Reported, 89.
Confirmed, 94.

FENOL, MICHAEL D., nominated, 14.
Referred, 14.
Reported, 91.
Confirmed, 94.

FERNANDEZ, JAIME H., nominated, 13.
Referred, 13.
Reported, 91.
Confirmed, 94.

FASNACHT, LYNN K., nominated, 11.
Referred, 11.
Reported, 88.
Confirmed, 94.

FICKES, MRS. A. IRENE, nominated, 11.
Referred, 11.
Reported, 88.
Confirmed, 94.

FILIPPELLI, C. J., nominated, 11.
Referred, 11.
Reported, 89.
Confirmed, 94.

FINCATO, EMERIGGIO JOHN, nominated
Referred, 280.
Reported, 282.
Confirmed, 282.

FINK, MISS BETTY, nominated, 10.
Referred, 10.
Reported, 88.
Confirmed, 94.

FINEBERG, MISS CECIL, nominated, 10.
Referred, 10.
Reported, 87.
Confirmed, 94.

FINN, WILLIAM E., nominated, 12.
Referred, 12.
Reported, 89.
Confirmed, 94.

FIORUCCI, JOSEPH A., nominated, 10.
Referred, 10.
Reported, 88.
Confirmed, 94.

FIRE, MISS L. MAUD, nominated, 1253.
Referred, 1253.
Reported, 1297.
Confirmed, 1297.

FIRMAN, ROBERT J., nominated, 12.
Referred, 12.
Reported, 89.
Confirmed, 94.

NOTARIES PUBLIC.—Continued.

FISH, MRS. ALBERTA WINANS, nominated, 506.
Referred, 506.
Reported, 539.
Confirmed, 540.

FISHEL, CHARLES B., nominated, 507.
Referred, 506.
Repoorted, 539.
Confirmed, 540.

FISHER, MRS. CLARA M., nominated, 11.
Referred, 11.
Reported, 89.
Confirmed, 94.

FISHER, MISS EDNA P., nominated, 506.
Referred, 506.
Reported, 539.
Confirmed, 540.

FISHER, MRS. ESTHER W., nominated, 506.
Referred, 506.
Reported, 539.
Confirmed, 540.

FISHER, HENRY S., nominated, 12.
Referred, 12.
Reported, 89.
Confirmed, 94.

FISK, MRS. MYRA A., nominated, 15.
Referred, 15.
Reported, 93.
Confirmed, 94.

FITCH, MRS. GLADYS A., nominated, 82.
Referred, 82.
Reported, 222.
Confirmed, 222.

FITZGERALD, MRS. GLADYS V., nominated, 16.
Referred, 16.
Reported, 93.
Confirmed, 94.

FLAHERTY, MISS ROSE A., nominated, 13.
Referred, 13.
Reported, 90.
Confirmed, 94.

FLAIL, WILLIAM F., nominated, 15.
Referred, 15.
Reported, 93.
Confirmed, 94.

FLECK, MISS NAOMA, nominated, 11.
Referred, 11.
Reported, 88.
Confirmed, 94.

FLEISHER, MEYER G., nominated, 12.
Referred, 12.
Reported, 89.
Confirmed, 94.

FLEMMING, T. CLAIR, nominated, 11.
Referred, 11.
Reported, 88.
Confirmed, 94.

FLETCHER, JOHN P., nominated, 507.
Referred, 506.
Reported, 540.
Confirmed, 540.

FLYNN, MISS CLARIBELLE, nominated, 9.
Referred, 9.
Reported, 86.
Confirmed, 94.

FLYNN, MISS MARGARET A., nominated, 11.
Referred, 11.
Reported, 88.
Confirmed, 94.

NOTARIES PUBLIC.—Continued.

FOLKMAN, MILTON, nominated, 15.
Referred, 15.
Reported, 92.
Confirmed, 94.

FORRESTER, MASON W., nominated, 15.
Referred, 15.
Reported, 92.
Confirmed, 94.

FOSTER, CHARLES A., nominated, 15.
Referred, 15.
Reported, 93.
Confirmed, 94.

FOSTER, FRANK R., nominated, 12.
Referred, 12.
Reported, 89.
Confirmed, 94.

FOULKES, MISS MARY T., nominated, 15.
Referred, 15.
Reported, 92.
Confirmed, 94.

FOWLES, ROBERT S., nominated, 16.
Referred, 16.
Reported, 93.
Confirmed, 94.

FOX, MISS ELIZABETH R., nominated, 15.
Referred, 15.
Reported, 92.
Confirmed, 94.

FOX, ROBERT V., nominated, 16.
Referred, 16.
Reported, 93.
Confirmed, 94.

FRANCIS, A. L., nominated, 670.
Referred, 670.
Reported, 677.
Confirmed, 678.

FRANCIS, FRED M., nominated, 12.
Referred, 12.
Reported, 90.
Confirmed, 94.

FRANEK, JOS. A., nominated, 13.
Referred, 13.
Reported, 91.
Confirmed, 94.

FRANKENFIELD, JACOB, nominated, 10.
Referred, 10.
Reported, 87.
Confirmed, 94.

FREDERICK, WALTER D., nominated, 507.
Referred, 506.
Reported, 540.
Confirmed, 540.

FREEMAN, DAVID L., nominated, 15.
Referred, 15.
Reported, 92.
Confirmed, 94.

FREEMAN, HERBERT, nominated, 670.
Referred, 670.
Reported, 677.
Confirmed, 678.

FREEMAN, JR., SCOTT E., nominated, 9.
Referred, 9.
Reported, 86.
Confirmed, 94.

FRETZ, PAUL D., nominated, 611.
Referred, 611.
Reported, 659.
Confirmed, 660.

NOTARIES PUBLIC.—Continued.

FREUND, MISS MILDRED C., nominated, 10.
Referred, 10.
Reported, 87.
Confirmed, 94.

FRIED, MORRIS, nominated, 10.
Referred, 10.
Reported, 88.
Confirmed, 94.

FRITZ, MRS. MIRIAM C., nominated, 13.
Referred, 13.
Reported, 90.
Confirmed, 94.

FRONHEISER, KARL J., nominated, 11.
Referred, 11.
Reported, 88.
Confirmed, 94.

FRY, GEORGE D., nominated, 670.
Referred, 670.
Reported, 677.
Confirmed, 678.

FUEHR, ELMER H., nominated, 506.
Referred, 506.
Reported, 539.
Confirmed, 540.

FUERST, MISS IRENE J., nominated, 10.
Referred, 10.
Reported, 87.
Confirmed, 94.

FULLER, JR., MORTIMER B., nominated, 12.
Referred, 12.
Reported, 90.
Confirmed, 94.

FURIOSI, ROBERT A., nominated, 12.
Referred, 12.
Reported, 90.
Confirmed, 94.

GABERT, MISS EVELYN F., nominated, 791.
Referred, 791.
Reported, 809.
Confirmed, 810.

GAGLIANO, MISS LUCY M., nominated, 15.
Referred, 15.
Reported, 92.
Confirmed, 94.

GALBRAITH, RALPH H., nominated, 507.
Referred, 506.
Reported, 539.
Confirmed, 540.

GALLAGHER, MISS CATHARINE E., nominated, 11.
Referred, 11.
Reported, 88.
Confirmed, 94.

GALLAGHER, JAMES J., nominated, 402.
Referred, 402.
Reported, 454.
Confirmed, 454.

GALLAGHER, MISS MARGARET M., nominated, 82.
Referred, 82.
Reported, 222.
Confirmed, 222.

GALLAGHER, MISS MARY R., nominated, 12.
Referred, 12.
Reported, 89.
Confirmed, 94.

GALLAGHER, PATRICK J., nominated, 14.
Referred, 14.
Reported, 92.
Confirmed, 94.

NOTARIES PUBLIC.—Continued.

GALLO, JOHN A., nominated, 16.
Referred, 16.
Reported, 93.
Confirmed, 94.

GAPP, DONALD W., nominated, 11.
Referred, 11.
Reported, 89.
Confirmed, 94.

GARD, MRS. HELEN R., nominated, 10.
Referred, 10.
Reported, 87.
Confirmed, 94.

GARNER, ERNEST G., nominated, 16.
Referred, 16.
Reported, 93.
Confirmed, 94.

GARRETT, WILLIAM L., nominated, 10.
Referred, 10.
Reported, 88.
Confirmed, 94.

GARRISON, ELBERT A., nominated, 11.
Referred, 11.
Reported, 89.
Confirmed, 94.

GARRISON, MRS. ELIZABETH S., nominated, 741.
Referred, 741.
Reported, 745.
Confirmed, 745.

GARRITT, MISS M. JOSEPHINE, nominated, 12.
Referred, 12.
Reported, 89.
Confirmed, 94.

GARVEY, JR., GLENN, nominated, 507.
Referred, 506.
Reported, 540.
Confirmed, 540.

GASSERT, MRS. IRENE B., nominated, 13.
Referred, 13.
Reported, 91.
Confirmed, 94.

GASSWINT, NORMAN L., nominated, 11.
Referred, 11.
Reported, 89.
Confirmed, 94.

GATES, MISS CLAIRE E., nominated, 16.
Referred, 16.
Reported, 93.
Confirmed, 94.

GATSY, MISS ELIZABETH, nominated, 8.
Referred, 8.
Reported, 85.
Confirmed, 94.

GAUGLER, MISS VIOLA M., nominated, 13.
Referred, 13.
Reported, 90.
Confirmed, 94.

GAULT, EDWIN S., nominated, 12.
Referred, 12.
Reported, 89.
Confirmed, 94.

GAUSCHEMAN, MISS ANNA M., nominated, 263.
Referred, 263.
Reported, 282.
Confirmed, 282.

GAYNOR, MISS ELIZABETH M., nominated, 1120.
Referred, 1120.
Reported, 1149.
Confirmed, 1150.

NOTARIES PUBLIC.—Continued.

GEIB, C. RAYMOND, nominated, 12.
Referred, 12.
Reported, 90.
Confirmed, 94.

GEISSEL, CONRAD W., nominated, 15.
Referred, 15.
Reported, 92.
Confirmed, 94.

GENNER, MISS BEATRICE L., nominated, 11.
Referred, 11.
Reported, 88.
Confirmed, 94.

GENTILE, GUIDO, nominated, 1327.
Referred, 1327.
Reported, 1368.
Confirmed, 1369.

GERBER, H. J., nominated, 12.
Referred, 12.
Reported, 89.
Confirmed, 94.

GIBBS, LESTER S., nominated, 1279.
Referred, 1279.
Reported, 1297.
Confirmed, 1297.

GIBSON, MRS. AURELLA A., nominated, 572.
Referred, 571.
Reported, 579.
Confirmed, 580.

GIBSON, MISS JEANNE, nominated, 16.
Referred, 16.
Reported, 93.
Confirmed, 94.

GIDLEY, MRS. EDNA, nominated, 15.
Referred, 15.
Reported, 93.
Confirmed, 94.

GIESEY, G. A., nominated, 16.
Referred, 16.
Reported, 93.
Confirmed, 94.

GILDEA, MISS VERNA E., nominated, 8.
Referred, 8.
Reported, 86.
Confirmed, 94.

GILFILLAN, MISS MARY ELIZABETH, nominated, 13.
Referred, 13.
Reported, 90.
Confirmed, 94.

GILGER, MISS MARGARET M., nominated, 9.
Referred, 9.
Reported, 86.
Confirmed, 94.

GILLMAN, D. B., nominated, 741.
Referred, 741.
Reported, 745.
Confirmed, 745.

GINGLES, WILLIAM J., nominated, 9.
Referred, 9.
Reported, 86.
Confirmed, 94.

GIOIOSA, LEONARDO A., nominated, 11.
Referred, 11.
Reported, 88.
Confirmed, 94.

GLADDEN, F. R., nominated, 12.
Referred, 12.
Reported, 89.
Confirmed, 94.

NOTARIES PUBLIC.—Continued.

GLEASON, G. M., nominated, 12.
Referred, 12.
Reported, 89.
Confirmed, 94.

GOETZL, MISS THERESA, nominated, 11.
Referred, 11.
Reported, 88.
Confirmed, 94.

GOFFNEY, JOSEPH J., nominated, 650.
Referred, 650.
Reported, 659.
Confirmed, 660.

GOLDBERG, I. HARRY, nominated, 10.
Referred, 10.
Reported, 87.
Confirmed, 94.

GOLDBLUM, MISS ZELLA, nominated 10.
Referred, 10.
Reported, 87.
Confirmed, 94.

GOLDMAN, DAVID, nominated, 13.
Referred, 13.
Reported, 90.
Confirmed, 94.

GOLDMAN, MISS SARA, nominated, 16.
Referred, 16.
Reported, 93.
Confirmed, 94.

GOLDSMITH, L. S., nominated, 11.
Referred, 11.
Reported, 89.
Confirmed, 94.

GOLDSTEIN, MRS. ELLA, nominated, 10.
Referred, 10.
Reported, 87.
Confirmed, 94.

GOLDSTEIN, HARRY H., nominated, 14.
Referred, 14.
Reported, 92.
Confirmed, 94.

GOODMAN, MARTIN, nominated, 506.
Referred, 506.
Reported, 539.
Confirmed, 540.

GORMLEY, MISS ANNETTA, nominated, 10.
Referred, 10.
Reported, 88.
Confirmed, 94.

GRAF, HERBERT E., nominated, 14.
Referred, 14.
Reported, 92.
Confirmed, 94.

GRAFF, HENRY, nominated, 13.
Referred, 13.
Reported, 91.
Confirmed, 94.

GRAHAM, MISS FRANCES E. H. ,nominated, 670.
Referred, 670.
Reported, 677.
Confirmed, 678.

GRAHAM, RALPH, nominated, 670.
Referred, 670.
Reported, 677.
Confirmed, 678.

GRAYBILL, MISS LUCILLE, nominated, 11.
Referred, 11.
Reported, 89.
Confirmed, 94.

NOTARIES PUBLIC.—Continued.

GREEN, SAMUEL, nominated, 14.
Referred, 14.
Reported, 91.
Confirmed, 94.

GREENE, S. ROBT., nominated, 15.
Referred, 15.
Reported, 92.
Confirmed, 94.

GREENSTEIN, DANIEL S., nominated, 1165.
Referred, 1165.
Reported, 1206.
Confirmed, 1206.

GREENWOOD, WALTER, nominated, 12.
Referred, 12.
Reported, 89.
Confirmed, 94.

GREENZWEIG, CHARLES S., nominated, 14.
Referred, 14.
Reported, 91.
Confirmed, 94.

GREINER, CARL E., nominated, 8.
Referred, 8.
Reported, 86.
Confirmed, 94.

GRIFFIN, A. A., nominated, 13.
Referred, 13.
Reported, 91.
Confirmed, 94.

GRIFFITH, MISS ISABELLE H., nominated, 15.
Referred, 15.
Reported, 92.
Confirmed, 94.

GRIFFITH, MISS TWANE, nominated, 8.
Referred, 8.
Reported, 86.
Confirmed, 94.

GRIFFITH, WM. E., nominated, 1302.
Referred, 1302.
Reported, 1369.
Confirmed, 1369.

GRIMES, EDMUND P., nominated, 305.
Referred, 305.
Reported, 409.
Confirmed, 409.

GRISSON, ROBERT W., nominated, 507.
Referred, 506.
Reported, 540.
Confirmed, 540.

GROCE, WARREN F., nominated, 670.
Referred, 670.
Reported, 677.
Confirmed, 678.

GROFF, MISS MILDRED D., nominated, 11.
Referred, 11.
Reported, 88.
Confirmed, 94.

GROMLICH, MRS. SADYE E., nominated, 12.
Referred, 12.
Reported, 90.
Confirmed, 94.

GROSS, MRS. ELSIE, nominated, 9.
Referred, 9.
Reported, 86.
Confirmed, 94.

GROVE, M. M., nominated, 776.
Referred, 776.
Reported, 791.
Confirmed, 792.

NOTARIES PUBLIC.—Continued.

GROVE, PAUL R., nominated, 12.
Referred, 12.
Reported, 90.
Confirmed, 94.

GRUBER, FREDERICK C., nominated, 14.
Referred, 14.
Reported, 91.
Confirmed, 94.

GRUBER, H .S., nominated, 11.
Referred, 11.
Reported, 88.
Confirmed, 94.

GRUNINGER, JOHN H., nominated, 14.
Referred, 14.
Reported, 92.
Confirmed, 94.

GRUPP, MRS. LILLIAN, nominated, 11.
Referred, 11.
Reported, 88.
Confirmed, 94.

GUNDERMAN, MISS MIRIAM R., nominated, 776.
Referred, 776.
Reported, 792.
Confirmed, 792.

HABERSTROH, ROBERT C., nominated, 8.
Referred, 8.
Reported, 86.
Confirmed, 94.

HACKMAN, NEWTON H., nominated, 13.
Referred, 13.
Reported, 91.
Confirmed, 94.

HAGARMAN, MISS DOROTHY A., nominated, 16.
Referred, 16.
Reported, 93.
Confirmed, 94.

HAGEN, CHARLES J., nominated, 15.
Referred, 15.
Reported, 92.
Confirmed, 94.

HAGENLOCHER, GEO. A., nominated, 1411.
Referred, 1411.
Reported, 1449.
Confirmed, 1450.

HAGY, MISS DOROTHY W., nominated, 1193.
Referred, 1193.
Reported, 1236.
Confirmed, 1238.

HAHNER, MISS LAURA H., nominated, 15.
Referred, 15.
Reported, 93.
Confirmed, 94.

HAKE, H. MILTON, nominated, 16.
Referred, 16.
Reported, 93.
Confirmed, 94.

HALDEMAN, MRS. FLORENCE, nominated, 402.
Referred, 402.
Reported, 454.
Confirmed, 454.

HALE, HARVEY M., nominated, 12.
Referred, 12.
Reported, 89.
Confirmed, 94.

HALEY, CHARLES R., nominated, 10.
Referred, 10.
Reported, 87.
Confirmed, 94.

NOTARIES PUBLIC.—Continued.

HALEY, MISS NORA C., nominated, 11.
Referred, 11.
Reported, 88.
Confirmed, 94.

HALL, EVARD B., nominated, 11.
Referred, 11.
Reported, 89.
Confirmed, 94.

HALL, RICHARD H., nominated, 9.
Referred, 9.
Reported, 87.
Confirmed, 94.

HAMATY, MISS FAY, nominated, 15.
Referred, 15.
Reported, 92.
Confirmed, 94.

HAMBRIGHT, MRS. JOSEPHINE, nominated, 1387.
Referred, 1387.
Reported, 1416.
Confirmed, 1417.

HAMILTON, JOSEPH W., nominated, 15.
Referred, 15.
Reported, 92.
Confirmed, 94.

HAMMERNICK, FRED, nominated, 1279.
Referred, 1279.
Reported, 1297.
Confirmed, 1297.

HAMMILL, MISS ROSE A., nominated, 13.
Referred, 13.
Reported, 90.
Confirmed, 94.

HAND, MRS. MARIAN R., nominated, 1312.
Referred, 1312.
Reported, 1369.
Confirmed, 1369.

HANKEY, WM. R., nominated, 16.
Referred, 16.
Reported, 93.
Confirmed, 94.

HANKIN, LOUIS S., nominated, 15.
Referred, 15.
Reported, 92.
Confirmed, 94.

HARDING, ROSS E., nominated, 1253.
Referred, 1253.
Reported, 1297.
Confirmed, 1297.

HARKINS, MISS MARGARET E., nominated, 849.
Referred, 848.
Reported, 875.
Confirmed, 876.

HARMAN, CLOYD E., nominated, 403.
Referred, 403.
Reported, 408.
Confirmed, 409.

HARRIS, MISS ALICE, nominated, 12.
Referred, 12.
Reported, 90.
Confirmed, 94.

HARRIS, MISS FRANCES V., nominated, 1166.
Referred, 1165.
Reported, 1206.
Confirmed, 1206.

HARRIS, HERMAN, nominated, 10.
Referred, 10.
Reported, 88.
Confirmed, 74.

NOTARIES PUBLIC.—Continued.

HARRIS, PHILIP, nominated, 15.
Referred, 15.
Reported, 92.
Confirmed, 94.

HARRISON, G. HARRY, nominated, 10.
Referred, 10.
Reported, 87.
Confirmed, 94.

HARRITY, F. J., nominated, 14.
Referred, 14.
Reported, 91.
Confirmed, 94.

HARRITY, MISS RUTH, nominated, 508.
Referred, 506.
Reported, 538.
Confirmed, 540.

HARRO, MISS E. ELIZABETH, nominated, 8.
Referred, 8.
Reported, 85.
Confirmed, 94.

HARSCH, ALBERT, nominated, 11.
Referred, 11.
Reported, 88.
Confirmed, 94.

HART, JAMES M., nominated, 9.
Referred, 9.
Reported, 86.
Confirmed, 94.

HARTLE, MISS MARY L., nominated, 848.
Referred, 848.
Reported, 875.
Confirmed, 876.

HARTMAN, JOHN W., nominated, 507.
Referred, 506.
Reported, 540.
Confirmed, 540.

HARTZELL, IRWIN N., nominated, 11.
Referred, 11.
Reported, 88.
Confirmed, 94.

HASSELL, MRS. LILLIAN C., nominated, 1071.
Referred, 1071.
Reported, 1105.
Confirmed, 1105.

HATCH, JAMES LEWIS, nominated, 508.
Referred, 506.
Reported, 538.
Confirmed, 540.

HATCH, MARTIN F., nominated, 12.
Referred, 12.
Reported, 89.
Confirmed, 94.

HAUN, JUSTUS H., nominated, 670.
Referred, 670.
Reported, 677.
Confirmed, 678.

HAY, JAMES H., nominated, 848.
Referred, 848.
Reported, 875.
Confirmed, 876.

HAY, MALCOLM, nominated, 1387.
Referred, 1387.
Reported, 1416.
Confirmed, 1417.

HAWLEY, JAMES L., nominated, 9.
Referred, 9.
Reported, 86.
Confirmed, 94.

NOTARIES PUBLIC.—Continued.

HAZLETT, MISS MABEL A., nominated, 10.
Referred, 10.
Reported, 87.
Confirmed, 94.

HEADLEY, ROBERT L., nominated, 507.
Referred, 506.
Reported, 539.
Confirmed, 540.

HECKERT, MISS C. LOUISE, nominated, 12.
Referred, 12.
Reported, 89.
Confirmed, 94.

HEDSTROM, H. G., nominated, 670.
Referred, 670.
Reported, 677.
Confirmed, 678.

HEFFELFINGER, MISS PEARL A., nominated, 14.
Referred, 14.
Reported, 91.
Confirmed, 94.

HEFFNER, MRS. CHRISTINE, nominated, 13.
Referred, 13.
Reported, 91.
Confirmed, 94.

HEFFNER, JOHN H., nominated, 776.
Referred, 776.
Reported, 792.
Confirmed, 792.

HEIKEN, MISS MARGARET K., nominated, 15.
Referred, 15.
Reported, 93.
Confirmed, 94.

HEIL, H. C., nominated, 10.
Referred, 10.
Reported, 87.
Confirmed, 94.

HEIMBACH, MRS. EVELYN T., nominated, 11.
Referred, 11.
Reported, 88.
Confirmed, 94.

HEINLEIN, W. TIGHE, nominated, 874.
Referred, 874.
Reported, 883.
Confirmed, 883.

HELLER, PAUL W., nominated 11.
Referred, 11.
Reported, 88.
Confirmed, 94.

HELMICH, MISS ELSIE A., nominated, 15.
Referred, 15.
Reported, 92.
Confirmed, 94.

HENDERSON, ROBERT M., nominated, 11.
Referred, 11.
Reported, 89.
Confirmed, 94.

HENKELS, LOUIS H., nominated, 650.
Referred, 650.
Reported, 659.
Confirmed, 660.

HENNING, L. H., nominated, 670.
Referred, 670.
Reported, 677.
Confirmed, 678.

HENNINGER, MISS GERALDINE, nominated, 507.
Referred, 506.
Reported, 540.
Confirmed, 540.

NOTARIES PUBLIC.—Continued.

HENNINGER, WILLIAM B., nominated, 506
Referred, 506.
Reported, 539.
Confirmed, 540.

HENRETTA, MRS. ANNA T., nominated, 1387.
Referred, 1387.
Reported, 1416.
Confirmed, 1417.

HENRIE, JOHN P., nominated, 1312.
Referred, 1312.
Reported, 1369.
Confirmed, 1369.

HENRY, IRA M., nominated, 10.
Referred, 10.
Reported, 88.
Confirmed, 94.

HENRY, JOHN W., JR., nominated, 11.
Referred, 11.
Reported, 89.
Confirmed, 94.

HENRY, MISS KATHARINE, nominated, 12.
Referred, 12.
Reported, 90.
Confirmed, 94.

HENSEL, MISS ANNA M., nominated, 1340.
Referred, 1340.
Reported, 1416.
Confirmed, 1417.

HERRINGTON, FRED J., nominated, 10.
Referred, 10.
Reported, 87.
Confirmed, 94.

HERRON, THOS. P., nominated, 16.
Referred, 16.
Reported, 93.
Confirmed, 94.

HERST, SAMUEL F., nominated, 9.
Referred, 9.
Reported, 86.
Confirmed, 94.

HERTZ, MISS ISABELLE S., nominated, 13
Referred, 13.
Reported, 90.
Confirmed, 94.

HERTZ, JULES, nominated, 776.
Referred, 776.
Reported, 792.
Confirmed, 792.

HERZOG, MISS C. ELIZABETH, nominated, 1291.
Referred, 1291.
Reported, 1296.
Confirmed, 1297.

HESPELL, FRANK P., nominated, 507.
Referred, 506.
Reported, 540.
Confirmed, 540.

HETRICK, HOWARD C., nominated, 11.
Referred, 11.
Reported, 88.
Confirmed, 94.

HETTINGER, ALOIS E., nominated, 82.
Referred, 82.
Reported, 222.
Confirmed, 222.

HETTINGER, OLIVER J., nominated, 8.
Referred, 8.
Reported, 86.
Confirmed, 94.

NOTARIES PUBLIC.—Continued.

HETZLEIN, JOSE, nominated, 11.
Referred, 11.
Reported, 88.
Confirmed, 94.

HEWITT, THOMAS W., nominated, 8.
Referred, 8.
Reported, 85.
Confirmed, 94.

HEYL, MRS. AMALIA K., nominated, 12.
Referred, 12.
Reported, 89.
Confirmed, 94.

HIBBS, ELLIOTT L., nominated, 1013.
Referred, 1013.
Reported, 1044.
Confirmed, 1044.

HIGGINS, MISS MARY V., nominated, 11.
Referred, 11.
Reported, 89.
Confirmed, 94.

HILLBURG, ORRIN M., nominated, 507.
Referred, 506.
Reported, 540.
Confirmed, 540.

HINDLE, J. R., nominated, 507.
Referred, 506.
Reported, 540.
Confirmed, 540.

HIPPENSTEELE, MRS. ROSE B., nominated, 572.
Referred, 571.
Reported, 579.
Confirmed, 580.

HIRSCH, ADOLPH, nominated, 1071.
Referred, 1071.
Reported, 1105.
Confirmed, 1105.

HIRSCH, MISS RHODA R., nominated, 16.
Referred, 16.
Reported, 93.
Confirmed, 94.

HITCHCOCK, MISS ALICE, nominated, 650.
Referred, 650.
Reported, 659.
Confirmed, 660.

HOBBS, MRS. MARJORIE R., nominated, 8.
Referred, 8.
Reported, 85.
Confirmed, 94.

HODGSON, MISS REGINA J., nominated, 15.
Referred, 15.
Reported, 93.
Confirmed, 94.

HOEHL, MRS. MARY A., nominated, 16.
Referred, 16.
Reported, 93.
Confirmed, 94.

HOFFMAN, CARL, nominated, 13.
Referred, 13.
Reported, 90.
Confirmed, 94.

HOFFMAN, MRS. CLARA E., nominated, 14.
Referred, 14.
Reported, 91.
Confirmed, 94.

HOFFMAN, I. LEO, nominated, 15.
Referred, 15.
Reported, 92.
Confirmed, 94.

NOTARIES PUBLIC.—Continued.

HOFFMAN, JOHN M., nominated, 9.
Referred, 9.
Reported, 87.
Confirmed, 94.

HOFFMAN, M. D., nominated, 10.
Referred, 10.
Reported, 87.
Confirmed, 94.

HOFFMAN, MISS SYLVIA, nominated, 14.
Referred, 14.
Reported, 92.
Confirmed, 94.

HOGE, MISS ELLEN C., nominated, 741.
Referred, 741.
Reported, 745.
Confirmed, 745.

HOHMAN, MISS JULIA M., nominated, 16.
Referred, 16.
Reported, 93.
Confirmed, 94.

HOLLAND, J. W., nominated, 506.
Referred, 506.
Reported, 539.
Confirmed, 540.

HOLLAND, MRS. MAUDE O., nominated, 14.
Referred, 14.
Reported, 92.
Confirmed, 94.

HOMAN, MISS ELIZABETH J., nominated, 670.
Referred, 670.
Reported, 677.
Confirmed, 678.

HOMER, ARTHUR L., nominated, 9.
Referred, 9.
Reported, 86.
Confirmed, 94.

HOMER, EDGAR B., nominated, 10.
Referred, 10.
Reported, 87.
Confirmed, 94.

HOOPES, CHARLES F., nominated, 12.
Referred, 12.
Reported, 89.
Confirmed, 94.

HOOVER, MISS IRENE M., nominated, 1387.
Referred, 1387.
Reported, 1416.
Confirmed, 1417.

HOOVER, MISS MADOLYN, nominated, 670.
Referred, 670.
Reported, 677.
Confirmed, 678.

HORMELL, MISS IRENA M., nominated, 16.
Referred, 16.
Reported, 93.
Confirmed, 94.

HORNE, L. BRINTON, nominated, 13.
Referred, 13.
Reported, 90.
Confirmed, 94.

HORNING, JOHN G., nominated, 12.
Referred, 12.
Reported, 90.
Confirmed, 94.

HORNSBY, G. W., nominated, 15.
Referred, 15.
Reported, 92.
Confirmed, 94.

NOTARIES PUBLIC.—Continued.

HORTH, FLOYD M., nominated, 12.
Referred, 12.
Reported, 89.
Confirmed, 94.

HORWALD, H. NORMAN, nominated, 15.
Referred, 15.
Reported, 15.
Confirmed, 94.

HOSTETLER, H. R., nominated, 16.
Referred, 16.
Reported, 93.
Confirmed, 94.

HOSTETLER, H. R., nominated, 848.
Referred, 848.
Reported, 875.
Confirmed, 876.

HOULIHAN, MISS ELIZABETH, nominated, 15.
Referred, 15.
Reported, 93.
Confirmed, 94.

HOWELL, FRANK J., nominated, 280.
Referred, 280.
Reported, 282.
Confirmed, 282.

HOYT, MRS. DOROTHY H., nominated, 8.
Referred, 8.
Reported, 86.
Confirmed, 94.

HRUBY, CHARLES J., nominated, 506.
Referred, 506.
Reported, 539.
Confirmed, 540.

HUBBELL, MISS MADALYN E., nominated, 12.
Referred, 12.
Reported, 89.
Confirmed, 94.

HUBBELL, RANDOLPH H., JR., nominated, 12.
Referred, 12.
Reported, 89.
Confirmed, 94.

HUBBS, HARRY L., nominated, 14.
Referred, 14.
Reported, 92.
Confirmed, 94.

HUBER, WILBUR C., nominated, 13.
Referred, 13.
Reported, 90.
Confirmed, 94.

HUEBNER, HAROLD E., nominated, 1253.
Referred, 1253.
Reported, 1297.
Confirmed, 1297.

HUFF, MRS. BEULAH, nominated, 611.
Referred, 611.
Reported, 659.
Confirmed, 660.

HUMBERT, MISS EMMA L., nominated, 11.
Referred, 11.
Reported, 88.
Confirmed, 94.

HUMPTON, MISS SARA SUE, nominated, 11.
Referred, 11.
Reported, 89.
Confirmed, 94.

HUNTZINGER, ROBERT F., nominated, 9.
Referred, 9.
Reported, 86.
Confirmed, 94.

NOTARIES PUBLIC.—Continued.

HUSTED, MRS. HARRIETTE M., nominated, 13.
Referred, 13.
Reported, 91.
Conrmed, 94.

HUSTON, M. V. G., nominated, 8.
Referred, 8.
Reported, 86.
Confirmed, 94.

HUTT, MISS MADELINE, nominated, 14.
Referred, 14.
Reported, 92.
Confirmed, 94.

HYLAND, P. J., nominated, 506.
Referred, 506.
Reported, 539.
Confirmed, 540.

IGNATOVIG, A. T., nominated, 15.
Referred, 15.
Reported, 93.
Confirmed, 94.

INGRAHAM, MISS LILLIAN M., nominated, 507.
Referred, 506.
Reported, 540.
Confirmed, 540.

INSLEY, MRS. FLORENCE K., nominated, 507.
Referred, 506.
Reported, 539.
Confirmed, 540.

IOBST, OSCAR T., nominated, 507.
Referred, 506.
Reported, 539.
Confirmed, 540.

IRONS, STANLEY M., nominated, 13.
Referred, 13.
Reported, 91.
Confirmed, 94.

IRVIN, HENRY B., nominated, 14.
Referred, 14.
Reported, 91.
Confirmed, 94.

ISENBERG, ALVIN R., nominated, 219.
Referred, 219.
Reported, 408.
Confirmed, 409.

JACOB, THOMAS F., nominated, 507.
Referred, 506.
Reported, 539.
Confirmed, 540.

JACOBS, CLIFTON N., nominated, 13
Referred, 13.
Reported, 91.
Confirmed, 94.

JACOBS, T. D., nominated, 874.
Referred, 874.
Reported, 883.
Conrmed, 883.

JAEGLE, MISS SARAH, nominated, 10.
Referred, 10.
Reported, 88.
Confirmed, 94.

JAMES, JOHN W., nominated, 12.
Referred, 12.
Reported, 90.
Confirmed, 94.

JAMES, MARK C., nominated, 1340.
Referred, 1340.
Reported, 1416.
Confirmed, 1417.

NOTARIES PUBLIC.—Continued.

JELLETT, JAMES I., nominated, 791.
Referred, 791.
Reported, 809.
Confirmed, 810.

JENKINS, ANDREW N., nominated, 16.
Referred, 16.
Reported, 93.
Confirmed, 94.

JENKINS, DANIEL H., nominated, 670
Referred, 670.
Reported, 677.
Confirmed, 678.

JENKINS, T. B., nominated, 13.
Referred, 13.
Reported, 90.
Confirmed, 94.

JENNINGS, MRS. MARY E., nominated, 572
Referred, 571.
Reported, 579.
Confirmed, 580.

JEWELL, J. W., nominated, 11.
Referred, 11.
Reported, 88.
Confirmed, 94.

JOHNSON, HJALMAR M., nominated, 714.
Referred ,714.
Reported, 745.
Confirmed, 745.

JOHNSON, MISS RACHEL W., nominated, 11.
Referred, 11.
Reported, 88.
Confirmed, 94.

JOHNSON, WILLIAM, nominated, 10.
Referred, 10.
Reported, 88.
Confirmed, 94.

JOHNSTON, L. D., nominated, 12.
Referred, 12.
Reported, 90.
Confirmed, 94.

JONES, HARRY E., nominated
Referred, 741.
Reported, 745.
Confirmed, 745.

JONES, HERBERT P., nominated, 60.
Referred, 60.
Reported, 94.
Confirmed, 94.

JONES, JOHN G., nominated, 13
Referred, 13.
Reported, 90.
Confirmed, 94.

JONES, KENNETH D., nominated, 279.
Referred, 279.
Reported, 282.
Confirmed, 282.

JONES, MISS LUCILLE E., nominated, 13.
Referred, 13.
Reported, 90.
Confirmed, 94.

JORDAN, MISS LORETTA C., nominated, 12.
Referred, 12.
Reported, 90.
Confirmed, 94.

JUNK, MISS RITA, nominated, 13.
Referred, 13.
Reported, 91.
Confirmed, 94.

NOTARIES PUBLIC.—Continued.

KAELIN, RAYMOND C., nominated, 15.
Referred, 15.
Reported, 93.
Confirmed, 94.

KAISER, MRS. STELLA M., nominated, 1101.
Referred, 1101.
Reported, 1149.
Confirmed, 1150.

KAMIN, S. IRWIN, nominated, 10.
Referred, 10.
Reported, 87.
Confirmed, 94.

KANE, E. KENT, nominated, 1423.
Referred, 1423.
Withdrawn, 1434.

KANE, MISS EVELYN, nominated, 535.
Referred, 535.
Reported, 578.
Confirmed, 580.

KAUFMAN, CHARLES R., nominated, 741.
Referred, 741.
Reported, 745.
Confirmed, 745.

KAUFMAN, DAVID M., nominated, 10.
Referred, 10.
Reported, 87.
Confirmed, 94.

KAUFFMAN, WILBUR NELSON, nominated, 9.
Referred, 9.
Reported, 86.
Confirmed, 94.

KAUFFMANN, JULIUS, JR., nominated, 15.
Referred, 15.
Reported, 92.
Conrmed, 94.

KAWEL, MRS. ETHEL E., nominated, 848.
Referred, 848.
Reported, 875.
Confirmed, 876.

KEAGY, ARTHUR D., nominated, 1165.
Referred, 1165.
Reported, 1206.
Confirmed, 1206.

KEAGY, MISS M. ELIZABETH, nominated, 219.
Referred, 219.
Reported, 408.
Confirmed, 409.

KEANEY, MISS ELIZABETH M., nominated, 1312.
Referred, 1312.
Reported, 1368.
Confirmed, 1369.

KEELEY, WILLIAM L., nominated, 263.
Referred, 263.
Reported, 282.
Confirmed, 282.

KEENAN, WESLER T., nominated, 13.
Referred, 13.
Reported, 91.
Confirmed, 94.

KEHLER, MISS ESTHER A., nominated, 13.
Referred, 13.
Reported, 91.
Confirmed, 94.

KEITH, MRS. JANE H., nominated, 10.
Referred, 10.
Reported, 87.
Confirmed, 94.

NOTARIES PUBLIC.—Continued.

KELL, MISS CATHARINE H., nominated, 1327.
Referred, 1327.
Reported, 1368.
Confirmed, 1369.

KELL, H. RUSSELL, nominated, 14.
Referred, 14.
Reported, 91.
Confirmed, 94.

KELLER, MRS. VELVA E., nominated, 9.
Referred, 9.
Reported, 86.
Confirmed, 94.

KELLEY, MISS ALICE R., nominated, 16.
Referred, 16.
Reported, 93.
Confirmed, 94.

KELLNER, EUGENE J., nominated, 13.
Referred, 13.
Reported, 91.
Confirmed, 94.

KELLY, MISS MINNIE E., nominated, 10.
Referred, 10.
Reported, 87.
Confirmed, 94.

KENDALL, HAROLD J., nominated, 11.
Referred, 11.
Reported, 88.
Confirmed, 94.

KENNEDY, H. De S., nominated, 776.
Referred, 776.
Reported, 792.
Confirmed, 792.

KENNEY, MRS. LENA, nominated, 9.
Referred, 9.
Reported, 86.
Confirmed, 94.

KENTNER, W. L., nominated, 13.
Referred, 13.
Reported, 91.
Confirmed, 94.

KEPLER, MISS ADELAIDE H., nominated, 10.
Referred, 10.
Reported, 87.
Confirmed, 94.

KEPNER, MRS. PEARLE C., nominated, 305.
Referred, 305.
Reported, 409.
Confirmed, 409.

KERRY, HOWARD M., nominated, 1047.
Referred, 1047.
Reported, 1105.
Confirmed, 1105.

KERTON, MRS. SALINA C. W., nominated, 472.
Referred, 472.
Reported, 503.
Confirmed, 503.

KESEL, PAUL L., nominated, 1165.
Referred, 1165.
Reported, 1206.
Confirmed, 1206.

KEYSER, RAYMOND N., nominated, 11.
Referred, 11.
Reported, 88.
Confirmed, 94

KICHLINE, A. S., nominated, 611.
Referred, 611.
Reported, 659.
Confirmed, 660.

NOTARIES PUBLIC.—Continued.

KIDNER, R. A., nominated, 15.
Referred, 15.
Reported, 93.
Confirmed, 94.

KIEHL, MISS MARGUERITE C., nominated, 12.
Referred, 12.
Reported, 90.
Confirmed, 94.

KILEY, MISS MABEL R., nominated, 12.
Referred, 12.
Reported, 89.
Confirmed, 94.

KILLIAN, MISS DOROTHY M., nominated, 15.
Referred, 15.
Reported, 92.
Confirmed, 94.

KING, MISS LILLIAN B., nominated, 169.
Referred, 169.
Reported, 408.
Confirmed, 409.

KINGAN, HARRY E., nominated, 848.
Referred, 848.
Reported, 875.
Confirmed, 876.

KIMBLE, MISS MARION J., nominated, 15.
Referred, 15.
Reported, 93.
Confirmed, 94.

KIMMEL, MISS DOROTHY J., nominated, 670.
Referred, 670.
Reported, 677.
Confirmed, 678.

KISHBAUGH, MISS CEOLA M., nominated, 508.
Referred, 508.
Reported, 532.
Confirmed, 540.

KISTLER, MSS DOROTHY B., nominated, 16.
Referred, 16.
Reported, 93.
Confirmed, 94.

KISTLER, ELMER C., nominated, 13.
Referred, 13.
Reported, 90.
Confirmed, 94.

KITTELBERGER, M. DON, nominated, 703.
Referred, 703.
Reported, 707.
Confirmed, 708.

KLEIN, MRS. JEANETTE, nominated, 12.
Referred, 12.
Reported, 90.
Confirmed, 94.

KLINE, MISS DOROTHY, nominated, 15.
Referred, 15.
Reported, 92.
Confirmed, 94.

KLINE, EDWIN K., JR., nominated, 13.
Referred, 13.
Reported, 90.
Confirmed, 94.

KNABLE, MISS BLANCHE, nominated, 11.
Referred, 11.
Reported, 88.
Confirmed, 94.

KNEBELS, FRANCIS X., nominated, 13.
Referred, 13.
Reported, 90.
Confirmed, 94.

NOTARIES PUBLIC.—Continued.

KNIPPLE, HARRY J., nominated, 9.
Referred, 9.
Reported, 86.
Confirmed, 94.

KNOWLES, FREDERICK J., nominated, 13.
Referred, 13.
Reported, 91.
Confirmed, 94.

KNYRIM, CALVIN H., JR., nominated, 13.
Referred, 13.
Reported, 90.
Confirmed, 94.

KOCH, JOHN A., nominated, 10.
Referred, 10.
Reported, 87.
Confirmed, 94.

KOCH, WARREN H., nominated, 776.
Referred, 776.
Reported, 792.
Confirmed, 792.

KOCHER, MRS. BUELAH M., nominated, 1340.
Referred, 1340.
Reported, 1416.
Confirmed, 1417.

KOENIG, GEORGE R., nominated, 1165.
Referred, 1165
Reported, 1206.
Confirmed, 1206.

KOLANDER, FRANCIS X., nominated, 80.
Referred, 10.
Reported, 88.
Confirmed, 94.

KOLLING, J. L., nominated, 16.
Referred, 16.
Reported, 93.
Confirmed, 94.

KOLTES, JOHN A., nominated, 14.
Referred, 14.
Reported, 91.
Confirmed, 94.

KOSER, JOHN M., nominated, 507.
Referred, 506
Reported, 539
Confirmed, 540

KRAUSE, CLEM, nominated, 1166.
Referred, 1165.
Reported, 1206.
Confirmed, 1206.

KRAUSE, MISS IVA E., nominated, 714.
Referred, 714.
Reported, 745.
Confirmed, 745.

KRAVITZ, ISADORE W., nominated, 14.
Referred, 14.
Reported, 91.
Confirmed, 94.

KRICK, CHARLES P., nominated, 650.
Referred, 650.
Reported, 659.
Confirmed, 660.

KRIEG, ALBERT M., nominated, 11.
Referred, 11.
Reported, 89.
Confirmed, 94.

KRILL, MRS. RUTH M., nominated, 12.
Referred, 12.
Reported, 89.
Confirmed, 94.

NOTARIES PUBLIC.—Continued.

KRISE, WARREN S., nominated, 11.
Referred, 11.
Reported, 88.
Confirmed, 94.

KROMELBEIN, LEON, nominated, 1071.
Referred, 1071.
Reported, 1105.
Confirmed, 1105.

KRUM, B. REBER, nominated, 11.
Referred, 11.
Reported, 89.
Confirmed, 94.

KUHN, HARRY G., nominated, 15.
Referred, 15.
Reported, 92.
Confirmed, 94.

KUHNS, MISS ELEANOR, nominated, 16.
Referred, 16.
Reported, 93.
Confirmed, 94.

KULCHYCKY, EMIL, nominated, 14.
Referred, 14.
Reported, 91.
Confirmed, 94.

KUNZ, MRS. LODA IRWIN, nominated, 8.
Referred, 8.
Reported, 86.
Confirmed, 94.

LACHMAN, ABRAHAM, nominated, 280.
Referred, 280.
Reported, 282.
Confirmed, 282.

LALLI, MISS JEANNE, nominated, 14.
Referred, 14.
Reported, 92.
Confirmed, 94.

LANDIS, WALTER L., nominated, 15.
Referred, 15.
Reported, 96.
Confirmed, 94.

LANG, EDWARD G., nominated, 8.
Referred, 8.
Reported, 86.
Confirmed, 94.

LANGDON, ROBERT E., nominated, 506.
Referred, 506.
Reported, 539.
Confirmed, 540.

LANGTON, WILLIAM J., nominated, 1340.
Referred, 1340.
Reported, 1416.
Confirmed, 1417.

LANKFORD, PAUL H., nominated, 10.
Referred, 10.
Reported, 87.
Confirmed, 94.

LANG, MISS DOROTHY M., nominated, 12.
Referred, 12.
Reported, 89.
Confirmed, 94.

LANG, MISS MARY G., nominated, 10.
Referred, 10.
Reported, 87.
Confirmed, 94.

LANTZ, WM. MARSH, nominated, 14.
Referred, 14.
Reported, 91.
Confirmed, 94.

NOTARIES PUBLIC.—Continued.

LATIMER, C. D., nominated, 9.
Referred, 9.
Reported, 87.
Confirmed, 94.

LATSHA, MISS MONA A., nominated, 572.
Referred, 571.
Reported, 579.
Confirmed, 580.

LaMANTIA, MISS AUGUSTA M., nominated, 11.
Referred, 11.
Reported, 88.
Confirmed, 94.

LAUFFER, MRS. HAZEL B., nominated, 169.
Referred, 169.
Reported, 408.
Confirmed, 409.

LAUGHNER, MRS. IRENE E., nominated, 11.
Referred, 11.
Reported, 88.
Confirmed, 94.

LAVIN, MISS MARY T., nominated, 849.
Referred, 848.
Reported, 875.
Confirmed, 876.

LEAF, C. STUART, nominated, 10.
Referred, 10.
Reported, 88.
Confirmed, 94.

LEBER, CHARLES, nominated, 12.
Referred, 12.
Reported, 90.
Confirmed, 94.

LEBO, EARL W., nominated, 1165.
Referred, 1165.
Reported, 1206.
Confirmed, 1206.

LEBOVITZ, HERBERT B., nominated, 10.
Referred, 10.
Reported, 87.
Confirmed, 94.

LECHLEITNER, MISS MARGARET, nominated, 11.
Referred, 11.
Reported, 89.
Confirmed, 94.

LECHNER, ALFRED L., nominated, 507.
Referred, 506.
Reported, 539.
Confirmed, 540.

LEEDS, MISS NELLIE S., nominated, 507.
Referred, 506.
Reported, 540.
Confirmed, 540.

LEEK, MISS ELVA L., nominated, 12.
Referred, 12.
Reported, 90.
Confirmed, 94.

LEESER, M. R., nominated, 535.
Referred, 535.
Reported, 578.
Confirmed, 580.

LEINENWEBER, MISS CAROLINE M., nominated, 10.
Referred, 10.
Reported, 87.
Confirmed, 94.

LEHR, LOUIS P., nominated, 848.
Referred, 848.
Reported, 875.
Confirmed, 876.

NOTARIES PUBLIC.—Continued.

LENHART, WAYNE P. J., nominated, 11.
Referred, 11.
Reported, 88.
Confirmed, 94.

LEONARD, MISS MARGARET T., nominated, 15.
Referred, 15.
Reported, 93.
Confirmed, 94.

LEPORE, CHARLES R., nominated, 14.
Referred, 14.
Reported, 92.
Confirmed, 94.

LERCH, CLINTON S., nominated, 507.
Referred, 506.
Reported, 540.
Confirmed, 540.

LESKO, JOHN G., nominated, 15.
Referred, 15.
Reported, 93.
Confirmed, 94.

LESTER, JOS., F., nominated, 13.
Referred, 13.
Reported, 90.
Confirmed, 94.

LeVAN, MISS MARY E., nominated, 15.
Referred, 15.
Reported, 93.
Confirmed, 94.

LEVIN, MISS ANNA, nominated, 15.
Referred, 15.
Reported, 92.
Confirmed, 94.

LEVINE, MISS PAULINE, nominated, 14.
Referred, 14.
Reported, 91.
Confirmed, 94.

LEVINSON, MISS JEANNE, nominated, 506.
Referred, 506.
Reported, 539.
Confirmed, 540.

LEVINSON, MISS MADELINE, nominated, 572.
Referred, 571.
Reported, 578.
Confirmed, 580.

LEVIT, MISS SELMA, nominated, 14.
Referred, 14.
Reported, 91.
Confirmed, 94.

LEVY, DOLF L., nominated, 15.
Referred, 15.
Reported, 92.
Confirmed, 94.

LEWIS, MISS D. VIRGINIA, nominated, 82.
Referred, 82.
Reported, 222.
Confirmed, 222.

LEWIS, MISS ERNESTINE G., nominated, 15.
Referred, 15.
Reported, 92.
Confirmed, 94.

LEWIS, RICHARD R., nominated, 13.
Referred, 13.
Reported, 90.
Confirmed, 94.

LIEBERT, HOWARD C., nominated, 15.
Referred, 15.
Reported, 92.
Confirmed, 94.

NOTARIES PUBLIC.—Continued.

LIGHTFOOT, ALBERT M., nominated, 14.
Referred, 14.
Reported, 92.
Confirmed, 94.

LIGNOWSKI, MISS MARIE, nominated, 10.
Referred, 10.
Reported, 87.
Confirmed, 94.

LINDES, LEHIGHTON G., nominated, 402.
Referred, 402.
Reported, 454.
Confirmed, 454.

LINEMAN, GEORGE C., nominated, 10.
Referred, 10.
Reported, 87.
Confirmed, 94.

LINN, MISS MILLICENT, nominated, 15.
Referred, 15.
Reported, 93.
Confirmed, 94.

LINTON, MISS MARY L., nominated, 9.
Referred, 9.
Reported, 86.
Confirmed, 94.

LIPMAN, MORRIS S., nominated, 15.
Referred, 15.
Reported, 93.
Confirmed, 94.

LIPMAN, SAMUEL, nominated, 280.
Referred, 280.
Reported, 282.
Confirmed, 282.

LIPSCHUTZ, MISS A. GRACE, nominated, 15.
Referred, 15.
Reported, 93.
Confirmed, 94.

LISCOM, DEAN WILLIS, nominated, 170.
Referred, 170.
Reported, 408.
Confirmed, 409.

LITMAN, HERMAN, nominated, 1165.
Referred, 1165.
Reported, 1206.
Confirmed, 1206.

LITTLEWOOD, A. R., JR., nominated, 14.
Referred, 14.
Reported, 91.
Confirmed, 94.

LLOYD, C. GELBERT, nominated, 13.
Referred, 13.
Reported, 91.
Confirmed, 94.

LOCKWOOD, SAMUEL A., nominated, 1327.
Referred, 1327.
Reported, 1368.
Confirmed, 1369.

LONG, MRS. MARY LOU, nominated, 11.
Referred, 11.
Reported, 88.
Confirmed, 94.

LOOBY, MRS. CATHERINE R., nominated, 14.
Referred, 14.
Reported, 92.
Confirmed, 94.

LOOSE, HOWARD M., nominated, 1071.
Referred, 1071.
Reported, 1105.
Confirmed, 1105.

NOTARIES PUBLIC.—Continued.

LORCH, MISS ROSE T., nominated, 15.
Referred, 15.
Reported, 92.
Confirmed, 94.

LOSCH, WILLIAM HENRY, nominated, 14.
Referred, 14.
Reported, 91.
Confirmed, 94.

LOUGHNER, MISS ALICE B., nominated, 16.
Referred, 16.
Reported, 93.
Confirmed, 94.

LUCAS, MRS. BLANCHE, nominated, 13.
Referred, 13.
Reported, 90.
Confirmed, 94.

LUCZKOWEC, LEON, nominated, 14.
Referred, 14.
Reported, 91.
Confirmed, 94.

LUDWIG, W. F., nominated, 10.
Referred, 10.
Reported, 87.
Confirmed, 94.

LUECKE, JOHN H., nominated, 14.
Referred, 14.
Reported, 91.
Confirmed, 94.

LUPCO, JOS. A., nominated, 13.
Referred, 13.
Reported, 90.
Confirmed, 94.

LUTHER, K. E., nominated, 10.
Referred, 10.
Reported, 87.
Confirmed, 94.

LUTZ, MISS JOSEPHINE, nominated, 506.
Referred, 506.
Reported, 539.
Confirmed, 540.

LYMAN, EDWIN B., nominated, 572.
Referred, 571.
Reported, 579.
Confirmed, 580.

LYMAN, EDWIN S., JR., nominated, 13.
Referred, 13.
Reported, 90.
Confirmed, 94.

LYNCH, JAMES J., nominated, 15.
Referred, 15.
Reported, 92.
Confirmed, 94.

LYNCH, MISS MARGARET M., nominated, 10.
Referred, 10.
Reported, 87.
Confirmed, 94.

LYNCH, MATT A., nominated, 1279.
Referred, 1279.
Reported, 1297.
Confirmed, 1297.

LYONS, MISS MARGUERITE D., nominated, 1193.
Referred, 1193.
Reported, 1237.
Confirmed, 1238.

LYTLE, MRS. DOROTHY B., nominated, 16.
Referred, 16.
Reported, 93.
Confirmed, 94.

NOTARIES PUBLIC.—Continued.

MABEE, I. S., nominated, 13.
Referred, 13.
Reported, 91.
Confirmed, 94.

MABEE, RAYMOND M., nominated, 13.
Referred, 13.
Reported, 91.
Confirmed, 94.

MACALKA, MISS EMILY, nominated, 10.
Referred, 10.
Reported, 88.
Confirmed, 94.

MacARTHUR, JOHN F., nominated, 16.
Referred, 16.
Reported, 93.
Confirmed, 94.

MACATEE, BERNARD F., nominated, 9.
Referred, 9.
Reported, 86.
Confirmed, 94.

MacCAUSLAND, PAUL R., nominated, 14.
Referred, 14.
Reported, 92.
Confirmed, 94.

MacDONALD, MRS. RUTH, nominated, 506.
Referred, 506.
Reported, 539.
Confirmed, 540.

MacFARLAND, THOMAS R., nominated, 572.
Referred, 571.
Reported, 579.
Confirmed, 580.

MADDEN, MISS MARIE A., nominated, 12.
Referred, 12.
Reported, 90.
Confirmed, 94.

MADDEN, WILLIAM T., nominated, 1166.
Referred, 1165.
Reported, 1206.
Confirmed, 1206.

MADER, MRS. MYRTLE M., nominated, 1291
Referred, 1291.
Reported, 1296.
Confirmed, 1297.

MADINE, CANICE J., nominated, 10.
Referred, 10.
Reported, 88.
Confirmed, 94.

MAGAN, MISS MARY, nominated, 14.
Referred, 14.
Reported, 92.
Confirmed, 94.

MAHAN, FRANCIS A., nominated, 14.
Referred, 14.
Reported, 91.
Confirmed, 94.

MAHER, JAMES A., nominated, 10.
Referred, 10.
Reported, 88.
Confirmed, 94.

MAHONEY, MISS FRANCES L., nominated 871
Referred, 874.
Reported, 883.
Confirmed, 883.

MAIDEN, ORLANDO C., nominated, 14.
Referred, 14.
Reported, 92.
Confirmed, 94.

NOTARIES PUBLIC.—Continued.

MAIELLO, ANTONIO, nominated, 507
Referred, 506.
Reported, 540.
Confirmed, 540.

MAIERS, MRS. ELSIE S., nominated, 14
Referred, 14.
Reported, 91.
Confirmed, 94.

MAILANDER, MISS MARION F., nominated, 13.
Referred, 13.
Reported, 90.
Confirmed, 94.

MALCHANO, MISS ROSE, nominated, 10.
Referred, 10.
Reported, 88.
Confirmed, 94.

MALONEY, MRS. ADELE M., nominated, 14
Referred, 14.
Reported, 91.
Confirmed, 94.

MAMMANA, MRS. JULIA, nominated, 14.
Referred, 14.
Reported, 91.
Confirmed, 94.

MARCUS, GEORGE, nominated, 670.
Referred, 670.
Reported, 677.
Confirmed, 678.

MARCUS, LOUIS M., nominated, 670.
Referred, 670.
Reported, 677.
Confirmed, 678.

MARINE, MRS. RITA M., nominated, 714.
Referred, 714.
Reported, 745.
Confirmed, 745.

MARINO, MRS. SANTINA S., nominated, 16.
Referred, 16.
Reported, 93.
Confirmed, 94.

MARKLE, MRS. LIDA, nominated, 16.
Referred, 16.
Reported, 93.
Confirmed, 94.

MARSH, JAMES E., nominated, 827.
Referred, 827.
Reported, 840.
Confirmed, 840.

MARSHALL, MISS VIRGINIA, nominated, 507.
Referred, 506.
Reported, 539.
Confirmed, 540.

MARTIN, HAROLD EARL, nominated, 13
Referred, 13.
Reported, 90.
Confirmed, 94.

MARTIN, T. B., nominated, 507.
Referred, 506.
Reported, 540.
Confirmed, 540.

MARTSOLF, MISS GLADYS V., nominated, 10.
Referred, 10.
Reported, 87.
Confirmed, 94.

MASON, MISS EMMA E., nominated, 1193
Referred, 1193.
Reported, 1206.
Confirmed, 1208.

NOTARIES PUBLIC.—Continued.

MASON, JAMES E., nominated, 670.
Referred, 670.
Reported, 677.
Confirmed, 678.

MATTERN, WM. L., nominated, 14.
Referred, 14.
Reported, 92.
Confirmed, 94.

MATHENY, MARSHALL G., nominated, 13.
Referred, 13.
Reported, 90.
Confirmed, 94.

MATHIAS, RUSSELL L., nominated, 13.
Referred, 13.
Reported, 91.
Confirmed, 94.

MATTHEW, MISS M. MILDRED, nominated, 82.
Referred, 82.
Reported, 222.
Confirmed, 222.

MATTIS, J. H., nominated, 15.
Referred, 15.
Reported, 92.
Confirmed, 94.

MAURER, FRANK L., nominated, 1279.
Referred, 1279.
Reported, 1297.
Confirmed, 1297.

MAURO, MISS EMMA, nominated, 10.
Referred, 10.
Reported, 87.
Confirmed, 94.

MAUST, PAUL S., nominated, 13.
Referred, 13.
Reported, 91.
Confirmed, 94.

MAYBURY, W. A., nominated, 8.
Referred, 8.
Reported, 86.
Confirmed, 94.

McAFOOSE, MISS ANNA V., nominated, 12.
Referred, 12.
Reported, 90.
Confirmed, 94.

McALEER, MRS. MAME, nominated, 11.
Referred, 11.
Reported, 88.
Confirmed, 94.

McALLISTER, P. Y., nominated, 8.
Referred, 8.
Reported, 85.
Confirmed, 94.

McBURNEY, MISS ELIZABETH, nominated, 791.
Referred, 791.
Reported, 809.
Confirmed, 810.

McCABE, ALFRED A., nominated, 170.
Referred, 170.
Reported, 408.
Confirmed, 409.

McCAFFREY, MISS FLORENCE, nominated, 13.
Referred, 13.
Reported, 90.
Confirmed, 94.

McCALL, JOHN W., nominated, 1312.
Referred, 1312.
Reported, 1369.
Confirmed, 1369.

NOTARIES PUBLIC.—Continued.

McCALLISTER, MISS MARY A., nominated, 8.
Referred, 8.
Reported, 86.
Confirmed, 94.

McCANN, JAMES W., nominated, 572.
Referred, 571.
Reported, 579.
Confirmed, 580.

McCANN, MISS LOUISE, nominated, 10.
Referred, 10.
Reported, 87.
Confirmed, 94.

McCARTAN, MISS ROSE MARY, nominated, 10.
Referred, 10.
Reported, 87.
Confirmed, 94.

McCARTER, GARRETT C., nominated, 776.
Referred, 776.
Reported, 792.
Confirmed, 792.

McCARTHY, W. J., nominated, 15.
Referred, 15.
Reported, 93.
Confirmed, 94.

McCASKEY, MISS HELEN, nominated, 9.
Referred, 9.
Reported, 86.
Confirmed, 94.

McCLINTOCK, CHARLES F., nominated, 776.
Referred, 776.
Reported, 792.
Confirmed, 792.

McCLOSKY, J. V., nominated, 15.
Referred, 15.
Reported, 92.
Confirmed, 94.

McCORD, MISS ELEANER M., nominated, 15.
Referred, 15.
Reported, 93.
Confirmed, 94.

McCORMACK, F. J., nominated, 901.
Referred, 901.
Reported, 918.
Confirmed, 919.

McCORMICK, J. GUY, nominated, 507.
Referred, 506.
Reported, 539.
Confirmed, 540.

McCOY, JOHN M., nominated, 12.
Referred, 12.
Reported, 89.
Confirmed, 94.

McCRACKEN, MISS H. M., nominated, 169.
Referred, 169.
Reported, 408.
Confirmed, 409.

McCREA, JOHN, nominated, 572.
Referred, 571.
Reported, 579.
Confirmed, 580.

McCREADY, MISS RUTH A., nominated, 9.
Referred, 9.
Reported, 86.
Confirmed, 94.

McCREARY, E. LAWRENCE, nominated, 10.
Referred, 10.
Reported, 87.
Confirmed, 94.

NOTARIES PUBLIC.—Continued.

McCUFF, MRS. ETHEL L., nominated, 14.
Referred, 14.
Reported, 92.
Confirmed, 94.

McDEVITT, MISS ELIZABETH, nominated, 13.
Referred, 13.
Reported, 90.
Confirmed, 94.

McDONALD, R. A., nominated, 506.
Referred, 506.
Reported, 539.
Confirmed, 540.

McDONOUGH, LEVI F., nominated, 219.
Referred, 219.
Reported, 408.
Confirmed, 409.

McDONOUGH, WALTER R., nominated, 703.
Referred, 703.
Reported, 708.
Confirmed, 708.

McDOWELL, O. E., nominated, 11.
Referred, 11.
Reported, 88.
Confirmed, 94.

McFADDEN, MRS. DOROTHEA G., nominated, 14.
Referred, 14.
Reported, 92.
Confirmed, 94.

McGEARY, J. ABER, nominated, 9.
Referred, 9.
Reported, 87.
Confirmed, 94.

McGINLEY, MISS KATHRYN E., nominated, 11.
Referred, 11.
Reported, 88.
Confirmed, 94.

McGINNIS, MISS EMILY P., nominated, 1279.
Referred, 1279.
Reported, 1297.
Confirmed, 1297.

McGINNIS, MRS. HELEN, nominated, 1340.
Referred, 1340.
Reported, 1416.
Confirmed, 1417.

McGOVERN, MRS. FRANCES W., nominated, 15.
Referred, 15.
Reported, 92.
Confirmed, 94.

McGOVERN, MISS MARTHA T., nominated, 14.
Referred, 14.
Reported, 91.
Confirmed, 94.

McGOWAN, VINCENT, nominated, 280.
Referred, 280.
Reported, 282.
Confirmed, 282.

McGRAW, MISS BETTY, nominated, 16.
Referred, 16.
Reported, 93.
Confirmed, 94.

McGRAW, MISS KATHRYN, nominated, 703.
Referred, 703.
Reported, 707.
Confirmed, 708.

McGROATY, CORNELIUS J., nominated, 9.
Referred, 9.
Reported, 86.
Confirmed, 94.

NOTARIES PUBLIC.—Continued.

McKEAN, A. M., nominated, 874.
Referred, 874.
Reported, 883.
Confirmed, 883.

McLAUGHLIN, MISS SARA, nominated, 117.
Referred, 117.
Reported, 222.
Confirmed, 222.

McMEEL, MISS ANNE T., nominated, 8.
Referred, 8.
Reported, 86.
Confirmed, 94.

McMULLEN, MRS. KATHARINE, nominated, 12.
Referred, 12.
Reported, 89.
Confirmed, 94.

McNALLY, EDWARD E., nominated, 14.
Referred, 14.
Reported, 91.
Confirmed, 94.

McNEAL, D. A., nominated, 11.
Referred, 11.
Reported, 88.
Confirmed, 94.

McNUTT, MRS. VELMA D., nominated, 8
Referred, 8.
Reported, 86.
Confirmed, 94.

McOSCAR, THOMAS J., nominated, 849.
Referred, 848.
Reported, 875.
Confirmed, 876.

McPHERSON, E. S., nominated, 506.
Referred, 506.
Reported, 539.
Confirmed, 540.

MEANS, WM. A., nominated, 10.
Referred, 10.
Reported, 87.
Confirmed, 94.

MEHALKO, MISS MARGARET, nominated, 8.
Referred, 8.
Reported, 85.
Confirmed, 94.

MEIGHEN, MRS. NANCY, nominated, 11.
Referred, 11.
Reported, 88.
Confirmed, 94.

MEISINGER, MISS MERCEDES, nominated, 1165.
Referred, 1165.
Reported, 1206.
Confirmed, 1206.

MEIXSELL, MRS. MYRTLE, nominated, 14.
Referred, 14.
Reported, 91.
Confirmed, 94.

MELLERS, MISS JOSEPHINE D., nominated, 16.
Referred, 16.
Reported, 93.
Confirmed, 94.

MELLINGER, A. Z., nominated, 12.
Referred, 12.
Reported, 90.
Confirmed, 94.

MELLON, MISS DOROTHY C., nominated, 507.
Referred, 506.
Reported, 540.
Confirmed, 540.

NOTARIES PUBLIC.—Continued.

MERRICK, MISS HELEN G., nominated, 9.
Referred, 9.
Reported, 86.
Confirmed, 94.

MERRIN, GEORGE H., nominated, 16.
Referred, 16.
Reported, 93.
Confirmed, 94.

MERRYMAN, WARREN, nominated, 12.
Referred, 12.
Reported, 89.
Confirmed, 94.

MESING, WALTER J., nominated, 506.
Referred, 506.
Reported, 539.
Confirmed, 540.

MESONKA, MISS HELEN, nominated, 10.
Referred, 10.
Reported, 87.
Confirmed, 94.

METHEWS, JOHN J., nominated, 507.
Referred, 506.
Reported, 540.
Confirmed, 540.

METZ, GEORGE H., nominated, 572.
Referred, 571.
Reported, 579.
Confirmed, 580.

MICKS, MISS KATHERINE L., nominated, 11.
Referred, 11.
Reported, 89.
Confirmed, 94.

MIERNICKI, MISS HELEN, nominated, 650.
Referred, 650.
Reported, 659.
Confirmed, 660.

MILLER, MISS ANNA M., nominated, 11.
Referred, 11.
Reported, 89.
Confirmed, 94.

MILLER, CHARLES B., nominated, 507.
Referred, 505.
Reported, 539.
Confirmed, 540.

MILLER, MISS DOROTHY A., nominated, 535.
Referred, 535.
Reported, 578.
Confirmed, 580.

MILLER, MISS ELIZABETH H., nominated, 82.
Referred, 82.
Reported, 222.
Confirmed, 222.

MILLER, MISS EVELYN K., nominated, 16.
Referred, 16.
Reported, 93.
Confirmed, 94.

MILLER, MISS EVELYN M., nominated, 16.
Referred, 16.
Reported, 93.
Confirmed, 94.

MILLER, MRS. JEAN, nominated, 60.
Referred, 60.
Reported, 94.
Confirmed, 94.

MILLER, J. DON, nominated, 11.
Referred, 11.
Reported, 89.
Confirmed, 94.

NOTARIES PUBLIC.—Continued.

MILLER, J. WALTER, nominated, 169.
Referred, 169.
Reported, 408.
Confirmed, 409.

MILLER, LeROY M., nominated, 8.
Referred, 8.
Reported, 86.
Confirmed, 94.

MILLER, M. E., nominated, 10.
Referred, 10.
Reported, 87.
Confirmed, 94.

MILLER, MRS. PHYLLIS, nominated, 506.
Referred, 506.
Reported, 539.
Confirmed, 540.

MINNICK, MRS. MARGARETTE, nominated, 572.
Referred, 571.
Reported, 579.
Confirmed, 580.

MINTZER, HOWARD W., nominated, 12.
Referred, 12.
Reported, 89.
Confirmed, 94.

MITCHELL, MRS. ELVIE M., nominated, 741.
Referred, 741.
Reported, 745.
Confirmed, 745.

MITCHELL, MRS. NELLIE W., nominated, 82.
Referred, 82.
Reported, 222.
Confirmed, 222.

MITSTIFER, IRVIN M., nominated, 9.
Referred, 9.
Reported, 86.
Confirmed, 94.

MITTLER, S. E., nominated, 14.
Referred, 14.
Reported, 92.
Confirmed, 94.

MITTLEMAN, WILLIAM, nominated, 11.
Referred, 11.
Reported, 89.
Confirmed, 94.

MOETSCH, CHAS. F., JR., nominated, 14.
Referred, 14.
Reported, 91.
Confirmed, 94.

MOLL, MISS MIRIAM M., nominated, 11.
Referred, 11.
Reported, 88.
Confirmed, 94.

MONAHAN, MISS CATHERINE J., nominated, 402.
Referred, 402.
Reported, 454.
Confirmed, 454.

MONTAGNO, JOSEPH A., nominated, 15.
Referred, 15.
Reported, 92.
Confirmed, 94.

MONTGOMERY, CECIL R., nominated, 472.
Referred, 472.
Reported, 503.
Confirmed, 503.

MONTGOMERY, JOHN H., nominated, 10.
Referred, 10.
Reported, 88.
Confirmed, 94.

NOTARIES PUBLIC.—Continued.

MOON, MRS. M. ELIZABETH, nominated 13.
Referred, 13.
Reported, 91.
Confirmed, 94.

MOORE, C. EARL, nominated, 14.
Referred, 14.
Reported, 92.
Confirmed, 94.

MOORE, MISS KATHRYN D., nominated, 15.
Referred, 15.
Reported, 92.
Confirmed, 94.

MOORE, MRS. MARGARET H., nominated, 14.
Referred, 14.
Reported, 91.
Confirmed, 94.

MOORE, ROBERT A., nominated, 9.
Referred, 9.
Reported, 86.
Confirmed, 94.

MOORE, MRS. SARAH F., nominated, 572.
Referred, 571.
Reported, 579.
Confirmed, 580.

MOREHEAD, MISS MILDRED A., nominated, 15.
Referred, 15.
Reported, 92.
Confirmed, 94.

MOREHOUSE, L. C., nominated, 1166.
Referred, 1165.
Reported, 1206.
Confirmed, 1206.

MORGAN, MISS BESSIE K., nominated, 13.
Referred, 13.
Reported, 90.
Confirmed, 94.

MORGAN, MISS DOLORES J., nominated, 8.
Referred, 8.
Reported, 86.
Confirmed, 94.

MORITZ, DANIEL A., nominated, 1047.
Referred, 1047.
Reported, 1105.
Confirmed, 1105.

MORRIS, MISS ALICE M., nominated, 11.
Referred, 11.
Reported, 88.
Confirmed, 94.

MORRISON, BRUCE M., nominated, 12.
Referred, 12.
Reported, 89.
Confirmed, 94.

MORRISON, ROYAL J., nominated, 670.
Referred, 670.
Reported, 677.
Confirmed, 678.

MORRISON, WAYNE J., nominated, 16.
Referred, 16.
Reported, 93.
Confirmed, 94.

MOSKOVITZ, MORRIS, nominated, 12.
Referred, 12.
Reported, 90.
Confirmed, 94.

MOSS, C. D., nominated, 15.
Referred, 15.
Reported, 93.
Confirmed, 94.

NOTARIES PUBLIC.—Continued.

MOSS, CLOYD J., nominated, 11.
Referred, 11.
Reported, 89.
Confirmed, 94.

MOUL, RICHARD O., nominated, 16.
Referred, 16.
Reported, 16.
Confirmed, 94.

MOYAR, W. F., nominated, 16.
Referred, 16.
Reported, 93.
Confirmed, 94.

MOYER, RUSSELL J., nominated, 507.
Referred, 506.
Reported, 540.
Confirmed, 540.

MOWRY, C. E., JR., nominated, 10.
Referred, 10.
Reported, 88.
Confirmed, 94.

MRUK, LEON N., nominated, 12.
Referred, 12.
Reported, 90.
Confirmed, 94.

MUDD, MISS MABEL, nominated, 14.
Referred, 14.
Reported, 91.
Confirmed, 94.

MUNCHAK, MISS HELEN, nominated, 12.
Referred, 12.
Reported, 90.
Confirmed, 94.

MUNZER, MISS FLORENCE M., nominated, 14.
Referred, 14.
Reported, 91.
Confirmed, 94.

MURI, MISS MARIE C., nominated, 776.
Referred, 776.
Reported, 792.
Confirmed, 792.

MUIR, MISS RUTH C., nominated, 13.
Referred, 13.
Reported, 90.
Confirmed, 94.

MUNGER, GEORGE C., nominated, 14.
Referred, 14.
Reported, 91.
Confirmed, 94.

MURDZA, MISS MAGDALENE, nominated, 14.
Referred, 14.
Reported, 91.
Confirmed, 94.

MURPHY, MISS CATHERINE R., nominated, 447.
Referred, 447.
Reported, 454.
Confirmed, 454.

MURPHY, DANIEL A., nominated, 1253.
Referred, 1253.
Reported, 1297.
Confirmed, 1297.

MURPHY, FRANCIS, nominated, 1166
Referred, 1165.
Reported, 1206.
Confirmed, 1206.

MURRAY, EDWARD S., JR., nominated, 14.
Referred, 14.
Reported, 91.
Confirmed, 94.

NOTARIES PUBLIC.—Continued.

MURRAY, MISS HELEN, nominated, 507.
Referred, 506.
Reported, 539.
Confirmed, 540.

MURRAY, MISS MONICA C., nominated, 10.
Referred, 10.
Reported, 87.
Confirmed, 94.

MUSSER, H. E., nominated, 8.
Referred, 8.
Reported, 85.
Confirmed, 94.

MYERS, MISS ANNA J., nominated, 14.
Referred, 14.
Reported, 91.
Confirmed, 94.

MYERS, MISS DOROTHY, nominated, 14.
Referred, 14.
Reported, 92.
Confirmed, 94.

MYERS, MISS FRANCES K., nominated, 14.
Referred, 14.
Reported, 91.
Confirmed, 94.

MYERS, NELSON K., nominated, 1411.
Referred, 1411.
Reported, 1449.
Confirmed, 1450.

MYERS, MRS. VIOLET E., nominated, 10.
Referred, 10.
Reported, 87.
Confirmed, 94.

MYERS, WILLIAM D., nominated, 9.
Referred, 9.
Reported, 87.
Confirmed, 94.

NADDY, VINCENT M., nominated, 14.
Referred, 14.
Reported, 91.
Confirmed, 94.

NAGLE, MISS M. ELIZABETH, nominated, 11.
Referred, 11.
Reported, 88.
Confirmed, 94.

NAILOR, E. S., nominated, 508.
Referred, 506.
Reported, 538.
Confirmed, 540.

NAPIER, MISS AGNES D., nominated, 10.
Referred, 10.
Reported, 88.
Confirmed, 94.

NAST, W. LEON, nominated, 19.
Referred, 13.
Reported, 91.
Confirmed, 94.

NATHAN, MISS FLORENCE, nominated, 10.
Referred, 10.
Reported, 88.
Confirmed, 94.

NEELD, J. NOBLE, nominated, 14.
Referred, 14.
Reported, 92.
Confirmed, 94.

NEILL, JAS., nominated, 12.
Referred, 12.
Reported, 89.
Confirmed, 94.

NOTARIES PUBLIC.—Continued.

NEIMAN, MISS ALBERTA A., nominated, 15.
Referred, 15.
Reported, 92.
Confirmed, 94.

NEIMAN, MISS BERTHA M., nominated, 16.
Referred, 16.
Reported, 93.
Confirmed, 94.

NELLIS, WM. J., nominated, 507.
Referred, 506.
Reported, 540.
Confirmed, 540.

NELSON, WILLIAM C., nominated, 169.
Referred, 169.
Reported, 408.
Confirmed, 409.

NELSON, WILLIAM H., nominated, 11.
Referred, 11.
Reported, 89.
Confirmed, 94.

NEYLAND, MISS RUTH A., nominated, 12.
Referred, 12.
Reported, 89.
Confirmed, 94.

NEWHARD, ALFRED H., nominated, 13.
Referred, 13.
Reported, 90.
Confirmed, 94.

NICHOLS, THOMAS J., nominated, 1312.
Referred, 1312.
Reported, 1368.
Confirmed, 1369.

NICHOLSON, C. E., nominated, 11.
Referred, 11.
Reported, 88.
Confirmed, 94.

NIECE, S. T., nominated, 508.
Referred, 506.
Reported, 539.
Confirmed, 540.

NIKISCHER, MISS AGNES M., nominated, 10.
Referred, 10.
Reported, 87.
Confirmed, 94.

NOCELLA, STEPHEN, nominated, 15.
Referred, 15.
Reported, 93.
Confirmed, 94.

NOEL, MRS. MARIE E., nominated, 12.
Referred, 12.
Reported, 89.
Confirmed, 94.

NOLL, MISS J. ELIZABETH, nominated, 11.
Referred, 11.
Reported, 88.
Confirmed, 94.

NOLPH, HARRY H., nominated, 472.
Referred, 472.
Reported, 503.
Confirmed, 503.

NORRITO, NORMAN A., nominated, 670
Referred, 670.
Reported, 677.
Confirmed, 678.

NORTHRUP, MISS MABEL L., nominated 11.
Referred, 11.
Reported, 88.
Confirmed, 94.

NOTARIES PUBLIC.—Continued.

NYDES, MISS ANNA, nominated, 10.
Referred, 10.
Reported, 87.
Confirmed, 94.

NOYES, EDWARD L., nominated, 12.
Referred, 12.
Reported, 89.
Confirmed, 94.

O'BRIEN, ARTHUR J., nominated, 943.
Referred, 943.
Reported, 950.
Confirmed, 950.

O'BRIEN, MRS. GERTRUDE K., nominated, 15.
Referred, 15.
Reported, 93.
Confirmed, 94.

OESTERLIN, MILO J., nominated, 12.
Referred, 12.
Reported, 89.
Confirmed, 94.

O'DONNELL, MISS HELEN, nominated, 10.
Referred, 10.
Reported, 88.
Confirmed, 94.

O'HANLAN, EDWARD V., nominated, 15.
Referred, 15.
Reported, 92.
Confirmed, 94.

OHL, MISS DOROTHY H., nominated, 14.
Referred, 14.
Reported, 91.
Confirmed, 94.

O'HORA, MISS MARIE A., nominated, 15.
Referred, 15.
Reported, 92.
Confirmed, 94.

OLDHAM, MISS MARGARET E., nominated, 402.
Referred, 402.
Reported, 454.
Confirmed, 454.

OLMI, MRS. MARGARET M., nominated, 14.
Referred, 14.
Reported, 92.
Confirmed, 94.

OLSEN, MRS. BESS E., nominated, 12.
Referred, 12.
Reported, 89.
Confirmed, 94.

O'MALLEY, MISS ANNE, nominated, 12.
Referred, 12.
Reported, 90.
Confirmed, 94.

O'NEILL, LEON F., nominated, 670.
Referred, 670.
Reported, 677.
Confirmed, 678.

ORTON, LEWIS D., nominated, 12.
Referred, 12.
Reported, 89.
Confirmed, 94.

OVERBECK, MISS LUCILLE M., nominated, 12.
Referred, 12.
Reported, 89.
Confirmed, 94.

OVERPECK, A. C., nominated, 13.
Referred, 13.
Reported, 90.
Confirmed, 94.

NOTARIES PUBLIC.—Continued.

OWEN, MISS MARGARET, nominated, 507.
Referred, 506.
Reported, 540.
Confirmed, 540.

PAIGE, MISS RUTH M., nominated, 15.
Referred, 15.
Reported, 92.
Confirmed, 94.

PANNABAKER, MISS RACHEL E., nominated, 169.
Referred, 169.
Reported, 408.
Confirmed, 409.

PANTON, HOWARD R., nominated, 11.
Referred, 11.
Reported, 89.
Confirmed, 94.

PARK, C. L., nominated, 12.
Referred, 12.
Reported, 89.
Confirmed, 94.

PARKER, OSCAR J., nominated, 447.
Referred, 447.
Reported, 454.
Confirmed, 454.

PARSONS, THOMAS C., nominated, 447.
Referred, 447.
Reported, 454.
Confirmed, 454.

PASSAFIUME, THOS. A., nominated, 10.
Referred, 10.
Reported, 87.
Confirmed, 94.

PATTERSON, C. RAYCROFT, nominated, 14.
Referred, 14.
Reported, 91.
Confirmed, 94.

PAUL, MRS. VERA, nominated, 82.
Referred, 82.
Reported, 222.
Confirmed, 222.

PAWLING, LEWIS E., nominated, 572.
Referred, 571.
Reported, 579.
Confirmed, 580.

PEASE, MISS ALICE G., nominated, 12.
Referred, 12.
Reported, 89.
Confirmed, 94.

PELLEGRINE, MRS. MINNIE M., nominated, 16.
Referred, 16.
Reported, 93.
Confirmed, 94.

PENFIELD, ROY E., nominated, 507.
Referred, 506.
Reported, 539.
Confirmed, 540.

PEPPER, WILLIAM, nominated, 14.
Referred, 14.
Reported, 91.
Confirmed, 94.

PERRINE, ROY E., nominated, 507.
Referred, 506.
Reported, 539.
Confirmed, 540.

PERRY, MISS HELEN L., nominated, 9.
Referred, 9.
Reported, 86.
Confirmed, 94.

NOTARIES PUBLIC.—Continued.

PERSICHETTI, MRS. MARTHA, nominated, 14.
Referred, 14.
Reported, 92.
Confirmed, 94.

PETERSON, ALBERT O., nominated, 508.
Referred, 506.
Reported, 539.
Confirmed, 540.

PETERSON, MISS ELIZA ANNE, nominated, 902.
Referred, 901.
Reported, 918.
Confirmed, 919.

PETERSON, F. G., nominated, 507.
Referred, 506.
Reported, 540.
Confirmed, 540.

PETERSON, J. C., nominated, 10.
Referred, 10.
Reported, 87.
Confirmed, 94.

PETTIT, W. G., nominated, 16.
Referred, 16.
Reported, 93.
Confirmed, 94.

PFEIFFER, A. D., nominated, 13.
Referred, 13.
Reported, 91.
Confirmed, 94.

PFISTER, J. E., nominated, 11.
Referred, 11.
Reported, 88.
Confirmed, 94.

PHALIN, MRS. BESSIE H., nominated, 12.
Referred, 12.
Reported, 89.
Confirmed, 94.

PHILLIPS, MRS. MARGARET K., nominated, 15.
Referred, 15.
Reported, 93.
Confirmed, 94.

PHILLIPS, MRS. RUTH M., nominated, 14.
Referred, 14.
Reported, 91.
Confirmed, 94.

PHILLIPS, W. J., nominated, 507.
Referred, 506.
Reported, 539.
Confirmed, 540.

PIERCE, MRS. SUSAN E., nominated, 280.
Referred, 280.
Reported, 282.
Confirmed, 282.

PITTELLI, STEPHEN, nominated, 14.
Referred, 14.
Reported, 91.
Confirmed, 94.

PITTMAN, HAROLD R., nominated, 13.
Referred, 13.
Reported, 90.
Confirmed, 94.

PIVIROTTO, A. M., nominated, 10.
Referred, 10.
Reported, 88.
Confirmed, 94.

PLATE, HOWARD N., nominated, 12.
Referred, 12.
Reported, 89.
Confirmed, 94.

NOTARIES PUBLIC.—Continued.

PLATT, VERNON D., nominated, 14.
Referred, 14.
Reported, 92.
Confirmed, 94.

POE, MRS. DOROTHY H., nominated, 12.
Referred, 12.
Reported, 89.
Confirmed, 94.

POLEN, BERNARD, nominated, 507.
Referred, 506.
Reported, 540.
Confirmed, 540.

POLLER, MRS. BERTHA E., nominated, 12.
Referred, 12.
Reported, 90.
Confirmed, 94.

POMPEO, ANTONIO, nominated, 1165.
Referred, 1165.
Reported, 1206.
Confirmed, 1206.

PONTZER, ROBERT F., nominated, 12.
Referred, 12.
Reported, 89.
Confirmed, 94.

POORMAN, DOYLE S., nominated, 572.
Referred, 571.
Reported, 579.
Confirmed, 580.

POORMAN, WILSON P., nominated, 506.
Referred, 506.
Reported, 539.
Confirmed, 540.

POPP, MRS. BEATRICE K., nominated, 10.
Referred, 10.
Reported, 88.
Confirmed, 94.

PORRECA, MRS. LOUISA A., nominated, 507
Referred, 506.
Reported, 540.
Confirmed, 540.

PORTER, JOHN K., nominated, 10.
Referred, 10.
Reported, 88.
Confirmed, 94.

POTHKE, MISS GERTRUDE, nominated, 402.
Referred, 402.
Reported, 454.
Confirmed, 454.

POUDEVIGNE, EDMOND J., nominated, 16.
Referred, 16.
Reported, 93.
Confirmed, 94.

POWELL, FREAS E., nominated, 611.
Referred, 611.
Reported, 659.
Confirmed, 660.

POZNANSKI, CARL L., nominated, 10.
Referred, 10.
Reported, 88.
Confirmed, 94.

PREIS, MISS CLARA R., nominated, 13.
Referred, 13.
Reported, 90.
Confirmed, 94.

PRICE, MISS MARGARET, nominated, 13.
Referred, 13.
Reported, 90.
Confirmed, 94.

NOTARIES PUBLIC.—Continued.

PRICE, MISS RUTH, nominated, 12.
Referred, 12.
Reported, 90.
Confirmed, 94.

PRICE, WILLIAM J., nominated, 10.
Referred, 10.
Reported, 87.
Confirmed, 94.

PROPER, MISS ELSIE M., nominated, 12.
Referred, 12.
Reported, 90.
Confirmed, 94.

PUGLIESE, MRS. PORTIA, nominated, 16.
Referred, 16.
Reported, 93.
Confirmed, 94.

PUTNAM, CLARENCE H., nominated, 11.
Referred, 11.
Reported, 89.
Confirmed, 94.

QUAID, MISS ANNE, nominated, 15.
Referred, 15.
Reported, 93.
Confirmed, 94.

QUAY, E. S., nominated, 1279.
Referred, 1279.
Reported, 1297.
Confirmed, 1297.

QUICKEL, MISS KATHRYN M., nominated, 169.
Referred, 169.
Reported, 408.
Confirmed, 409.

QUIGLEY, MRS. ELIZABETH R., nominated, 11.
Referred, 11.
Reported, 88.
Confirmed, 94.

QUIRK, MRS. RITA D., nominated, 670.
Referred, 670.
Reported, 677.
Confirmed, 678.

RADER, CHARLES J., nominated, 12.
Referred, 12.
Reported, 90.
Confirmed, 94.

RAFAEL, RALPH, nominated, 10.
Referred, 10.
Reported, 87.
Confirmed, 94.

RATNER, ALFRED W., nominated, 16.
Referred, 16.
Reported, 93.
Confirmed, 94.

RATNER, SAMUEL R., nominated, 9.
Referred, 9.
Reported, 87.
Confirmed, 94.

RAU, HARRY E., nominated, 10.
Referred, 10.
Reported, 87.
Confirmed, 94.

READY, MISS HELEN, nominated, 848.
Referred, 848.
Reported, 875.
Confirmed, 876.

REARDON, MRS. EVA M., nominated, 9.
Referred, 9.
Reported, 87.
Confirmed, 94.

NOTARIES PUBLIC.—Continued.

REBHUN, C. FRED, nominated, 1165.
Referred, 1165.
Reported, 1206.
Confirmed, 1206.

REDDINGER, JOHN O., nominated, 279.
Referred, 279.
Reported, 282.
Confirmed, 282.

REED, MISS MABEL E., nominated, 14.
Referred, 14.
Reported, 91.
Confirmed, 94.

REED, ROBERT B., nominated, 507.
Referred, 506.
Reported, 540.
Confirmed, 540.

REES, MRS. ETHEL P., nominated, 9.
Referred, 9.
Reported, 86.
Confirmed, 94.

REGIS, SR. FRANCIS, nominated, 8.
Referred, 8.
Reported, 86.
Confirmed, 94.

REID, MISS RUTH A., nominated, 15.
Referred, 15.
Reported, 92.
Confirmed, 94.

REIGH, MISS DOROTHY E., nominated, 1165.
Referred, 1165.
Reported, 1206.
Confirmed, 1206.

REILLEY, JOHN, nominated, 14.
Referred, 14.
Reported, 92.
Confirmed, 94.

REILLY, MISS MARY, nominated, 13.
Referred, 13.
Reported, 90.
Confirmed, 94.

REINFRIED, J. E., nominated, 16.
Referred, 16.
Reported, 93.
Confirmed, 94.

REINEHR, PAUL C., nominated, 10.
Referred, 10.
Reported, 88.
Confirmed, 94.

REINDEL, WILLIAM H., JR., nominated, 11.
Referred, 11.
Reported, 89.
Confirmed, 94.

REISINGER, JOHN C., nominated, 507.
Referred, 506.
Reported, 539.
Confirmed, 540.

REISSMAN, NATHAN P., nominated, 14.
Referred, 14.
Reported, 92.
Confirmed, 94.

REITLER, JAMES H., nominated, 8.
Referred, 8.
Reported, 86.
Confirmed, 94.

REMALEY, LOUIS W., nominated, 82.
Referred, 82.
Reported, 222.
Confirmed, 222.

NOTARIES PUBLIC.—Continued.

REMENTER, G. B., nominated, 82.
Referred, 82.
Reported, 222.
Confirmed, 222.

RENNERT, MISS ELSE W., nominated, 670.
Referred, 670.
Reported, 677.
Confirmed, 678.

RENSHAW, J. P., nominated, 10.
Referred, 10.
Reported, 87.
Confirmed, 94.

RESH, MISS BERTHA E., nominated, 13.
Referred, 13.
Reported, 90.
Confirmed, 94.

RHODA, MISS KATHRYN M., nominated, 219.
Referred, 219.
Reported, 408.
Confirmed, 409.

RHOADES, MISS FLORINE M., nominated, 507.
Referred, 506.
Reported, 540.
Confirmed, 540.

RICHEY, C. L., nominated, 506.
Referred, 506.
Reported, 539.
Confirmed, 540.

RICHMOND, VICTOR J., nominated, 13.
Referred, 13.
Reported, 91.
Confirmed, 94.

RIGBERG, NATHAN, nominated, 1340.
Referred, 1340.
Reported, 1416.
Confirmed, 1417.

RIGBY, J. ALFRED, nominated, 11.
Referred, 11.
Reported, 88.
Confirmed, 94.

RILEY, MRS. LELA M., nominated, 10.
Referred, 10.
Reported, 87.
Confirmed, 94.

RINGE, WALDORF R., nominated, 14.
Referred, 14.
Reported, 92.
Confirmed, 94.

RISSER, H. S., nominated, 670.
Referred, 670.
Reported, 677.
Confirmed, 678.

RITENBAUGH, RAYMOND L., nominated, 10.
Referred, 10.
Reported, 87.
Confirmed, 94.

RITTENHOUSE, MISS MARY, nominated, 572.
Referred, 571.
Reported, 579.
Confirmed, 580.

RITTER, HENRY S. nominated, 14.
Referred, 14.
Reported, 91.
Confirmed, 94.

ROBERTS, ARTHUR SAVERY, nominated, 14.
Referred, 14.
Reported, 91.
Confirmed, 94.

NOTARIES PUBLIC.—Continued.

ROBERTS, MISS GERTRUDE A., nominated, 11.
Referred, 11.
Reported, 88.
Confirmed, 94.

ROBERTSON, ROBERT G., nominated, 12.
Referred, 12.
Reported, 90.
Confirmed, 94.

ROBINSON, S. C., nominated, 848
Referred, 484.
Reported, 875.
Confirmed, 876.

ROCKWELL, J. S., nominated, 670
Referred, 670.
Reported, 677.
Confirmed, 678.

RODKSY, MISS ZOLA K., nominated, 535.
Referred, 535.
Reported, 578.
Confirmed, 580.

ROEMER, MISS ANNA, nominated, 572.
Referred, 571.
Reported, 579.
Confirmed, 580.

ROGAN, MISS PHYLLIS W., nominated, 12.
Referred, 12.
Reported, 89.
Confirmed, 94.

ROGERS, HARRISON J., nominated, 12.
Referred, 12.
Reported, 89.
Confirmed, 94.

ROJEWSKI, STANLEY, nominated, 1253.
Referred, 1253.
Reported, 1297.
Confirmed, 1297.

ROSBOROUGH, MISS MARGARET, nominated, 1279.
Referred, 1279.
Reported, 1297.
Confirmed, 1297.

ROSE, T. M., nominated, 9.
Referred, 9.
Reported, 87.
Confirmed, 94.

ROSEN, MORTON ROBERT, nominated, 15.
Referred, 15.
Reported, 92.
Confirmed, 94.

ROSEN, WILLIAM, nominated, 791.
Referred, 791.
Reported, 809.
Confirmed, 810.

ROSENBERG, CHARLES K., nominated, 15.
Referred, 15.
Reported, 92.
Confirmed, 94.

ROSENBERGER, MRS. DOLORES T., nominated, 9.
Referred, 9.
Reported, 87.
Confirmed, 94.

ROSENBLUM, ALLEN M., nominated, 305.
Referred, 305.
Reported, 409.
Confirmed, 409.

ROSS, MISS THELMA R., nominated, 12.
Referred, 12.
Reported, 90.
Confirmed, 94.

NOTARIES PUBLIC.—Continued.

ROSSINI, MRS. MARGIE, nominated, 169.
Referred, 169.
Reported, 408.
Confirmed, 409.

ROTH, CHAS. E., nominated, 13.
Referred, 13.
Reported, 90.
Confirmed, 94.

ROTH, MATTHEW A., nominated, 15.
Referred, 15.
Reported, 92.
Confirmed, 94.

ROTHROCK, M. J., nominated, 11.
Referred, 11.
Reported, 88.
Confirmed, 94.

ROUGEUX, L. N., nominated, 402.
Referred, 402.
Reported, 454.
Confirmed, 454.

ROVNO, JESSE E., nominated, 670.
Referred, 670.
Reported, 677.
Confirmed, 678.

ROWAN, WILLIAM V., nominated, 15.
Referred, 15.
Reported, 93.
Confirmed, 94.

ROWLES, ASHLEY R., nominated, 11.
Referred, 11.
Reported, 89.
Confirmed, 94.

RUBENSTEIN, MEYER R., nominated, 15.
Referred, 15.
Reported, 92.
Confirmed, 94.

RUBIN, MRS. MIRIAM M., nominated, 14.
Referred, 14.
Reported, 92.
Confirmed, 94.

RUBOW, CLARENCE W., nominated, 507.
Referred, 506.
Reported, 539.
Confirmed, 540.

RUBRIGHT, MISS MAUDE E., nominated, 776.
Referred, 776.
Reported, 792.
Confirmed, 792.

RUDASILL, EDWIN A., nominated, 1165.
Referred, 1165.
Reported, 1206.
Confirmed, 1206.

RUDMAN, MICHAEL E., nominated, 14.
Referred, 14.
Reported, 91.
Confirmed, 94.

RULEY, HARRY F., nominated, 13.
Referred, 13.
Reported, 90.
Confirmed, 94.

RUSK, M. A., nominated, 10.
Referred, 10.
Reported, 87.
Confirmed, 94.

RUSSELL, JOHN A., JR., nominated, 13.
Referred, 13.
Reported, 91.
Confirmed, 94.

NOTARIES PUBLIC.—Continued.

RUSSELL, W. M., nominated, 9.
Referred, 9.
Reported, 87.
Confirmed, 94.

RYAN, MISS ELLA M., nominated, 169.
Referred, 169.
Reported, 408.
Confirmed, 409.

RYAN, MRS. MARGARET, nominated, 13.
Referred, 13.
Reported, 91.
Confirmed, 94.

RYAN, MRS. TERESA S., nominated, 14.
Referred, 14.
Reported, 92.
Confirmed, 94.

RYON, WILLIAM W., JR., nominated, 14.
Referred, 14.
Reported, 91.
Confirmed, 94.

SAEGER, MISS VIVIAN M., nominated, 13.
Referred, 13.
Reported, 90.
Confirmed, 94.

SAGAN, SAMUEL, nominated, 14.
Referred, 14.
Reported, 91.
Confirmed, 94.

SALMORE, MISS FLORENCE, nominated, 507.
Referred, 506.
Reported, 540.
Confirmed, 540.

SAMET, MISS MARIE, nominated, 15.
Referred, 15.
Reported, 92.
Confirmed, 94.

SANDS, LESTER L., nominated, 506.
Referred, 506.
Reported, 539.
Confirmed, 540.

SASSAMAN, MISS LILLIAN R., nominated, 11.
Referred, 11.
Reported, 88.
Confirmed, 94.

SAUNDERS, ARTHUR M., nominated, 535.
Referred, 535.
Reported, 578.
Confirmed, 580.

SAUPP, CHAS. E., JR., nominated, 11.
Referred, 11.
Reported, 89.
Confirmed, 94.

SAVIDGE, JOHN K., nominated, 14.
Referred, 14.
Reported, 91.
Confirmed, 94.

SAYLOR, ROSS, nominated, 1101.
Referred, 1101.
Reported, 1149.
Confirmed, 1150.

SEABOLDT, KENNETH H., nominated, 670.
Referred, 670.
Reported, 677.
Confirmed, 678.

SEAMAN, MISS FAY, nominated, 670.
Referred, 670.
Reported, 677.
Confirmed, 678.

NOTARIES PUBLIC.—Continued.

SEDER, MARTIN, nominated, 10.
Referred, 10.
Reported, 87.
Confirmed, 94.

SEDOR, PETER, nominated, 9.
Referred, 9.
Reported, 86.
Confirmed, 94.

SCHAEFER, MISS LILLIAN A., nominated, 14.
Referred, 14.
Reported, 92.
Confirmed, 94.

SCHALL, ELMER J., nominated, 15.
Referred, 15.
Reported, 92.
Confirmed, 94.

SCHALLER, FRANK C., nominated, 15.
Referred, 15.
Reported, 92.
Confirmed, 94.

SCHANTZ, FRED H., nominated, 874.
Referred, 874.
Reported, 883.
Confirmed, 883.

SCHATZ, JOHN A., nominated, 670.
Referred, 670.
Reported, 677.
Confirmed, 678.

SCHAUB, GERARD W., nominated, 10.
Referred, 10.
Reported, 87.
Confirmed, 94.

SCHECK, P. A., nominated, 11.
Referred, 11.
Reported, 88.
Confirmed, 94.

SCHEIRER, RUSSEL H., nominated, 13.
Referred, 13.
Reported, 90.
Confirmed, 94.

SCHELL, J. THOMPSON, nominated, 1071.
Referred, 1071.
Reported, 1105.
Confirmed, 1105.

SCHENKEL, MISS ELIZABETH A., nominated, 670.
Referred, 670.
Reported, 677.
Confirmed, 678.

SCHEU, MRS. SUSAN, nominated, 219.
Referred, 219.
Reported, 408.
Confirmed, 409.

SCHUETZ, ELMER R., nominated, 506.
Referred, 506.
Reported, 539.
Confirmed, 540.

SCHERSCHING, MISS EMMA, nominated, 12.
Referred, 12.
Reported, 89.
Confirmed, 94.

SCHERZ, MISS ANNA H., nominated, 849.
Referred, 848.
Reported, 875.
Confirmed, 876.

SCHETTIG, LESTER, nominated, 11.
Referred, 11.
Reported, 88.
Confirmed, 94.

NOTARIES PUBLIC.—Continued.

SCHICK, HARRY H., nominated, 1120.
Referred, 1120.
Reported, 1149.
Confirmed, 1150.

SCHINDEWOLFE, MISS MARIE, nominated, 1411.
Referred, 1411.
Reported, 1449.
Confirmed, 1450.

SCHISANO, CHAS. F., nominated, 670.
Referred, 670.
Reported, 677.
Confirmed, 678.

SCHLESINGER, HYMEN, nominated, 714.
Referred, 714.
Reported, 745.
Confirmed, 745.

SCHMICKLY, CARL B., nominated, 14.
Referred, 14.
Reported, 91.
Confirmed, 94.

SCHMIDT, EDWARD S., nominated, 15.
Referred, 15.
Reported, 92.
Confirmed, 94.

SCHMIDT, MRS. MARGARET, nominated, 874.
Referred, 874.
Reported, 883.
Confirmed, 883.

SCHMIDT, PAUL J., nominated, 507.
Referred, 506.
Reported, 539.
Confirmed, 540.

SCHNABEL, GEORGE, JR., nominated, 14.
Referred, 14.
Reported, 91.
Confirmed, 94.

SCHOFIELD, MRS. EDITH S., nominated, 15.
Referred, 15.
Reported, 92.
Confirmed, 94.

SCHRAMM, K. O. F., nominated, 10.
Referred, 10.
Reported, 88.
Confirmed, 94.

SCHRIBER, G. L., nominated, 16.
Referred, 16.
Reported, 93.
Confirmed, 94.

SCHROEDER, MRS. SADIE, nominated, 14.
Referred, 14.
Reported, 91.
Confirmed, 94.

SCHRYER, WALTER H., nominated, 15.
Referred, 15.
Reported, 92.
Confirmed, 94.

SCHUBERTH, EUGENE E., nominated, 12.
Referred, 12.
Reported, 90.
Confirmed, 94.

SCHUCK, MRS. REBA N., nominated, 827.
Referred, 827.
Reported, 840.
Confirmed, 841.

SCHULTZ, ARTHUR E., nominated, 11.
Referred, 11.
Reported, 89.
Confirmed, 94.

NOTARIES PUBLIC.—Continued.

SCHULTZ, HARRY H., nominated, 611.
Referred, 611.
Reported, 659.
Confirmed, 660.

SCHULTZBACH, JOS. F., nominated, 14.
Referred, 14.
Reported, 91.
Confirmed, 94.

SCHULZE, ARTHUR A., nominated, 15.
Referred, 15.
Reported, 92.
Confirmed, 94.

SCHWALM, ALLEN Q., nominated, 15.
Referred, 15.
Reported, 93.
Confirmed, 94.

SCHWARTZ, CLARENCE L., nominated, 9.
Referred, 9.
Reported, 87.
Confirmed, 94.

SCHWOEBEL, W. S., nominated, 1193.
Referred, 1193.
Reported, 1236.
Confirmed, 1238.

SCOLA, MISS MOLLIE L., nominated, 14.
Referred, 14.
Reported, 92.
Confirmed, 94.

SCOTT, CLINTON H., JR., nominated, 12.
Referred, 12.
Reported, 90.
Confirmed, 94.

SCOTT, MRS. MILDRED A., nominated, 12.
Referred, 12.
Reported, 89.
Confirmed, 94.

SCULCO, L. ALEXANDER, nominated, 874.
Referred, 874.
Reported, 883.
Confirmed, 883.

SEIBERT, MRS. LENA PEARL, nominated, 13.
Referred, 13.
Reported, 91.
Confirmed, 94.

SEGER, CHARLES A., nominated, 9.
Referred, 9.
Reported, 87.
Confirmed, 94.

SEELHORST, H. CHARLES, nominated, 10.
Referred, 10.
Reported, 88.
Confirmed, 94.

SEIFERT, E. R., nominated, 670.
Referred, 670.
Reported, 677.
Confirmed, 678.

SEITZINGER, MISS EMMA C., nominated, 11.
Referred, 11.
Reported, 88.
Confirmed, 94.

SELA, JOSEPH C., nominated, 349.
Referred, 349.
Reported, 408.
Confirmed, 409.

SELIGSOHN, SOL A., nominated, 848.
Referred, 848.
Reported, 875.
Confirmed, 876.

NOTARIES PUBLIC.—Continued.

SEMKO, F. E., nominated, 16.
Referred, 16.
Reported, 93.
Confirmed, 94.

SENEFF, MRS. IDA M., nominated, 10.
Referred, 10.
Reported, 88.
Confirmed, 94.

SHADDINGER, MRS. HELEN H., nominated, 572.
Referred, 571.
Reported, 578.
Confirmed, 580.

SHAFER, LLOYD M., nominated, 9.
Referred, 9.
Reported, 87.
Confirmed, 94.

SHAGAM, SAM H., nominated, 670.
Referred, 670.
Reported, 677.
Confirmed, 678.

SHARP, RUSSEL S., nominated, 13.
Referred, 13.
Reported, 90.
Confirmed, 94.

SHAPIRO, CHARLES B., nominated, 10.
Referred, 10.
Reported, 87.
Confirmed, 94.

SHARPNACK, B. B., nominated, 10.
Referred, 10.
Reported, 87.
Confirmed, 94.

SHAW, GEORGE, nominated, 10.
Referred, 10.
Reported, 87.
Confirmed, 94.

SHAW, JOHN A., nominated, 10.
Referred, 10.
Reported, 87.
Confirmed, 94.

SHAW, WILLIAM P., nominated, 13.
Referred, 13.
Reported, 91.
Confirmed, 94.

SHEETZ, MISS M. ANNA, nominated, 12.
Referred, 12.
Reported, 90.
Confirmed, 94.

SHEMANSKI, EDMUND R., nominated, 13.
Referred, 13.
Reported, 90.
Confirmed, 94.

SHEPERD, T. L., nominated, 11.
Referred, 11.
Reported, 88.
Confirmed, 94.

SHEPARD, MISS VERNA, nominated, 11.
Referred, 11.
Reported, 89.
Confirmed, 94.

SHERIDAN, MISS MARY, nominated, 508.
Referred, 506.
Reported, 538.
Confirmed, 540.

SHERMAN, HENRY, nominated, 15.
Referred, 15.
Reported, 92.
Confirmed, 94.

NOTARIES PUBLIC.—Continued.

SHERMAN, JOSEPH R., nominated, 611.
Referred, 611.
Reported, 659.
Confirmed, 660.

SHIELDS, LYSLE M., nominated, 13.
Referred, 13.
Reported, 90.
Confirmed, 94.

SHIELS, ROBERT, nominated, 11.
Referred, 11.
Reported, 89.
Confirmed, 94.

SHIRKER, MRS. MARY E., nominated, 60.
Referred, 60.
Reported, 94.
Confirmed, 94.

SHIVY, FRANK, nominated, 13.
Referred, 13.
Reported, 90.
Confirmed, 94.

SHOBERT, B. L., nominated, 670.
Referred, 670.
Reported, 677.
Confirmed, 678.

SHOEMAKER, JOHN, JR., nominated, 13.
Referred, 13.
Reported, 90.
Confirmed, 94.

SHOLLENBERGER, EDMUND K., nominated, 13.
Referred, 13.
Reported, 91.
Confirmed, 94.

SHOLLENBERGER, LeROY C., nominated, 849.
Referred, 848.
Reported, 875.
Confirmed, 876.

SHOUP, W. R., JR., nominated, 1312.
Referred, 1312.
Reported, 1368.
Confirmed, 1369.

SHREINER, MISS MARIE, nominated, 12.
Referred, 12.
Reported, 89.
Confirmed, 94.

SHUBIN, CHARLES G., nominated, 169.
Referred, 169.
Reported, 408.
Confirmed, 409.

SICCHITANO, B. A., nominated, 16.
Referred, 16.
Reported, 93.
Confirmed, 94.

SILFIES, MRS. HELEN E., nominated, 14.
Referred, 14.
Reported, 91.
Confirmed, 94.

SILVER, KALMAN, nominated, 15.
Referred, 15.
Reported, 93.
Confirmed, 94.

SIMON, MARK, nominated, 8.
Referred, 8.
Reported, 85.
Confirmed, 94.

SIMPSON, MRS. EDITH P., nominated, 12.
Referred, 12.
Reported, 89.
Confirmed, 94.

NOTARIES PUBLIC.—Continued.

SIMPSON, WALTER P., nominated, 349.
Referred, 349.
Reported, 408.
Confirmed, 409.

SINGLEY, MISS EDITH M., nominated, 13.
Referred, 13.
Reported, 90.
Confirmed, 94.

SISSON, SPENCER A., nominated, 12.
Referred, 12.
Reported, 89.
Confirmed, 94.

SKELLY, DANIEL J., nominated, 1327.
Referred, 1327.
Reported, 1368.
Confirmed, 1369.

SKILLMAN, LOUIS A., nominated, 15.
Referred, 15.
Reported, 92.
Confirmed, 94.

SLACK, H. B., nominated, 13.
Referred, 13.
Reported, 90.
Confirmed, 94.

SLATER, GEORGE A., nominated, 1411.
Referred, 1411.
Reported, 1449.
Confirmed, 1450.

SLICK, ALBERT R., nominated, 14.
Referred, 14.
Reported, 91.
Confirmed, 94.

SLIKER, EDWARD W., nominated, 8.
Referred, 8.
Reported, 85.
Confirmed, 94.

SLOGENHOP, WILLIAM M., nominated, 9.
Referred, 9.
Reported, 86.
Confirmed, 94.

SMITH, MISS ANNA M., nominated, 14.
Referred, 14.
Reported, 91.
Confirmed, 94.

SMITH, C. P., nominated, 507.
Referred, 506.
Reported, 540.
Confirmed, 540.

SMITH, CHARLES, nominated, 15.
Referred, 15.
Reported, 93.
Confirmed, 94.

SMITH, MISS ELSIE, nominated, 572.
Referred, 571.
Reported, 579.
Confirmed, 580.

SMITH, MISS GLENNA E., nominated, 714.
Referred, 714.
Reported, 745.
Confirmed, 745.

SMITH, FRANK G., nominated, 13.
Referred, 13.
Reported, 90.
Confirmed, 94.

SMITH, HERVEY B., nominated, 506.
Referred, 506.
Reported, 539.
Confirmed, 540.

NOTARIES PUBLIC.—Continued.

SMITH, J. HOWARD, nominated, 8.
Referred, 8.
Reported, 86.
Confirmed, 94.

SMITH, JOHN B., nominated, 16.
Referred, 16.
Reported, 93.
Confirmed, 94.

SMITH, JOHN F., nominated, 10.
Referred, 10.
Reported, 87.
Confirmed, 94.

SMITH, MRS. LOUISE M., nominated, 12.
Referred, 12.
Reported, 89.
Confirmed, 94.

SMITH, ROWLAND C., nominated, 15.
Referred, 15.
Reported, 92.
Confirmed, 94.

SMITHERS, THEODORE, nominated, 12.
Referred, 12.
Reported, 89.
Confirmed, 94.

SMOLCZYNSKI, JOSEPH E., nominated, 15.
Referred, 15.
Reported, 92.
Confirmed, 94.

SMOLIN, MICHAEL A., nominated, 943.
Referred, 943.
Reported, 950.
Confirmed, 950.

SNELL, EARL C., nominated, 12.
Referred, 12.
Reported, 89.
Confirmed, 94.

SNODGRASS, W. R., nominated, 10.
Referred, 10.
Reported, 87.
Confirmed, 94.

SNYDER, MISS GENEVIEVE, nominated, 776.
Referred, 776.
Reported, 792.
Confirmed, 792.

SNYDER, RICHARD C., nominated, 1387.
Referred, 1387.
Reported, 1416.
Confirmed, 1417.

SOBERS, EDGAR C., nominated, 13.
Referred, 13.
Reported, 90.
Confirmed, 94.

SOERGEL, MRS. HELEN A., nominated, 349.
Referred, 349.
Reported, 408.
Confirmed, 409.

SOLOMON, MISS LILLIAN, nominated, 10.
Referred, 10.
Reported, 87.
Confirmed, 94.

SOMMER, MRS. MARGARET M., nominated, 15.
Referred, 15.
Reported, 93.
Confirmed, 94.

SOMMERSTEIN, JACOB, nominated, 1280.
Referred, 1279.
Reported, 1296.
Confirmed, 1297.

NOTARIES PUBLIC.—Continued.

SOWERS, JAMES P., nominated, 776.
Referred, 776.
Reported, 792.
Confirmed, 792.

SPANGENBERG, FRANK, nominated, 10.
Referred, 10.
Reported, 87.
Confirmed, 94.

SPANGLER, MISS EVELYN T., nominated, 572.
Referred, 571.
Reported, 579.
Confirmed, 580.

SPANGLER, W. LUTHER, nominated, 12.
Referred, 12.
Reported, 89.
Confirmed, 94.

SPARE, J. ALBERT, nominated, 402.
Referred, 402.
Reported, 454.
Confirmed, 454.

SPENCER, HAROLD L., nominated, 14.
Referred, 14.
Reported, 92.
Confirmed, 94.

SPIELMAN, MRS. MILDRED M., nominated, 1013.
Referred, 1013.
Reported, 1044.
Confirmed, 1044.

SPONSLER, PHILIP H., nominated, 8.
Referred, 8.
Reported, 85.
Confirmed, 94.

STACKHOUSE, ARTHUR H., nominated, 535.
Referred, 535.
Reported, 578.
Confirmed, 580.

STAHLMAN, MRS. MILDRED J., nominated, 82.
Referred, 82.
Reported, 222.
Confirmed, 222.

STANFORD, VICTOR H., JR., nominated, 280.
Referred, 280.
Reported, 282.
Confirmed, 282.

STARK, LEWIS J., nominated, 9.
Referred, 9.
Reported, 86.
Confirmed, 94.

STARRETT, MISS ELIZABETH, nominated, 15.
Referred, 15.
Reported, 92.
Confirmed, 94.

STARSINIC, MRS. HELEN, nominated, 14.
Referred, 14.
Reported, 92.
Confirmed, 94.

STASKEL, GEORGE, nominated, 9.
Referred, 9.
Reported, 86.
Confirmed, 94.

STATLER, ARTHUR G., nominated, 12.
Referred, 12.
Reported, 89.
Confirmed, 94.

STEED, MRS. IRENE G., nominated, 507.
Referred, 506.
Reported, 540.
Confirmed, 540.

NOTARIES PUBLIC.—Continued.

STEIN, JOHN L., nominated, 827.
Referred, 827.
Reported, 840.
Confirmed, 841.

STENACH, MRS. TERESA, nominated, 13.
Referred, 13.
Reported, 90.
Confirmed, 94.

STERLING, MRS. MARY B., nominated, 8.
Referred, 8.
Reported, 86.
Confirmed, 94.

STEPHENSON, MRS. ELIZABETH L., nominated, 12.
Referred, 12.
Reported, 89.
Confirmed, 94.

STEVENSON, MISS DOROTHY M., nominated, 12.
Referred, 12.
Reported, 89.
Confirmed, 94.

STEWARD, MRS. MINNA L., nominated, 741.
Referred, 741.
Reported, 745.
Confirmed, 745.

STITT, MISS MARJORIE, nominated, 9.
Referred, 9.
Reported, 86.
Confirmed, 94.

STEWART, MISS RUTH, nominated, 11.
Referred, 11.
Reported, 88.
Confirmed, 94.

STEWART, WALLACE D., nominated, 10.
Referred, 10.
Reported, 88.
Confirmed, 94.

STOCKHAM, FRANK W., nominated, 11.
Referred, 11.
Reported, 88.
Confirmed, 94.

STODDARD, LEROY J., nominated, 16.
Referred, 16.

STOTT, MRS. IRENE, nominated, 776.
Referred, 776.
Reported, 792.
Confirmed, 792.

STRATMAN, WILLIAM C., nominated, 1280.
Referred, 1279.
Reported, 1296.
Confirmed, 1297.

STROUP, J. RALPH, nominated, 14.
Referred, 14.
Reported, 91.
Confirmed, 94.

STUBBLEBINE, EVERETT, nominated, 11.
Referred, 11.
Reported, 89.
Confirmed, 94.

STULL, MRS. MELVA, nominated, 8.
Referred, 8.
Reported, 85.
Confirmed, 94.

STUP, NATHAN, nominated, 15.
Referred, 15.
Reported, 92.
Confirmed, 94.

NOTARIES PUBLIC.—Continued.

SUMNEY, MISS GARNETT, nominated, 16.
Referred, 16.
Reported, 93.
Confirmed, 94.

SUPLEE, CHARLES J., JR., nominated, 12.
Referred, 12.
Reported, 89.
Confirmed, 94.

SURAK, MISS ANNA, nominated, 1229.
Referred, 1229.
Reported, 1237.
Confirmed, 1238.

SUTTER, WILLIAM G., nominated, 8.
Referred, 8.
Reported, 86.
Confirmed, 94.

SWANEY, MRS. T. M., nominated, 572.
Referred, 571.
Reported, 579.
Confirmed, 580.

SWARTZ, H. L., nominated, 16.
Referred, 16.
Reported, 93.
Confirmed, 94.

SWARTZ, LESTER E., nominated, 11.
Referred, 11.
Reported, 89.
Confirmed, 94.

SWEENEY, MRS. JOSEPHINE D., nominated, 12.
Referred, 12.
Reported, 90.
Confirmed, 94.

SWEETWOOD, J. HOWARD, nominated, 572.
Referred, 571.
Reported, 579.
Confirmed, 580.

SWENSON, DAVID A., nominated, 12.
Referred, 12.
Reported, 89.
Confirmed, 94.

SWOPE, LESTER LEWIS, nominated, 9.
Referred, 90.
Reported, 86.
Confirmed, 94.

SWOYER, WARREN W., nominated, 703.
Referred, 703.
Reported, 708.
Confirmed, 708.

SYRON, MISS MARY A., nominated, 12.
Referred, 12.
Reported, 90.
Confirmed, 94.

TABAK, ALBERT, nominated, 15.
Referred, 15.
Reported, 92.
Confirmed, 94.

TAUDER, J. B., nominated, 14.
Referred, 14.
Reported, 92.
Confirmed, 94.

TAYLOR, ALBERT J., nominated, 13.
Referred, 13.
Reported, 90.
Confirmed, 94.

TAYLOR, MRS. EVELYN S., nominated, 9.
Referred, 9.
Reported, 86.
Confirmed, 94.

NOTARIES PUBLIC.—Continued.

TAYLOR, MRS. IRMA L., nominated, 15.
Referred, 15.
Reported, 92.
Confirmed, 94.

TAYLOR, MISS MABYL N., nominated, 9.
Referred, 9.
Reported, 87.
Confirmed, 94.

TAYLOR, MRS. NORINE W., nominated, 10.
Referred, 10.
Reported, 87.
Confirmed, 94.

TAYLOR, WILLIAM, JR., nominated, 1013.
Referred, 1013.
Reported, 1044.
Confirmed, 1044.

TEACHER, BENJAMIN, nominated, 572.
Referred, 571.
Reported, 579.
Confirmed, 580.

TEATER, M. A., nominated, 13.
Referred, 13.
Reported, 91.
Confirmed, 94.

TEEL, GEORGE L. R., nominated, 14.
Referred, 14.
Reported, 91.
Confirmed, 94.

TEES, WALTER, nominated, 14.
Referred, 14.
Reported, 92.
Confirmed, 94.

TEDJESKE, MRS. LILLIAN H., nominated, 11.
Referred, 11.
Reported, 88.
Confirmed, 94.

TEFFT, MISS FRANCES E., nominated, 12.
Referred, 12.
Reported, 89.
Confirmed, 94.

TEMPLE, ROBERT B., nominated, 447.
Referred, 447.
Reported, 454.
Confirmed, 454.

THALEG, MISS KATHERINE I., nominated, 15.
Referred, 15.
Reported, 92.
Confirmed, 94.

THESLI, MISS ELIZABETH M., nominated, 13.
Referred, 13.
Reported, 90.
Confirmed, 94.

THOMAS, HARRY K., nominated, 13.
Referred, 13.
Reported, 91.
Confirmed, 94.

THOMAS, JOHN F., nominated, 11.
Referred, 11.
Reported, 88.
Confirmed, 94.

THOMAS, MISS MILDRED E., nominated, 11.
Referred, 11.
Reported, 88.
Confirmed, 94.

THOMAS, STANLEY, E., nominated, 9.
Referred, 9.
Reported, 86.
Confirmed, 94

NOTARIES PUBLIC.—Continued.

THOMPSON, MISS DORA D., nominated, 714.
Referred, 714.
Reported, 745.
Confirmed, 745.

THOMPSON, GEORGE E., nominated, 9.
Referred, 9.
Reported, 86.
Confirmed, 94.

TICKNOR, WADE, nominated, 1387.
Referred, 1387.
Reported, 1416.
Confirmed, 1417.

TINGLEY, MARK L., nominated, 15.
Referred, 15.
Reported, 93.
Confirmed, 94.

TOBERG, FRED F., nominated, 10.
Referred, 10.
Reported, 88.
Confirmed, 94.

TOMB, HUGH W., nominated, 13.
Referred, 13.
Reported, 90.
Confirmed, 94.

TONKIN, DAVID, nominated, 670.
Referred, 670.
Reported, 677.
Confirmed, 678.

TOTTEN, CHARLES L., nominated, 10.
Referred, 10.
Reported, 87.
Confirmed, 94.

TOSH, JOSEPH N., nominated, 11.
Referred, 11.
Reported, 88.
Confirmed, 94.

TREINIS, MRS. FLORENCE A., nominated, 12
Referred, 12.
Reported, 90.
Confirmed, 94.

TROUT, JERRE P., nominated, 1291.
Referred, 1291.
Reported, 1296.
Confirmed, 1297.

TROUT, W. LLOYD, nominated, 13.
Referred, 13.
Reported, 90.
Confirmed, 94.

TRUMBOWER, PAUL, nominated, 9.
Referred, 9.
Reported, 86.
Confirmed, 94.

TRUMPER, JULIUS J., nominated, 15.
Referred, 15.
Reported, 92.
Confirmed, 94.

TRUXAL, JAMES W., nominated, 1279.
Referred, 1279.
Reported, 1297.
Confirmed, 1297.

TUCKER, C. E., nominated, 1291.
Referred, 1291.
Reported, 1296.
Confirmed, 1297.

TULSIAK, MISS HELEN M., nominated, 10.
Referred, 10.
Reported, 87.
Confirmed, 9

NOTARIES PUBLIC.—Continued.

TURCHI, JOHN J., nominated, 572.
Referred, 571.
Reported, 579.
Confirmed, 580.

TURKINGTON, THOS. A., nominated, 572.
Referred, 571.
Reported, 579.
Confirmed, 580.

TURNER, RAY W., nominated, 13.
Referred, 13.
Reported, 90.
Confirmed, 94.

TUTTLE, MISS PEARL E., nominated, 650.
Referred, 650.
Reported, 659.
Confirmed, 660.

TWERSKY, SIGMUND, nominated, 14.
Referred, 14.
Reported, 92.
Confirmed, 94.

TYBURSKI, STANLEY J., nominated, 13.
Referred, 13.
Reported, 90.
Confirmed, 94.

TYMANN, SAMUEL M., nominated, 10.
Referred, 10.
Reported, 87.
Confirmed, 94.

UBER, W. J., nominated, 13.
Referred, 13.
Reported, 90.
Confirmed, 94.

UFFELMAN, MISS HELEN M., nominated, 10.
Referred, 10.
Reported, 88.
Confirmed, 94.

UHRICH, LEROY E., nominated, 82.
Referred, 82.
Reported, 222.
Confirmed, 222.

ULRICH, M. K., nominated, 10.
Referred, 10.
Reported, 87.
Confirmed, 94.

UMSTEAD, MRS. MARIAN, nominated, 14.
Referred, 14.
Reported, 91.
Confirmed, 94.

VALENTOUR, LOUIS F., nominated, 16.
Referred, 16.
Reported, 93.
Confirmed, 94.

VALERO, MRS. ROSE V., nominated, 82.
Referred, 82.
Reported, 222.
Confirmed, 222.

VanLEAR, F. R., nominated, 14.
Referred, 14.
Reported, 92.
Confirmed, 94.

VanZANDT, MISS RENA B., nominated, 82.
Referred, 82.
Reported, 222.
Confirmed, 222.

VARGO, GEORGE, JR., nominated, 10.
Referred, 10.
Reported, 87.
Confirmed, 94.

NOTARIES PUBLIC.—Continued.

VENSEL, MISS MARGARET M., nominated, 506.
Referred, 506.
Reported, 539.
Confirmed, 540.

VICKERS, MRS. RUTHE E., nominated, 169.
Referred, 169.
Reported, 408.
Confirmed, 409.

VINCENT, ANTHONY T., nominated, 1312.
Referred, 1312.
Reported, 1369.
Confirmed, 1369.

VINCENT, ROBERT, nominated, 703.
Referred, 703.
Reported, 708.
Confirmed, 708.

VOGDES, THEODORE R., nominated, 15.
Referred, 15.
Reported, 93.
Confirmed, 94.

VOGT, WILLIAM J., nominated, 507.
Referred, 506.
Reported, 539.
Confirmed, 540.

VOOZ, MISS MARCELLA A., nominated, 14.
Referred, 14.
Reported, 91.
Confirmed, 94.

WABER, HARRY, nominated, 1118.
Referred, 1118.
Reported, 1149.
Confirmed, 1150.

WACK, FRANCIS W., nominated, 507.
Referred, 506.
Reported, 539.
Confirmed, 540.

WAGNER, MISS ELIZABETH E., nominated, 13.
Referred, 13.
Reported, 90.
Confirmed, 94.

WAGNER, GEORGE E., nominated, 13.
Referred, 13.
Reported, 90.
Confirmed, 94.

WAGNER, MISS GERTRUDE, nominated, 13.
Referred, 13.
Reported, 90.
Confirmed, 94.

WAGNER, RICHARD K., nominated, 9.
Referred, 9.
Reported, 86.
Confirmed, 94.

WALKER, MRS. ANN H., nominated, 82.
Referred, 82.
Reported, 222.
Confirmed, 222.

WALKER, MISS EDNA M., nominated, 670.
Referred, 670.
Reported, 677.
Confirmed, 678.

WALLACE, ALBERT N., nominated, 1120
Referred, 1120.
Reported, 1149.
Confirmed, 1150.

WALLACE, MISS VIOLA, nominated, 13.
Referred, 13.
Reported, 90.
Confirmed, 94.

NOTARIES PUBLIC.—Continued.

WALLITSCH, ALFRED L., nominated, 13.
Referred, 13.
Reported, 90.
Confirmed, 94.

WALP, MISS GRACE E., nominated, 13.
Referred, 13.
Reported, 90.
Confirmed, 94.

WALTERS, CHARLES L., nominated, 116
Referred, 1165.
Reported, 1206.
Confirmed, 1206.

WALTERS, E. M., nominated, 13.
Referred, 13.
Reported, 91.
Confirmed, 94.

WALTERS, HORACE G., nominated, 13.
Referred, 13.
Reported, 91.
Confirmed, 94.

WALTZ, RALPH M., nominated, 1165.
Referred, 1165.
Reported, 1206.
Confirmed, 1206.

WARING, LOUIS G., nominated, 874.
Referred, 874.
Reported, 883.
Confirmed, 883.

WARTHEN, CHARLES A., nominated, 10.
Referred, 10.
Reported, 88.
Confirmed, 94.

WASIL, JOHN G., nominated, 1327.
Referred, 1327.
Reported, 1368.
Confirmed, 1369.

WASSAM, CHARLES E., nominated, 12.
Referred, 12.
Reported, 90.
Confirmed, 94.

WATTS, MISS HELEN E., nominated, 9.
Referred, 9.
Reported, 86.
Confirmed, 94.

WEAVER, WARREN O., nominated, 11.
Referred, 11.
Reported, 89.
Confirmed, 94.

WEBER, MISS BERTHA, nominated, 9.
Referred, 9.
Reported, 86.
Confirmed, 94.

WEBSTER, ELWOOD A., nominated, 13.
Referred, 13.
Reported, 91.
Confirmed, 94.

WEEKS, MISS HELEN C., nominated, 15.
Referred, 15.
Reported, 92.
Confirmed, 94.

WEGNER, A. H., nominated, 10.
Referred, 10.
Reported, 87.
Confirmed, 94.

WEHN, MISS NORMA K., nominated, 11.
Referred, 11.
Reported, 88.
Confirmed, 94.

NOTARIES PUBLIC.—Continued.

WEIGAND, MISS MARGARET, nominated, 506.
Referred, 506.
Reported, 539.
Confirmed, 540.

WEIGARD, NORMAN E., nominated, 507.
Referred, 506.
Reported, 540.
Confirmed, 540.

WEIDNER, WILLIAM G., nominated, 13.
Referred, 13.
Reported, 90.
Confirmed, 94.

WEIERBACH, HARRY W., nominated, 572.
Referred, 571.
Reported, 579.
Confirmed, 580.

WEIGHTMAN, RICHARD B., nominated, 9.
Referred, 9.
Reported, 86.
Confirmed, 94.

WEIKEL, MISS MILDRED K., nominated, 9.
Referred, 9.
Reported, 86.
Confirmed, 94.

WEINBERGER, MISS MARYON, nominated, 9.
Referred, 9.
Reported, 86.
Confirmed, 94.

WEISS, FRANK X., nominated, 403.
Referred, 403.
Reported, 408.
Confirmed, 409.

WEISSINGER, CHARLES, JR., nominated, 15.
Referred, 15.
Reported, 92.
Confirmed, 94.

WELSH, JOHN G., nominated, 10.
Referred, 10.
Reported, 87.
Confirmed, 94.

WENTWORTH, GAYLORD O., nominated, 11.
Referred, 11.
Reported, 89.
Confirmed, 94.

WERFEL, HERMAN J., nominated, 1387.
Referred, 1387.
Reported, 1416.
Confirmed, 1417.

WERNER, MRS. GENE, nominated, 15.
Referred, 15.
Reported, 92.
Confirmed, 94.

WERT, MISS MARY R., nominated, 11.
Referred, 11.
Reported, 89.
Confirmed, 94.

WERTZ, MISS R. WINIFRED, nominated, 11.
Referred, 11.
Reported, 88.
Confirmed, 94.

WESLEY, MISS MILDRED E., nominated, 12.
Referred, 12.
Reported, 89.
Confirmed, 94.

WEST, J. HARRY, nominated, 16.
Referred, 16.
Reported, 93.
Confirmed, 94.

NOTARIES PUBLIC.—Continued.

WESTERMAN, R. C., nominated, 10.
Referred, 10.
Reported, 87.
Confirmed, 94.

WETZORK, OTTO W., nominated, 15.
Referred, 15.
Reported, 92.
Confirmed, 94.

WHALEN, MRS. JANE M., nominated, 15.
Referred, 15.
Reported, 93.
Confirmed, 94.

WHEATLEY, JACKSON, nominated, 670.
Referred, 670.
Reported, 677.
Confirmed, 678.

WHERRY, JOHN V., nominated, 13.
Referred, 13.
Reported, 91.
Confirmed, 94.

WHITAKER, HAROLD G., nominated, 776.
Referred, 776.
Reported, 792.
Confirmed, 792.

WHITEHOUSE, JOHN F., nominated, 10.
Referred, 10.
Reported, 87.
Confirmed, 94.

WHITE, JAMES B., nominated, 16.
Referred, 16.
Reported, 93.
Confirmed, 94.

WHITE, W. ELLSWORTH, nominated, 13.
Referred, 13.
Reported, 91.
Confirmed, 94.

WHITE, WILBUR J., nominated, 10.
Referred, 10.
Reported, 87.
Confirmed, 94.

WHITE, WM. J., nominated, 507.
Referred, 506.
Reported, 540.
Confirmed, 540.

WHYTE, MISS ELIZABETH, nominated, 15.
Referred, 15.
Reported, 92.
Confirmed, 94

WICK, HELEN B., MISS, nominated, 263.
Referred, 263.
Reported, 282.
Confirmed, 282.

WICKARD, WALTER, L., nominated, 1387.
Referred, 1387.
Reported, 1416.
Confirmed, 1417.

WIDDER, MISS MILDRED A., nominated, 506.
Referred, 506.
Reported, 539.
Confirmed, 540.

WIEGAND, CURTIS G., nominated, 9.
Referred, 9.
Reported, 86.
Confirmed, 94.

WIEST, MISS RUTH D., nominated, 506.
Referred, 506.
Reported, 539.
Confirmed, 540.

NOTARIES PUBLIC.—Continued.

WIGHTMAN, JOHN B., nominated, 14.
Referred, 14.
Reported, 92.
Confirmed, 94.

WILDMAN, MEDRED R., nominated, 9.
Referred, 9.
Reported, 87.
Confirmed, 94.

WILDONER, MISS ALICE M., nominated, 13.
Referred, 13.
Reported, 90.
Confirmed, 94.

WILEY, J. RANKIN, nominated, 901.
Referred, 901.
Reported, 918.
Confirmed, 919.

WILLIAMS, A. F., nominated, 16.
Referred, 16.
Reported, 93.
Confirmed, 94.

WILLIAMSON, CHARLES A., nominated, 11.
Referred, 11.
Reported, 88.
Confirmed, 94.

WILLIAMSON, MRS. PHOEBE, nominated, 12.
Referred, 12.
Reported, 89.
Confirmed, 94.

WILLS, MISS ODESSA I., nominated, 15.
Referred, 15.
Reported, 93.
Confirmed, 94.

WILSON, GEO. B., nominated, 13.
Referred, 13.
Reported, 90.
Confirmed, 94.

WILSON, MISS MARGARET S., nominated, 15.
Referred, 15.
Reported, 92.
Confirmed, 94.

WILSON, MISS MURIEL, nominated, 1229.
Referred, 1229.
Reported, 1237.
Confirmed, 1238.

WILSON, ROBERT M., nominated, 507.
Referred, 506.
Reported, 540.
Confirmed, 540.

WILSON, MISS RUTH E., nominated, 12.
Referred, 12.
Reported, 89.
Confirmed, 94.

WILSON, W. J., nominated, 9.
Referred, 9.
Reported, 87.
Confirmed, 94.

WINCH, MISS CLARA M., nominated, 849.
Referred, 848.
Reported, 875.
Confirmed, 876.

WINDSTEIN, MISS MARGARET M., nominated, 10.
Referred, 10.
Reported, 87.
Confirmed, 94.

WINKLER, MRS. MARGARET, nominated, 535.
Referred, 535.
Reported, 578.
Confirmed, 580.

NOTARIES PUBLIC.—Continued.

WINOVICK, MISS MARY C., nominated, 10.
Referred, 10.
Reported, 87.
Confirmed, 94.

WINTERHALTER, LOUIS, nominated, 1193.
Referred, 1193.
Reported, 1237.
Confirmed, 1238.

WISE, JOHN E., nominated, 12.
Referred, 12.
Reported, 89.
Confirmed, 94.

WOLCOTT, S. DUTT, nominated, 13.
Referred, 13.
Reported, 90.
Confirmed, 94.

WOLF, J. HAROLD, nominated, 14.
Referred, 14.
Reported, 91.
Confirmed, 94.

WOLFE, MRS. MARGARET D., nominated, 507.
Referred, 506.
Reported, 539.
Confirmed, 540.

WOLFSON, CHARLES M., nominated, 14.
Referred, 14.
Reported, 92.
Confirmed, 94.

WOLKOF, MORRIS, nominated, 15.
Referred, 15.
Reported, 92.
Confirmed, 94.

WOLLASTON, MISS M. J., nominated, 16.
Referred, 16.
Reported, 93.
Confirmed, 94.

WOOD, JAMES R., nominated, 9.
Referred, 9.
Reported, 86.
Confirmed, 94.

WOOD, J. PAUL, nominated, 10.
Referred, 10.
Reported, 87.
Confirmed, 94.

WOOD, MISS MAY, nominated, 10.
Referred, 10.
Reported, 87.
Confirmed, 94.

WOOD, ROBERT J., nominated, 9.
Referred, 9.
Reported, 87.
Confirmed, 94.

WOODALL, W. E., nominated, 9.
Referred, 9.
Reported, 86.
Confirmed, 94.

WOODS, MISS ROBERTA M., nominated, 12.
Referred, 12.
Reported, 90.
Confirmed, 94.

WOOLSEY, CHARLES H., nominated, 507.
Referred, 506.
Reported, 540.
Confirmed, 540.

WORTHINGTON, VERNON, nominated, 14.
Referred, 14.
Reported, 91.
Confirmed, 94.

NOTARIES PUBLIC.—Continued.

WRAY, WILLIAM, nominated, 10.
Referred, 10.
Reported, 88.
Confirmed, 94.

WRIGHT, EDGAR, nominated, 506.
Referred, 506.
Reported, 539.
Confirmed, 540.

WRIGHT, JOHN A., nominated, 12.
Referred, 12.
Reported, 89.
Confirmed, 94.

WRIGHT, ROY A., nominated, 14.
Referred, 14.
Reported, 92.
Confirmed, 94.

WRIGHT, MISS RUTH L., nominated, 1327.
Referred, 1327.
Reported, 1368.
Confirmed, 1369.

YEAGER, MRS. ESTHER R., nominated, 82.
Referred, 82.
Reported, 222.
Confirmed, 222.

YIENGST, GEORGE E., nominated, 9.
Referred, 9.
Reported, 86.
Confirmed, 94.

YINGLING, S. W., nominated, 12.
Referred, 12.
Reported, 89.
Confirmed, 94.

YOUNG, MRS. ETHEL B., nominated, 12.
Referred, 12.
Reported, 90.
Confirmed, 94.

YOUNG, MISS MARY L., nominated, 403.
Referred, 403.
Reported, 408.
Confirmed, 409.

YOUNG, MISS SARA A., nominated, 849.
Referred, 848.
Reported, 875.
Confirmed, 876.

ZIEGLER, MISS GERTRUDE, nominated, 11.
Referred, 11.
Reported, 88.
Confirmed, 94.

ZELL, LEROY, S., nominated, 447.
Referred, 447.
Reported, 454.
Confirmed, 454.

ZENTMYER, PAUL D., nominated, 14.
Referred, 14.
Reported, 92.
Confirmed, 94.

ZEPPENFELD, MISS CATHERINE, nominated, 10.
Referred, 10.
Reported, 87.
Confirmed, 94.

ZESKY, WILLIAM R., nominated, 10
Referred, 10.
Reported, 87.
Confirmed, 94.

ZIPSE, MRS. RUTH H., nominated, 11.
Referred, 11.
Reported, 89.
Confirmed, 94.

NOTARIES PUBLIC.—Continued.

ZIRKLE, H. A., nominated, 10.
Referred, 10.
Reported, 87.
Confirmed, 94.

ZIMMERMAN, L. W., nominated, 11.
Referred, 11.
Reported, 89.
Confirmed, 94.

ZIMMERMAN, ROY J., nominated, 776.
Referred, 776.
Reported, 792.
Confirmed, 792.

ZNANIECKI, STANLEY J., nominated, 9.
Referred, 9.
Reported, 86.
Confirmed, 94.

ZOGLMANN, A. W., nominated, 10.
Referred, 10.
Reported, 87.
Confirmed, 94.

ZOLL, HARRY R., nominated, 874.
Referred, 874.
Reported, 883.
Confirmed, 883.

ZUECCA, HAROLD T., nominated, 15.
Referred, 15.
Reported, 93.
Confirmed, 94.

NOTHNAGLE, EDWARD, Representative from Delaware County (First District).

Motion by, to
Recommit Bill No. 25, imposing State excise tax on electric power and current generated, manufactured and sold within this Commonwealth, 103.

Request for roll call by, on
Motion to place main question before the House, 379.

Motion to take from table Bill No. 153, making appropriation to State Emergency Relief Board, 1050.

Resolutions offered by
Congratulating Hon. Arnold M. Blumberg upon his forty-third birthday, 1152.

Extending sympathy of House to mother and relatives of Grover Talbot upon his untimely death, 683.

Tendering thanks of House to officers and employes for able manner in which they performed their duties, 1514.

NURSES, BOARD OF EXAMINERS FOR REGISTRATION OF, members of State, nominated, 280; referred to Committee on Executive Nominations, 280; reported and confirmed, 1104.

NURSES, REGISTRATION OF, member of State Board of Examiners for, nominated, 170; referred to the Committee on Executive Nominations, 170; reported and confirmed 578-579.

OATH OF OFFICE administered to
Members-elect of House of Representatives, 42.
Senators-elect, 3.

OFFICERS AND EMPLOYES of House for able manner in which they performed their duties, resolution (House) Nothnagle, tendering thanks to, 1514.

OFFICERS AND EMPLOYES, reducing salaries of all State and County.

House Bill No. 33.
Read in place in House by Mr. Surface, 66.
Referred to Committee on State Government, 66.

O'KEEFE, JOHN J., Representative from Allegheny County, (Eighth District).

Bill introduced by
No. 3.
Abolishing office of collector of delinquent taxes in counties of the second class, and providing for collection thereof by county treasurers, 63.

OKEEFE, JOHN J.—Continued.

Bills reported by
No. 105, Providing revenue by authorizing the Liquor Control Board to issue package retailers' licenses for sale of malt and brewed beverages for consumption off premises, 751.

No. 130.
Further amending Personal Property Tax Act of 1879, by increasing for a limited period of time rate of tax imposed upon gross receipts, and imposing temporary emergency tax upon gross receipts of certain companies and persons, 1320.

Leave of absence granted, 923.

Member of Conference Committee, 1375.

Motion by, for
Order of the day, 1055.

Point of Order raised by, on
Answers to interrogations must be confined to the question, 1057.

Question of Parliamentary Inquiry raised by, on
Whether amendments may be offered to resolution after roll is started on motion for previous question, 1491.

Resolution offered by
Authorizing opening of Special Election returns of Members of House, 40, agreed to, 40.

Resolution reported by
Authorizing study by Public Service Commission of feasibility of transportaing pupils, in Allegheny County for twenty five cents per week, 161.

OLD AGE ASSISTANCE ACT OF 1935, by making appropriation for payment to applicants in counties which do not have sufficient funds available, supplementing.

House Bill No. 54.
Read in place in House by Mr. Diehl, 134.
Referred to Committee on Appropriations, 134.
Reported without amendment, 152.
First reading, 158.
Second reading, 194.
Third reading and final passage, 239, 240.

In Senate (No. 38).
Referred to Committee on Appropriations, 221.
Reported without amendment, 452.
First reading, 452.
Second reading, 475.
Recommitted, 479.
Re-reported with amendment, 1329.
Over in its order, 1340.
Over in its Order, 1363.
Recommitted, 1424.
Third reading and final passage,

Remarks on, by
Harris, 1340, 1362, 1363.
Huffman, 1363.
Shapiro, 1363, 1364.
Gelder, 1363, 1424.

OLD AGE ASSISTANCE FUND, of Fulton County, members of the Board of Trustees of, nominated, 170; referred 170.

OLD AGE PENSION, providing for allocation of Federal and State moneys for

House Bill No. 93.
Read in place in House by Messrs. Sowers, Beadman, and Robert S. Hamilton, 226.
Referred to Committee on Pensions and Gratuities, 226.

OMINSKY, JOSEPH, Representative for Philadelphia County (Eighteenth District).

Amendments offered by, to
Bill No. 88, imposing and providing for collection of a tax for State purposes on gross receipts derived from business of supplying water, electric current and natural or artificial gas for domestic and industrial purposes, 547, 548.

OMINSKY, JOSEPH.—Continued.

Bills introduced by
No. 19.
Amending Excise Tax Law of 1935, by increasing the rate of tax for a limited period of time, 64.

No. 88.
Imposing and providing for collection of a tax for State purposes on gross receipts derived from business of supplying water, electric current and natural or artificial gas for domestic and industrial purposes, 226.

No. 106.
Imposing and providing for payment and collection of tax upon producers and distributors of motion picture films, 313.

No. 152.
Imposing license tax on keepers of all shooting galleries, shuffle-board rooms, billiard or pool rooms for profit, 740.

Bill reported by
No. 84.
Safeguarding from political coercion, persons employed or entitled to be employed under Federal agency providing work relief, 460.

Files reasons for vote on motion to adjourn, 398.

Leaves of absence granted, 95, 781.

Member of Conference Committee, 1114, 1375.

Member of Special Committee, 821.

Motion by for
House to insist upon its non-concurrence in Senate amendments to House Bill No. 19, increasing rate of Corporate Net Income Tax for a limited period of time, 1375.

House to non-concur in Senate amendments to House Bill No. 19, amending Corporate Net Income Tax Law of 1935, by increasing rate of tax for a limited period of time, 1318.

Motion by, to
Postpone Bill No. 88, imposing and providing for collection of tax for State purposes on gross receipts derived from business of supplying water, electric current and natural or artificial gas for domestic and industrial purposes, 604.

Proceed to consideration of House conc. resolution authorizing Joint Commission to Investigate Magistrates System in Philadelphia, 1308.

Proceed to consideration of House conc. resolution requesting investigation by Public Service Commission of street railway companies operating in Philadelphia County to ascertain possibility of transporting pupils at a rate not to exceed twenty-five cents per week, 812.

Resume consideration of Bill No. 19, amending excise tax law of 1935, by increasing rate of tax for a limited period of time, 217.

Resume consideration of Bill No. 88, imposing and providing for collection of tax for State purposes, on gross receipts derived from business of supplying water, electric current and natural or artificial gas for domestic and industrial purposes, 689.

Presents report of committee to investigate conditions in the Pennsylvania Working Home for the Blind at Philadelphia, 1487, see index to appendix.

Question of Parliamentary Inquiry raised by, on
Rule concerning privileged resolutions, 826.

Reasons for vote by, on
Amendments to Bill No. 18, making appropriation to State Emergency Relief Board, 636.

Amendments to Bill No. 57, relating to Old Age Assistance. 442.

OMINSKY, JOSEPH.—Continued.

Remarks by, on
Bill No. 151 (Senate No. 67), providing for public sale by cities of the first class of negotiable tax anticipation certificates, representing registered delinquent taxes, 844.

Resolutions concurrent offered by
Joint Commission to investigate Magistrates System in Philadelphia, 1218.

Resolutions offered by,
Authorizing appointment of committee to investigate conditions in the Pennsylvania Working Home for the Blind at Philadelphia, 630.

O'NEILL, HARRY P., Representative from Lackawanna County (Fourth District).

Bills introduced by
No. 56.
Making appropriation to Department of Health to defray cost of pumping water from flooded anthracite mines, 134.

No. 96.
Amending School Code of 1911, by providing for discounts and penalties on taxes in school districts of the third and fourth classes, 261.

No. 118.
Abating accrued penalties on certain delinquent taxes, where such taxes have heretofore been paid in full at face, 483.

Bills reported by
No. 25.
Imposing States tax on electric power and current generated manufactured and sold within this Commonwealth, 74.

No. 41.
Amending Corporate Net Income Tax Law of 1935, by making further provisions realtive to filing of consolidated reports, 160.

Member of Special Committee, 49.

Member of Standing Committee, 73.

Reasons for vote by, on
Amendments to Bill No. 57, Old Age Assistance,, 442.

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Protesting passage of fuel oil tax, telegram from Germantown Oil Burner Company, 266; referred to Committee on Ways and Means, 266.

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Protesting tax on fuel oil, telegram from J. H. Carter, General Superintendent, Pittsburgh Steel Co., 283; referred to Committee on Ways and Means, 283.

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Requesting Permission for Two Members of the Workers' Alliance of Pennsylvania to address the Senate, presented by Shapiro, 1229.

Requesting prompt action providing relief funds, telegram from Reading City Officials, referred to Committee on Appropriations, 455.

Taxation, letter to the President of the Senate from William H. Ridgway, manufacturer of Coatesville, relative to, referred to Committee on Finance, 495.

Urging adoption of adequate flood control system, resolution from the Council of the Borough of Donora, 266; referred to Committee on Forestry, 266.

Urging amendment of small beer distributors law, Ideal Beverage Company, Philadelphia, 94.

Urging appropriation for Old Age Pension, 66.

Urging immediate action in providing funds for unemployment relief, from the City Council of Reading, referred to Committee on Finance, 447.

Urging improvement of road in Maxatawny Township, Berks County, 66.

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Urging legislation permitting sale of beer in stores, from Ferdinand Schwartz, Philadelphia, 509; referred to Committee on Ways and Means, 509.

Urging licensing of handlers of Oleomargarine, resolution from Pennsylvania Dairymen's Association, State College, 66.

Urging passage of House Bill No. 105, providing revenue by authorizing Liquor Control Board to issue package retailers' licenses for sale of malt or brewed beverages for consumption off premises, referred to Committee on Ways and Means, 631.

Urging passage of House Bill No. 105, providing revenue by authorizing Pennsylvania Liquor Control Board to issue package retailers' licenses for sale of malt and brewed beverages for consumption off premises, from citizens of Allegheny County, referred to Committee on Ways and Means, 665.

Urging passage of House Bill No. 105, providing revenue by authorizing Penna. Liquor Control Board to issue package retailers' licenses, from citizens of Erie County; referred to Committee on Judiciary General, 812.

Protesting passage of House Bill No. 105, providing revenue by authorizing the Pennsylvania Liquor Control Board to issue licenses for sale of malt and brewed beverages off premises, from citizens of New Galilee and Darlington, Penna., referred to Committee on Judiciary General, 861.

Urging passage of House Bill No. 105, providing revenue by authorizing the Pennsylvania Liquor Control Board to issue licenses for sale of malt and brewed beverages off premises, from Frank J. Flynn, Philadelphia, referred to Committee on Ways and Means, 680.

Urging passage of House Bills Nos. 54 and 75, from the Pittsburgh Central Labor Union, referred to Committee on Appropriations, 1519.

Urging passage of legislation providing for a classification to be known as Package Beer Dealers, referred to Committee on Ways and Means, 584.

Urging payment of cash relief, from the Joint Labor Council, Bethlehem, referred to Committee on Appropriations, 455.

Urging payment of cash relief, from the Pennsylvania Unemployed League, Allentown, referred to the Committee on Appropriations, 455.

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PFAFF, ALBERT L., Representative from Philadelphia County (Twelfth District).

Bill introduced by
No. 148.
Amending the Beverage License Law of 1933, by increasing the license fee of manufacturers, 629.

Bill reported by
No. 138.
Limiting hours of employment and providing penalties for violations thereof, 751.

Motion by, to
Adjourn, 997.

Proceed to consideration of House conc. resolution requesting officers of Steel Corporations to read Sections 7 and 8 of National Labor Relations Act, 1478.

Remarks by, on
Bill No. 36, imposing emergency State tax on liquid fuels, payable by those defined as distributors, 431.

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PFAFF, ALBERT L.—Continued.

Request for roll call by, on
House conc. resolution authorizing Joint Commission to Investigate Magistrates' System in Philadelphia, 1309.

House conc. resolution requesting officers of Steel Corporations to read Sections 7 and 8 of National Labor Relations Act, 1479.

PHARMACY, STATE BOARD OF, members of, nominatetd, 17; referred to the Committee on Executive Nominations, 17; (Mrs. Mary Florence Sabatino) reported and confirmed, 1012. (all other members) reported, 1442; confirmed, 1449, 1450; nominated, 132; referred, 131; reported, 1449; confirmed, 1449, 1450.

PHARMACY, STATE BOARD OF, member of, nominated, 132; referred to Committee on Executive Nominations, 131.

PHILADELPHIA CITY COUNCIL, communication from, regarding celebration of 150th anniversary of the adoption of the Constitution of the United States, 49.

PHILADELPHIA, CITY, to comply at earliest possible moment with the law passed at session of 1935 (P. L. 639), allowing firemen twenty-four hours consecutive rest per week. House conc. res. requesting and urging, by Brancato, 509; referred to Committee on Rules, 509.

PHILADELPHIA SAVING FUND SOCIETY, report of the Auditors of, for the year 1935, presented to Senate, 31; to House, 48; appendix, 1655.

PHILIPSBURG STATE HOSPITAL, member of the Board of Trustees of, nominated and referred to Committee on Executive Nominations, 219; reported and confirmed, 1417.

PHILIPSBURG STATE HOSPITAL, members of the Board of Trustees of, nominated, 20; referred to Committee on Executive Nominations, 20; (Constantine Auroroff, Mrs. Daisy B. Katen, H. A. Callahan, William W. Litke) reported, 1448; confirmed, 1449, 1450.

PHILLIPS, RUSSELL, Representative from Lackawanna County (Second District).

PIERSON, HENRY J., Senator from Lebanon County and Lancaster County, part of (Seventeenth District).

Bill reported by
No. 55 (House No. 59).
Amending certain sections and repealing Section 2 of the Mothers' Assistance Act of 1919, by providing for appointment of board of trustees of each county and changing qualifications of eligibles, 584.

Motion by, to
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PIOLE, JOSEPH F., Representative from Allegheny County (Thirteenth District).

Amendments offered by, to
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Discussion of Mr. Witkin is not upon the motion to recess, by Mr. Haluska, 385.

Discussion taking place in Committee, not to be divulged, by Buckman, 312.

Discussions are not upon the motion before the Senate, by Harris, 719.

Fate of resolution may not be discussed when motion to suspend rule is before the House, by Yourishin, 190.

House Bill 153, making appropriation to State Emergency Relief Board, by Buckman, 961.

House Bill 153, making appropriation to State Emergency Relief Board, by Huffman, 954.

House resolution just reported from Committee must lie over for one day under the rules before being considered, by Buckman, 715.

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Interrogation by Shugarts is out of order, by Turner, 936.

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Member is not allowed to state position on a question before stating point of order when arising to a point of order, by Witkin, 188.

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Member may not attack the integrity of any other member, by Witkin, 1053.

Member may not make statement while raising question of parliamentary inquiry, by Witkin, 1286.

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Member present, but not voting, may not be recorded after roll is verified, by Witkin, 1286.

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Motion for recess, by Shapiro, 1012.

Motion for Senate to go into Committee of Whole for purpose of considering special amendments to House Bill 49, relating to Mothers' Assistance, by Thompson (Centre), 575.

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Motion to suspend Rule 39 for immediate consideration of Senate resolution requesting the Senate Committee investigating the W. P. A., to furnish weekly reports, by Buckman, 482.

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Point of order questioning constitutionality of measure requires four seconders, by Witkin, 695; withdrawn, 695.

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Proper procedure is for House to reconsider motion by which the Senate adjourned, by Sowers, 393.

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Question before House being amendment to House Bill 85, preventing political coercion and political promises in return for public relief, and not conference between Republicans and Democrats, by Yourishin, 552.

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Remarks must be confined to resolution when speaking upon resolution before the House, by Burke, 378.

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Remarks on House Bill 68, relating to flood control and water conservation, by Eberharter, 298.

Remarks on House Bill 70, relating to flood control, by Denning, 531.

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Remarks on House conc. resolution authorizing transfer of money from the Liquid Fuels Tax Fund and Liquor License Fund to General Fund for relief (part of June and July), by Tumelty, 692.

Remarks on motion to recommit Senate Bill 50, relating to allocation of moneys expended in counties by State Emergency Relief Board, by Thompson (Centre), 796.

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Remarks on Senate Bill 160, Joint resolution proposing amendment to Section 1 of Article IX of the Constitution of Pennsylvania, relating to property taxes, by Huffman, 1434.

Report of Committee may not be stricken from record, by Trout, 1480-1481.

Request that motion to suspend rule carry provision is not part of motion, by Witkin, 96.

Requesting Mr. Cohen to refrain from interfering with remarks of Mr. McCreary, by Witkin, 1306.

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Resolution may not be discussed under question of personal privilege, by Huffman, 1194-1195.

Resolution requesting Senate to remain in Session is not necessary, by Cavalcante, 917-918.

Response to interrogation on amendments to House Bill 85, relating to prevention of political coercion and political promises in return for public relief, by Witkin, 553.

Senate resolution requesting information from the Budget Secretary on number of employes on per diem basis, by Buckman, 671.

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Speaking on question of personal privilege involving an attack upon personal integrity must be based upon record that can be produced in the House, by Andrews, 1055.

Uncomplimentary side remarks being included in interrogation, by Eberharter, 552.

Unconstitutional manner of transferring funds by resolution, by Andrews, 695; point of order withdrawn, 695.

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Whether constitutional majority is necessary for passage of Bill on second reading, by Shapiro, 973.

When report of committee is filed no other report may be filed at that time, by Turner, 1481.

Withdrawal of remarks, by Witkin, 555.

Yielding the floor to Mr. Cohen, by Mr. Witkin, 382, 383.

POLK STATE SCHOOL, members of the Board of Trustees of, nominated, 20; referred to Committee on Executive Nominations, 20; (Harry B. Mitchell, Samuel Messer, Richard H. Lamberton, George W. Feldman, M. A. Garvey, John L. Nesbit, Michael Nevant), reported, 1447; confirmed, 1449-1450.

PORT OF PHILADELPHIA, construction of more ships in, House conc. resolution urging, by Cannon, 630.

POWERS, JOHN L., Representative from Allegheny County (Seventh District).

Bill introduced by
Bill No. 140.
Amending Vehicle Code of 1929, by requiring extra fees for assignment of special license plates, 629.

Bill reported by
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Authorizing and directing Department of Forests and Waters to investigate lands suitable for reforestation and flood control, 161.

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PRESS for fair and impartial reporting of proceedings, resolution (House) by Baldi, tendering thanks of House to, 1514.

PRINCE, LEON C., Senator from Cumberland, Juniata, Mifflin and Perry Counties (Thirty-first District).

Questions of Personal Privilege raised by, on
Administration of relief in Pennsylvania, 495-497.

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PROFESSIONAL ENGINEERS, STATE REGISTRATION BOARD, members of, nominated, 848; referred to Committee on Executive Nominations, 848; reported and confirmed, 1104.

PROFITEERING in Time of War, (House) Resolution by Eroe, Recommending to the Congress of the U. S. passage of H. R. 5529 preventing, 314.

PROPERTY AND SUPPLIES, DEPARTMENT OF, authorizing the erection and construction of a State tuberculosis sanatorium by

House Bill No. 141.
Read in place in House by Mr. Lovett, 629.
Referred to Committee on Appropriations, 629.

PROPERTY AND SUPPLIES, DEPARTMENT OF, for increasing capacity of overcrowded State institutions, making appropriation to

House Bill No. 66.
Read in place in House by Mr. Tumelty, 153.
Referred to Committee on State Government, 153.
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PROPERTY AND SUPPLIES, DEPARTMENT OF, for purpose of erecting, constructing and equipping new buildings or additions to existing buildings at Torrance State Hospital, making appropriation to

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PROPERTY AND SUPPLIES, DEPARTMENT OF, for purpose of erecting, constructing and equipping new buildings or additions to existing buildings at Torrance State Hospital, making appropriation to

House Bill No. 128.
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Referred to Committee on Appropriations, 545.

PROPERTY AND SUPPLIES, employes of, extended thanks of President of Senate for bouquet of flowers, 34.

PUBLIC RELIEF IN PENNSYLVANIA, Preliminary Report of Joint Legislative Committee to Investigate, appendix, 1680, 1765.

PUBLIC RELIEF IN PENNSYLVANIA, report of the Joint Legislative Committee to Investigate, appendix, 1680-1765.

PUBLIC SCHOOL EMPLOYES' RETIREMENT BOARD, member of, nominated, 17; referred to Committee on Executive Nominations, 17; reported, 1447; confirmed, 1449, 1450.

PUBLIC SERVICE COMMISSION, MEMBER OF, nominated, 18; referred to Committee on Executive Nominations, 18;

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PYTKO, WALTER S., Senator from Philadelphia County (Eighth District).

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Adoption of resolution directing sub-committee of Committee on Education to investigate conditions reported to be existing in State Teachers Colleges, 778.

Motion to recommit Bill No. 102 (House No. 136), Joint resolution proposing amendment to Constitution of Pennsylvania, authorizing State to issue bonds for acquisition of lands and buildings, 1078.

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Remarks on House Bill No. 70, prescribing powers and duties of the Water and Power Resources Board in relation to creation of flood control districts, by Witkin, 531.

Remarks on House Bill 159, authorizing issuance of Tax Anticipation notes, by Cohen, 1270.

Requests quoting of decision or rule that permits a constitutional question to be decided by less than majority of membership, by Mr. Witkin, 391.

Resolution must be referred to Committee when objection is raised to immediate consideration. (Senate) by Harris, 61.

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Inability of House to know contents of resolution unless it is read for their information, by Turner, 189.

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Resolution introduced on May 19th, by Brown, John E., 1286.

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Status of Senate Bill 75, relating to reduction of tax on assessed valuation of real estate, reported on floor of House, by Cohen, 1500.

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Whether a two-thirds vote of the Senate is not necessary to over-ride decision of the President, by Cavalcante, 962.

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Whether in making motion to suspend rule, it is not necessary to state purpose for which you desire to have rule suspended, by Turner, 992.

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Whether motion to reconsider vote requires constitutional majority, by Cavalcante, 797.

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Whether or not House Bill 153 is before the Senate for consideration, by Huffman, 854.

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REED, J. ALBERT, Senator from Forty-sixth District, (Greene and Washington Counties).

Bill introduced by
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REISING, PETER P., Representative from Beaver County (Second District).

Amendment offered by, to
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Remarks by, on
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Philadelphia Saving Fund Society, for 1935, to Senate, 31; to House, 48; appendix, 1655.

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Authorizing appointment of committee to analyze Report on Mothers' Assistance Boards, presented by the Department of Welfare, (Senate) by Harris, 1118; referred to Committee on Judiciary General, 1119; reported as committed and laid on table, 1236; called up and defeated, 1392-1394.

Cavalcante, 1393, 1394; Harris, 1392-1394; McGinnis, 1392-1394; Woodward, 1394.

Authorizing appointment of committee to arrange for memorial services of deceased members, (House) by LaRue, 534; committee appointed, 534; memorial services held, 757-765.

Authorizing appointment of committee to confer with Secretary of Property and Supplies and make selection of equipment of Amplification System, (House) by Moomaw, 58.

Authorizing appointment of committee to determine the minimum amount required for relief to January 31, 1937, (Senate) by J. Albert Reed, 1015; referred to Committee on Judiciary Special, 1016.

Authorizing appointment of committee to draft suitable resolutions on death of Hon. James E. Norton, (Senate) by Ruth, 573; committee appointed, 611; June thirtieth fixed as date for memorial services, 573; memorial services held and resolution of condolence adopted, 802-806.

Authorizing appointment of committee to escort Senate to Hall of House for Joint Session to hear address of Governor, (House) by Gerard, 46; committee appointed, 46; committee reports to Senate, 33; to House, 49; Joint Session held and address by Governor, 50-58.

Authorizing appointment of committee to escort the Members of the Senate to the Hall of House for Joint Session, to hear address of Governor, (House) by Gerard, 586; committee appointed 586; committee reports to Senate 573; to House, 587; Joint Session held and address by Governor, 587-595.

Authorizing appointment of committee to gather information relative to the making of appointments in divorce cases, receiverships and others over which the Judges of Common Pleas Court of Philadelphia have jurisdiction, (House) by Falkenstein, 380; referred to Committee on Rules, 380.

Authorizing appointment of committee to investigate charges of political coercion by industries, (House) by Messrs. Caputo, Reising and Nagel, 1401, 1402; referred to Committee on Rules, 1402; reported as amended, 1468; called up, 1487; adopted, 1488.

Sowers, 1487, 1488; Reising, 1487, 1488.

Authorizing appointment of committee to investigate conditions in the Pennsylvania Working Home for the Blind at Philadelphia, (House) by Ominsky, 630; referred to Committee on Rules, 630; reported as amended, 781; called up, 812; adopted, 814; committee appointed, Messrs. Ominsky, Finnerty, Shepard, Scanlon and Baldi, 821; report filed, 1487; see index to appendix, 1742.

Witkin, 813, 814; Ominsky, 813, 814.

Authorizing appointment of committee to investigate relief and reports of electoral freedom being denied unemployed, (Senate) by Owlett, 1016; referred to Committee on Federal Relations, 1017; reported as committed, 1187.

Buckman, 1351; Cavalcante, 1350, 1351; Owlett, 1349, 1350, 1351; Salus, 1351, 1352; Shapiro, 1350; Thompson, E. J., 1348, 1349, 1350, 1351; Woodward, 1351.

Authorizing appointment of committee to investigate relief, (Senate) by J. Albert Reed, referred to Committee on Judiciary General, 179.

Authorizing appointment of committee to investigate the minor Judiciary of this Commonwealth, (House) by Messrs. James W. Patterson and Caputo, 1307; referred to Committee on Rules, 1307.

Authorizing appointment of committee to investigate the Works Progress Administration in Pennsylvania, (Senate) by Owlett, 123; referred to Committee on Judiciary General, 123; reported from Committee, 130; motion by Huffman to print resolution agreed to 131; called up by Owlett, 171; point of order raised by Cavalcante on legality of resolution, 171; appeal from the decision of the chair on sustaining point of order, by Owlett, Buckman, Gelder, Woodward, and Ealy, 171; amendments offered by Law, 172; point of order by Shapiro on amendments, 172; motion to lay on table by Cavalcante, 177; resolution agreed to, 178; committee appointed, 178; Messrs. Owlett, Reed, Geo. L., Scott, Baumer and Staudenmeier, 178.

Buckman, 178; Cavalcante, 172-178; Kahle, 178; Law, 174, 176; McGinnis, 177, 178; McClure, 177; Owlett, 173-178; Reed, Geo. L., 174, 175; Thompson, E. J., 173-178; Shapiro, 175, 176; Woodward, 178.

Authorizing appointment of committee to notify the Governor that House is ready to adjourn sine die, (House) by Cohen, 1518; committee appointed, 1518; committee reports, 1520.

Authorizing appointment of committee to notify the Governor that Senate is ready to adjourn sine die, (Senate) by Frey, 1457, 1458; committee appointed, 1458; committee reports to Senate, 1458.

Authorizing appointment of committee to notify House that Senate is organized, (Senate) by Ealy, 4; committee appointed, 4; committee reports to Senate, 6.

Authorizing appointment of committee to notify the House that Senate is ready to adjourn sine die, (Senate) by Batchelor, 1458; committee appointed, 1458; committee reports, 1458.

Authorizing appointment of committee to notify Senate that House is organized, (House) by Burke, 45; committee appointed, 45; committee reports to Senate, 32; to House, 49.

Authorizing appointment of committee to notify the Senate that House is ready to adjourn sine die, (House) by Flinchbaugh, 1517, 1518; committee appointed, 1518; committee in the Senate, 1458; committee reports, 1519.

Authorizing appointment of committee to study the unicameral system as applied to legislative bodies and report its findings, (House) by Harkins, Caputo, Eroe and Tronzo, 1035; referred to Committee on Rules, 1035; reported as committed, 1266.

Harkins, 1305, 1306; McCreary, 1306; Tronzo, 1306; Tumelty, 1306; Witkin, 1306.

Authorizing appointment of committee who together with the Secretary of Property and Supplies will analyze bids on Amplifying System, (House) by Moomaw, 73; committee appointed, Moomaw, John E. Brown, Cohen, Sowers and Condon, 73; committee reports, report adopted by House, 218.

Authorizing Chief Clerk of Senate to approve orders for payment of salaries only to such officers and employes as specified by law and who actually perform such duties, (Senate) by Batchelor, 5.

Authorizing election of Speaker of House of Representatives, (House) by Flinchbaugh, 42.

Authorizing opening of Special Election returns of Members of House, (House) by O'Keefe, 40; agreed to, 40.

Authorizing President Pro Tempore to appoint Committee of six Senators and five citizens to make survey and recommendations on reapportionment of Senatorial Districts, (Senate) by Harris, 780. Referred to Committee on Legislative Apportionment, 780; Reported as amended, 883; motion to print agreed to, 883; adopted by Senate as amended providing for Committee of seven members of the Senate, 944; committee not appointed.

Authorizing printing of bound copies of memorial services held in Hall of the House for Hon. Wilson G. Sarig, Hon. Alexander R. Wheeler, Hon. Edwin R. Spangler, Hon. Samuel B. Hart and including therein resolution passed on death of the late Hon. Grover C. Talbot, (House) by LaRue, 737, 738.

Authorizing printing of interim appointments, (Senate) by Pytko, 5.

Authorizing Speaker of the House to appoint a Committee of five members from Philadelphia to make survey and recommendations on re-apportionment of the Legislative districts therein, (House) by Fitch, 927; referred to Committee on Rules, 928.

Authorizing Speaker of the House to appoint a Committee of six members and five citizens to make survey and recommendations on re-apportionment of the Legislative Districts, (House) by Zappala, 811, 812; referred to Committee on Rules, 812; reported as amended, 1152; called up and adopted, 1244.

Authorizing the taking of motion pictures of various State Buildings, of the Legislature in session and of each Department with an official of such department explaining briefly the functions thereof, (House) by Powers, 630; referred to Committee on Rules, 630.

Celebrating the Fourth of July and inviting Senate to attend Services (House) by Finnerty, 842; Senate invited, 841; Committee appointed, 845.

Commending Nellie H. Granger, hostess of the air liner "Sun Racer" for heroic action in aiding injured in fatal crash, (House) by Weiss, 456; unanimously adopted, 456.

Condemning un-American principles of the Black Legion and calling upon all groups charged with preservation of the law to do all in their power to eradicate any such organizations, (Senate) by Harris, 504; adopted by Senate, 504; ordered printed, 509.

Congratulating the organizations participating in the massed concert of of the Bands of Cumberland County (House) by Messrs. Moul, Allen, Alexander and Decker, 1322

RESOLUTIONS.—Continued.

Continuing Sub-committee appointed to investigate Indiana State Teachers College, (Senate) by Batchelor, 1196; referred to Committee on State Government, 1196; reported as committed, 1370, 1371; unanimous consent for immediate consideration objected to, 1371; laid over, 1371; called up, 1417; question of parliamentary raised on the vote necessary to carry resolution imposing special duties on committee during interim, 1418, 1419; adopted, 1423.

Cavalcante, 1418, 1421; Batchelor, 1418, 1419, 1420, 1421; Thompson, E. J., 1419; McGinnis, 1419, 1420, 1422; Woodward, 1421; Reed, J. Albert, 1421; Graff, 1422; Shapiro, 1422, 1423.

Directing Appropriations Committee to ascertain from officials of New Jersey causes for the decline in relief cases and the cost of administration together with information as to the methods used, (Senate) by Gelder, 472; referred to Committee on Appropriations, 472; reported as amended, 480; adopted by Senate, 480.

McGinnis, 472.

Directing Finance Committee to investigate legality of Tax Anticipation notes, and amounts of money various boards of the Commonwealth may have available for investment, (Senate) by Harris, 1166, 1167; motion to suspend Rule 39 for immediate consideration not agreed to, 1167; referred to Committee on Finance, 1167; reported as committed, 1194; motion to suspend rules for immediate consideration not agreed to, 1194; called up, 1240; adopted by Senate, 1242.

Cavalcante, 1241; Harris, 1240-1242; Huffman, 1241, 1242; Shapiro, 1241; Thompson, E. J., 1240, 1241.

Directing sub-committee of Committee on Education to investigate conditions reported to be existing in State Teachers Colleges, (Senate) by Graff, 447, 448; referred to Committee on Education, 448; motion to print resolution agreed to, 448; reported as committed, 676; motion to recommit to Committee on Education for purpose of amendment held to be out of order, 706; called up, 706; amendments offered and agreed to, 707; laid over for printing, 707; called up and adopted, 776, 778. Committee appointed, 807.

Shapiro, 706, 707; Graff, 705, 706, 777, 778; Reed, J. Albert, 777, 778; Cavalcante, 778; McGinnis, 778; Law, 778.

Disavowing unethical procedure of Committee Investigating Relief in presenting report to House of Representatives after release to newspapers, by Messrs. Burke and Eroe, 154; referred to Committee on Ways and Means, 154; reported as committed, 161; called up, 184; point of order raised by Witkin, 184, 185; point of order by Burke, 186; point of order by Cohen, 187; point of order by Burke, 187; point of order by Witkin, 188; question of information by Witkin, 188; appeal from the decision of the Chair, by Witkin, 188; appeal withdrawn, 188; motion by Cohen to table resolution agreed to, 188; taken from table, 227, 228; amendments offered by Burke, agreed to, 228; resolution agreed to, 229.

Burke, 184-188, 288; Cohen, 187, 188; Horst, 185, 187, 228; Witkin, 184-188, 228.

Discharging Committee on Appropriations from further consideration of House Bill No. 139, making an appropriation to the State Emergency Relief Board and prescribing the powers and duties of the Board with reference thereto, (House) by Hoopes, 1286; motion to lay on table agreed to (vote 181-8), 1287.

Extending best wishes of House to Hon. Joseph David Burke and bride-to-be on their pending marriage, (House) by Weiss, 817-818.

Extending condolence on death of former Senator Joseph O. Clark (Senate) by Graff, 1298.

RESOLUTIONS.—Continued.

Extending congratulations of House to E. J. Lynett, Sr., publisher of the Scranton Times, on his eightieth birthday (House) by Coleman, Munley and O'Neill, 1113.

Extending congratulations of House to Hon. Albert E. Rinn upon his birthday, (House) by James W. Patterson, 532.

Extending congratulations of House to Hon. Arnold M. Blumberg on his birthday, (House) by Burke, 1152.

Extending congratulations of House to Hon. Arnold M. Blumberg on his birthday, (House) by Nothnagle, 1152.

Extending congratulations of House to Hon. Eugene J. Hagerty on his birthday, (House) by Flanagan, 567.

Extending congratulations of House to Hon. James E. Lovett on his birthday anniversary, (House) by Messrs. Dent, Stevens, Haberlen and Mentzer, 1316-1317.

Extending congratulations of House to Hon. Leo A. Achterman on his birthday (House) by Welsh, 1114.

Extending congratulations of House to Hon. Lloyd M. Schaeffer on birthday (House) by LaRue, 862.

Extending congratulations of House to Hon. Lloyd W. Welliver on his public service (House) by Zappala, 1163.

Extending congratulations of House to Hon. Marshall L. Shepard on birthday (House) by Homer S. Brown, 1033.

Extending congratulations of House to John Woodruff, Winner of the 800 metre run at the Olympic Games in Berlin (House) by Messrs. Homer S. Brown, Welsh, Cochran, Brownfield and Arnold, 1408.

Extending congratulations of House to Joseph H. Miller and wife upon birth of daughter (House) by Brancato, 898.

Extending congratulations of House to Lenore Kight Wingard on becoming member of Olympic Women's Swimming Team (House) by Harkins, 1097, 1098.

Extending congratulations of House to Robert Francis Smith, Postmaster upon the birth of grandson, by Carson, 749.

Extending congratulations of Senate to E. J. Lynett, Sr., publisher of the Scranton Times on his eightieth birthday (Senate) by E. J. Thompson, 1105.

Extending congratulations of Senate to Hon. George Woodward on his birthday anniversary (Senate) by Gelder, 671.

Extending congratulations of Senate to Hon. John G. Homsher upon his seventy-seventh birthday (Senate) by Woodward, 836.

Extending congratulations of Senate to Joseph H. Miller and wife upon birth of daughter (Senate) by Harris, 1028.

Extending congratulations of Senate to John Woodruff, Winner of the 800 metre run at the Olympic Games in Berlin (Senate) by Coyne, 1381-1382.

Extending Honorary Life membership to Hon. John M. Flynn (House) by Blumberg, 1513.

Turner, 1513.

Extending sympathy of House to family and friends of Hon. Alvin Sherbine (House) by Boyer, 283.

Extending sympathy of House to Hon. J. Clair Sloan and members of family upon the death of his mother (House) by Stewart, 1375.

Extending sympathy of House to mother and relatives of Grover Talbot upon his untimely death (House) by Nothnagle, 683.

RESOLUTIONS.—Continued.

Extending sympathy of House to family and friends of Hon. Thomas Brown, ex-member of the House (House) by Smith, William G., 1316.

Extending sympathy of House to members of the families of Firemen of Chambersburg who were injured or killed in accident while going to fire (House) by Moomaw, 1267.

Extending sympathy of the Senate to family and friends of Hon. Robert Sellers Frazer, recently Chief Justice of of the Supreme Court of Pennsylvania (Senate) by Coyne, 1328.

Extending sympathy of Senate to family and friends of Hon. Thomas Brown ex-member of the House (Senate) by Kahle, 1315.

Extending sympathy of Senate to family of Hon. James E. Norton, late Senator from Berks County (Senate) by Ruth, 34.

Extending sympathy of Senate to widow and friends of A. Mitchell Palmer, former Attorney General of the U. S., 124.

Extending sympathy on death of Hon. Alexander R. Wheeler (House) by Horst, 762.

Extending sympathy on death of Hon. Edwin R. Spangler (House) by Zimmerman, 765.

Extending sympathy on death of Hon. Samuel B. Hart (House) by Cooper, 763-764.

Extending sympathy on death of Hon. Wilson G. Sarig (House) by Schaeffer, 760-761.

Extending sympathy to members of the family of Hon. A. Mitchell Palmer, former Attorney General of the U. S. (House) by Achterman, 184.

Extending sympathy to widow and children of Hon. Carl Woodward (House) by Mentzer, 567.

Extending thanks to Chief Clerk William P. Gallagher for securing copies of the Pennsylvania State Manual for each member (House) by Gates, 1408.

Extending thanks to Mayor Wilson of Philadelphia for official arrangements made to entertain Democratic National Convention (House) by Witkin, adopted, 782.

Witkin, 782; Cohen, 782.

Favoring change in relief administration (House) by Surface, 510; referred to Committee on Rules, 545.

Fixing June fifteenth as last day for the introduction of bills in the House, submitted by the Committee on Rules, adopted, 509.

Granting use of Senate Chamber for public hearing on House Bill No. 55, establishing unemployment compensation system (Senate) by Coyne, 776.

Inviting House of Representatives to attend Allentown Fair (House) by Rinn, 1218; adopted, 1219.

Flinchbaugh, 1219; Rinn, 1219; Simon, 1219.

Liquor Control Board to compile statistics with reference to possibility of increasing wine consumption in the State (House) by Barber, 894; referred to Committee on Rules, 898.

Memorializing Congress to enact Federal Housing Act (House) by Homer S. Brown, 567; referred to Committee on Rules, 568; reported as committed, 568; adopted by House, 631.

Memorializing Congress to enact legislation prohibiting employes from engaging in politics, Senate by Aron, 179; referred to Committee on Federal Relations, 179; reported from Committee, 223; motion by Shapiro to print resolution agreed to, 223.

RESOLUTIONS.—Continued.

Memorializing Congress to pass the Guffey-Vinson Bill regulating the Bituminous coal industry (House) by Yourishin and John J. Baker, 568; referred to Committee on Rules, 568; reported from committee, 586; adopted by House, 631.

Requesting the early repayment of money transferred from the Motor License Fund for relief (House) by Eroe and Kelso, 1247; referred to Committee on Rules, 1248.

Providing that no person beneficiary of a pension be employed by the State Emergency Relief Board (House) by John E. Brown, 163; referred to Committee on Judiciary Local, 163.

Recommending to the Congress of the U. S. passage of H. R. No. 5529, preventing profiteering in time of war (House) by Eroe; referred to Committee on Rules, 314.

Regretting resignation of Herman P. Miller as Senate Librarian, 5.

Regulating presentation of petitions, memorials and remonstrances (Senate) by Harris, 5.

Replacing married women employed by State Emergency Relief Board, who are not in need of employment, (House) by John E. Brown, 140; referred to Committee on Judiciary Local, 140; reported as committed, 161; called up and adopted by House, 229.

Requesting approval of the Appropriations Committee before bills are reported out (Senate) by Harris, 224; referred to the Appropriations Committee, 224; reported as amended, 310; adopted, 310.

Requesting Budget Secretary to furnish information on number of employes on per diem basis, together with names and addresses (Senate) by Geo. L. Reed, 671; objections raised to immediate consideration, 671; referred to Committee on Judiciary General, 671; reported as committed, 704; motion to suspend rule for immediate consideration not agreed to, 704; motion to print for information of the Senate agreed to, 704; called up, 778; amended, 779; adopted as amended, 779; report transmitted to President of Senate, by Budget Secretary, 1412-1415.

Reed, Geo. L., 779; Law, 779; Cavalcante, 779; McGinnis, 779.

Requesting Chief Clerk of the House to provide instruction in parliamentary procedure as it is applied in the House (House) by Powers, referred to Committee on Rules, 836.

Requesting discharge of Committee on Judiciary General from further consideration of petition urging impeachment of Judge B. C. Atlee (House) by Hoopes, 1492, laid on table, 1493.

Requesting Hon. Henry C. Niles, to administer the oath of office, to be taken by the members-elect of the House of Representatives (House) by Cohen; agreed to, 42.

Requesting House to hold services on 160th Anniversary of adoption of Declaration of Independence (House) by Finnerty, 826; resolution withdrawn, 826.

Requesting information from the Department of Health with reference to flooded mines and quarries (House) by Sproul, 314; referred to Committee on Public Health and Sanitation, 314.

Requesting information from the Department of Revenue in regard to the Personal Property and Corporate Net Income Tax Collections (Senate) by Bean, 308; adopted 308. Information submitted by Secretary of Revenue, 430.

Requesting information from the Department of Welfare relative to removals of Trustees of Mothers' Assistance Boards, (Senate) by Harris, 893; adopted, 809; report of the Secretary of Welfare presented to Senate, 1101-1102.

RESOLUTIONS.—Continued.

Requesting information from the Secretary of Revenue regarding total amounts of appropriations of this session and total of unrequisitioned funds, (House) by Mr. Cordier, 510; referred to Committee on Rules, 545.

Requesting information from the State Emergency Relief Board showing number of married women replaced pursuant to resolution adopted by the House of Representatives, (House) by Brown, John E., 1299; referred to Committee on Rules, 1299.

Requesting information from the State Relief Administrator (Senate) by McClure, 308; amendments offered by Shapiro, and agreed to, 308; amendments offered by Huffman and agreed to 309; resolution as amended agreed to, 308. Information submitted by Director DeSchweinitz. (See Appendix 1738-1740).

Cavalcante, 309; McClure, 309; Shapiro, 309.

Requesting intervention of Attorney General into the receivership being investigated by the Sabbath Committee of the House of Representatives of the U. S. (House) by Burke and Brancato, referred to Committee on Rules, 410.

Requesting meeting of Appropriations Committee, (Senate) by Harris, motion, by Harris, for immediate consideration, not agreed to, motion, by Buckman to refer to Committee on Appropriations agreed to, referred to Committee on Appropriations, 32.

Buckman, 32; Harris, 32.

Requesting members of the Senate to answer certain interrogatories concerning interest they may have in any legislation before the Senate (Senate) by Cavalcante, 498; referred to Committee on State Government, 498; motion to discharge Committee from further consideration defeated (vote 17-28) 1231.

Requesting Secretary of Property and Supplies to have files and supplies forwarded to Members of House, (House) by Moomaw, 1505.

Requesting Secretary of Property and Supplies to transmit to the Session of 1937 statement showing the cost of repairs to Senate Galleries, for damage done by the unemployment, (Senate) by Ziesenheim, 1440; referred to Committee on State Government, 1440.

Requesting Senate to proceed immediately to appropriate money for Direct Relief to January 1937, Thompson, E. J., 281; motion by Thompson, E. J., to suspend rule for immediate consideration not agreed to, 281; referred to Committee on Appropriations, 281.

Requesting Senate to remain in Session until Friday to act upon tax legislation (Senate) by Woodward, 902; motion to reconsider agreed to, 918; referred to Committee on Rules, 918.

Requesting the Department of Banking not to permit the private sale of property in its possession (House) by Stone, 1219; referred to Committee on Rules, 1227.

Requesting the Executive Director of the State Emergency Relief Board to furnish list of persons employed by State Emergency Relief Board and compensation of each; (House) by John E. Brown, 140; referred to Committee on Judiciary Local, 140; reported as committed, 156; called up, 324; motion to recommit not agreed to, 325; resolution adopted, 326.

Eberharter, 324, 325; Witkin, 324, 325.

Requesting the President and Representatives in Congress to support amendment to the appropriation bill providing funds for W. P. A., so that same may be allocated to political subdivisions (House), by Gillette, 163; referred to Committee on Judiciary Special, 164;

RESOLUTIONS.—Continued.

Requesting the State Treasurer to furnish information to the Senate setting forth the reasons why payments to State-aided hospitals are not being made as contemplated by the Legislature when the appropriations to such hospitals were made, (Senate) by Harvey, 655; adopted, 655; information transmitted to Senate by Communication from the State Treasurer, 669, 670.

Requesting use of Senate Chamber for hearing on Senate Bill No. 98 (House No. 143) Miners Certificate Bill (Senate) by Staudenmeier, 885.

Requesting use of the Senate Chamber for Public hearing of Finance Committee (Senate) by McClure, 349.

Requesting use of the Senate Chamber for public hearings on bills of the Finance Committee (Senate) by Aron, 504, 505.

Requesting weekly reports from the Special Committee of the Senate investigating the Works Progress Administration in Pennsylvania (Senate) by Cavancante, 481; Senate adjourns pending action on resolution, 482; referred to Committee on Constitutional Changes, 508.

Requesting weekly reports from the Special Committee of the Senate investigating the Works Progress Administration in Pennsylvania (Senate) by Cavalcante, 508; Motion to suspend Rule 38 for immediate consideration not agreed to, and resolution referred to Committee on Constitutional changes, 508.

Requesting W. P. A. to reimburse S. E. R. B. for duplicated payments to discharged workers (House) by Mr. Turner, 95; immediate consideration not agreed to, 96; point of order by Witkin, 98; Statement by Turner, 96; question of information, by Witkin, 98; motion to suspend rule and have resolution re-read, 98; point of order, by Tumelty, 99; referred to Committee on Judiciary Special, 135; reported from committee 283.

Burke, 97, 98; Cohen, 95; Eroe, 97; Turner, 95; Witkin, 96.

Suggested form of, creating a State Commission to cooperate with the United States Constitution Sesqui-Centennial Commission, presented to Senate, 7; to House, 47-48.

Tendering thanks and congratulations to Hon. Morton Witkin upon service as member of House (House) by Patterson, Cliff S., 1511.

Coleman, 1511-1512; Cohen, 1512; Witkin, 1512.

Tendering thanks of House to Chief Clerk of House for courteous, able and efficient manner in which he attended to the duties of his office (House) by Burke, 1514.

Burke, 1514; Turner, 1514; Hoopes, 1514.

Tendering thanks of House to Director and employes of Legislative Reference Bureau for valuable assistance rendered (House) by Van Sickle, 1514.

Tendering thanks of House to Hon. Henry C. Niles for administering oath of office to Speaker-elect of the House, Roy C. Furman (House) by Moul, 45.

Tendering thanks of House to Hon. Marshall Shepard for his services as Chaplain (House) by Harkins, 1514.

Tendering thanks of House to J. Warren Mickle, Deputy Secretary of Commonwealth for cooperation and assistance in handling difficult matters (House) by Alexander, 1515.

Tendering thanks of House to Mr. Cohen for his intelligent, able and forceful labors as the majority floor leader in the House (House) by Witkin, 1514-1515.

Witkin, 1514.

Tendering thanks of House to officers and employes for able manner in which they performed their duties (House) by Nothnagle, 1514.

RESOLUTIONS.—Continued.

Tendering thanks of House to Press for fair and impartial reporting of proceedings (House) by Baldi, 1514.

Tendering thanks of House to Rev. Oscar F. R. Treder for his services as Chaplain (House), by Shepard, 1514.

Tendering thanks of House to Speaker Furman for efficient manner in which he performed his duties (House) by Andrews, 1515.

Andrews, 1515; Witkin, 1515; Cohen, 1516; Hoopes, 1516; Shepard, 1516, 1517; Weiss, 1517; Furman, 1517.

Thanking Hon. Harry S. McDevitt for administering oath of office to Senator-elect Scott (Senate) by Aron, 3.

Thanking Hon. Paul Schaeffer for administering oath of office to Senator-elect Ruth (Senate) by Aron, 3.

Transferring all departments and bureaus that are not essential to the orderly conduct of state business, to the Department of Internal Affairs (Senate) by Woodward, 472.

Urging City of Philadelphia to establish an institution to provide for women who need shelter (House) Brancato, 724.

Urging the President of the United States and Representatives in Congress to support amendments to the appropriation act providing funds for the W. P. A. (Senate) by Ziesenheim, 131.

Urging voters to read Socialist Platform before going to the Polls on November 3 (House) by Hoopes, referred to Committee on Rules, 1400-1401.

RESOLUTIONS, CONCURRENT.

Authorizing adjournment of Legislature until May eleventh (Senate) by Buckman, 60; ret. from House conc. in, 60; conc. by House, 66.

Authorizing adjournment of Legislature until May eighteenth (Senate) by Gelder, 81; returned from House, with amendments, 130; conc. by House as amended, 136; returned to House with amendments concurred in, 141.

Authorizing adjournment of Legislature until May twenty-fifth (Senate) by Buckman, 221; returned from House conc. in, 265; amendment offered by Sowers, 274; amendment withdrawn, 275; conc. in by House, 273-275.

Sowers, 274; Eberharter, 274; Turner, 274.

Authorizing adjournment of Legislature until June first (Senate) by Buckman, 279; adopted by Senate, 279; ret. from House conc. in, 282; conc. by House, 295.

Authorizing adjournment of Legislature until June eighth, (House) by Eberharter, 484; returned from Senate conc. in, 493; conc. in by Senate, 471.

Authorizing adjournment of Legislature until June fifteenth (Senate) by Buckman, 504; ret. from House conc. in, 536; conc. by House, 534.

Authorizing adjournment of Legislature until June twenty-second (Senate) by Buckman, 573; ret. from House conc. in, 649; conc. in by House, 646.

Authorizing adjournment of Legislature until June twenty-ninth (Senate) by Buckman, 672; ret. from House conc. in, 707; conc. in by House, 736.

Authorizing adjournment of Legislature until July sixth (Senate) by Buckman, 776; ret. from House conc. in, 806; conc. in by House, 822.

Authorizing adjournment of Legislature until July thirteenth (Senate) by Harris, 854, 855; ret. from House conc. in, 874; conc. by House, 886.

Authorizing adjournment of Legislature until July twentieth (Senate) by Buckman, 1073; ret. from House conc. in, 1101; conc. by House, 1095.

RESOLUTIONS CONCURRENT.—Continued.

Authorizing adjournment of Legislature until July twenty-seventh, (Senate) by Buckman, 1230; ret. from House conc. in, 1253; conc. by House, 1248.

Authorizing adjournment of tax sales, House by Weiss, 140; referred to Committee on Municipal Corporations, 140.

Authorizing appointment of Committee to act in conjunction with House committee to escort Governor to Hall of House for Joint Session (Senate) by Roberts, read and adopted, 6; ret. from House conc. in, 33; Senate Committee appointed, 33; conc. in by House, 49; House Committee appointed, 49; Joint Session held and addressed by Governor, 50-58.

Authorizing appointment of Committee to act in conjunction with House Committee to escort Governor to Hall of House for Joint Session, (Senate) by Roberts, 573; ret. from House conc. in 573; Senate Committee appointed, 573; conc. in by House 586-587; House Committee appointed, 587; Joint Session held, 587-595.

Authorizing appointment of Committee to act in conjunction with House Committee to inform Governor that General Assembly is organized (Senate) by Huffman, read and adopted, 4; Senate Committee appointed, 33; res. ret. from House conc. in, 33; conc. in by House, 46; House Committee appointed, 46; House Committee reports, 48.

Authorizing appointment of Joint Committee to consider relief (Senate) by Woodward, 1016; referred to Committee on Judiciary Special, 1016.

Authorizing appointment of Joint Committee to prepare a plan of permanent administration of unemployment relief, (Senate) by Thompson, E. J., read and referred to Committee on State Government, 130; reported as committed, 1119-1120; adopted by Senate 1195, 1196; in the House, 1228; referred to Committee on Rules, 1242-1243; reported as committed, 1266; adopted by House, 1267; ret. to Senate, concurred in, 1265; approved by Governor, 1315.

Buckman, 1195; Ealy, 1196; Thompson, E. J., 1195, 1196.

Authorizing appointment of Joint Legislative Committee to personally urge upon the President and Congress of the United States the necessity of adequate Federal flood control measures, (House) by Weiss, referred to the Committee on Forestry, 65; reported from Committee, 152; called up, 156; adopted by House 157; referred to Committee on Federal Relations in the Senate, 167; reported from Committee, 223-224; adopted by Senate 224; House informed of concurrence by Senate, 273; House Committee appointed, Messrs. Weiss, John J. Baker and Stockham, 469; Senate Committee appointed, Messrs. Harris, Sones, and Rodgers, 541.

H. S. Brown, 156; Weiss, 156, 157; Zappala, 156; Harkins, 156, 157.

Authority Fiscal officers to transfer moneys from the Motor License, and Liquid Fuels Funds to the General Fund for relief, (House) by Mr. Cohen, 67, amendments offered by Turner, 67; amendments not agreed to, 72; resolution adopted by House, 72; referred to Senate for concurrence, 62; referred to Committee on Appropriations in Senate, 62, reported as amended, 83-84; called up by Buckman, 125; amendments offered by Shapiro, not agreed to, 126; resolution agreed to by Senate, 129; returned to the House as amended, 141; certain amendments agreed to, 142; all other amendments non-concurred in by House 146; Senate recedes from amendments non-concurred in by House, 132; House notified that Senate has receded from amendments, 155; Approved by Governor, 164.

Burke, 71, 145, 146; Cohen, 69, 142; Turner, 67, 69-71; Witkin, 67-69, 71, 72, 142-145; Buckman, 84; Gelder, 127; Huffman, 128; Shapiro, 84, 126, 128-129; Thompson, E. J., 126-127.

RESOLUTIONS CONCURRENT.—Continued.

Authorizing Joint Commission to Investigate Magistrates System in Philadelphia, (House) by Ominsky, 1218; referred to Committee on Rules, 1227; reported as committed, 1266; called up and adopted 1308-1309; referred to Committee on Judiciary General in Senate, 1313.

Sowers, 1308-1309; Witkin, 1309.

Authorizing Joint Committee to make a study with regard to reducing the legal rate of interest from 6 per cent to 4 per cent, (House) by McCreary, 1113; referred to Committee on Rules, 1113; reported as amended, 1285; adopted by House, 1309; in the Senate referred to Committee on Banking, 1313.

Authorizing Joint Session to hear address of Governor on Unemployment Relief and Social Security, (Senate) by J. Albert Reed, 571; ret. from House conc. in, 573; conc. in by House, 586; Senate proceeds to Hall of House, 573; Joint Session held and address by Governor. 587-595.

Authorizing Joint Session to hear address of Governor, (Senate) by Sones, 6; conc. in by House, 46; ret. from House conc. in, 32; Joint Session held and address by Governor, 50-58.

Authorizing payment of postage on Legislative Journal, (Senate) by Rice, read and adopted, 5; ret. from House conc. in, 59; conc. in by House, 46; approved by Governor, 62.

Authorizing payment of salaries and postage of Senators and Members of House of Representatives during Extraordinary Session of 1936, (Senate) by Miller, read and adopted, 5; ret. from House conc. in, 59; conc. in by House, 46; approved by Governor, 62.

Authorizing study by Public Service Commission of feasibility of transporting pupils, in Allegheny County, for twenty-five cents per week, (House) by Holland, 95; referred to Committee on Public Utilities, 135; reported as committed, 161; Called up and adopted by House, 188. Referred to the Committee on State Government in Senate, 179; Motion to discharge Committee, 582; motion withdrawn, 582; Motion to discharge Committee, 657; motion withdrawn, 657; reported as committed and adopted by Senate, 658; House informed of concurrence by Senate, 667.

Authorizing printing of proceedings of the memorial services held in honor of the late Hon. James E. Norton (Senate) by Ruth, 855; ret. from House conc. in, 874; conc. in by House, 886; approved by Governor, 1166.

Authorizing the Department of Welfare to accelerate payments for Mothers' Assistance to all eligible applicants pledging the General Assembly of 1937; to appropriate additional funds, (Senate) by Shapiro, 1425; adopted by Senate 1425; reported from Committee on Rules in the House, 1470; adopted by House, 1470.

Authorizing the Governor and Fiscal officers to negotiate with the School Employes Retirement Board the State Employes Retirement Board and the Workmens Insurance Board to ascertain amounts, if any, which they may invest in Tax Anticipation Notes, (House) by Blumberg, 1220; Referred to Committee on Rules, 1219.

Authorizing the State Emergency Relief Board and those in charge of distributing relief to refuse help to aliens known to be illegally within this Commonwealth, (House) by John E. Brown, 77; referred to Committee on Judiciary Local, 77; reported as committed, 161; called up, 749, 750; recommitted to Committee on Rules, 751.

Yourishin, 750; Brown, John E., 750; Hoopes, 750, 751; Burke, 750; Tumelty, 750; Reising, 750; Eberharter, 750.

RESOLUTIONS CONCURRENT.—Continued.

Authorizing transfer of money from the Liquid Fuels, Motor License and Liquor License Funds to the General Fund for Relief, (Senate) by Reed, Geo. L., read and adopted, 61; immediate consideration not agreed to; question of information raised by Senator Harris on necessity of immediate reference to Committee when objections are made; question of information is upheld and resolution referred to Committee on Appropriations, 61.

Huffman, 61; Owlett, 61; Reed (Dauphin), 61.

Authorizing transfer of money from the Liquid Fuels Tax Fund and Liquor License Fund to General Fund for relief (part of June and July), House by Cohen, 690; adopted by House, 698; Referred to Committee on Appropriations in the Senate, 678; reported as amended, 714; motion to suspend Rule 39 for immediate consideration not agreed to, 715; motion to suspend Rule 39 for immediate consideration agreed to, 721; resolution defeated by vote of 22 to 17; vote reconsidered, and recommitted to Committee on Appropriations, 744; re-reported as amended and passed by Senate, 744; House notified of Senate Amendments, 753; House agrees to resolution as amended, 754; Senate notified of concurrence by the House in amendments made by Senate, 749.

Andrews, 695, 696; Barber, 696; Brownfield, 695, 696; Cohen, 690, 691, 693-696; Hoopes, 697; Tumelty, 692; Schrope, 692;

Witkin, 690-696; Thompson, E. J., 721.

Authorizing transfer of money from the Liquid Fuels Tax Fund to General Fund for relief (first part of July), House by Wickersham, 931; resolution defeated, 940-941.

Aukerman, 932; LaRue, 931, 932; Brown, Homer S., 932, 933; Gates, 932; Alexander, 933; Wickersham, 933, 934, 936; Van Sickle, 932; Andrews, 934; Shugarts, 936; Dent, 936, 937; Turner, 934, 936, 937, 938; Cohen, 937, 938, 939, 940; McCreary, 938; Mason, 938, 939, 940; Trout, 940.

Authorizing transfer of money from the State Stores Fund and Liquid Fuels Tax Fund for relief (last part of July), (House) by VanSickle, 1318; adopted by House, 1319; conc. in by Senate, 1312; ret. from Senate conc. in 1321; signed by Governor, 1321.

Authorizing transfer of money from the State Stores Fund to General Fund for relief (first part of July) (House) by Wickersham, 1030; referred to Committee on Rules, 1030.

Authorizing transfer of money from the State Stores Fund to General Fund for relief (first part of July) (House) by Wickersham, 1038; reefrred to Committee on Rules, 1048.

Authorizing transfer of money from the State Stores Fund to General Fun dfor relief (first part of July) (House) by Wickersham, 1092; referred to Committee on Rules, 1093.

Authorizing transfer of money from the State Stores Fund to General Fund for relief (last part of July) (House) by Witkin, 1217; referred to Committee on Rules, 1227.

Authorizing transfer of moneys heretofore appropriated to S. E. R. B. and now lapsing, to the State Emergency Relief Board, (House) by Cohen, 295; referred to Committee on Appropriations, 295; reported as committed, 295; called up, 315; amendments offered by Turner, 316; amendments not agreed to, 322; resolution agreed to, 323; referred to Committee on Appropriations in Senate 308 erratum page 409; reported as amended 310; adopted by Senate, 313; ret. to House as amended, 371; House nonconcurs in amendments made by Senate, 379, 380; Senate notified of non-concurrence of House in Senate amendments, 399; motion to recede from amendments not agreed to by Senate, 399, 400; Senate notified House insists upon its non-concurrence in amendments, Con-

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ference Committee appointed, Messrs. Bean, Buckman and Reed. (Washington), 404; House informed of non-concurrence of Senate and Conference Committee appointed, Messrs. Andrews, Burke and Horst, 415; House notified of insistence by Senate upon its amendments and appointment of conference committee by Senate, 433; Conference Committee reports and report adopted by House, 455, 456; Senate notified of adoption by House of report of Conference Committee 449; Conference Committee Report adopted by Senate, 450; signed by Lieutenant Governor, 450; House notified of adoption of Conference Committee Report by Senate, 460, 461; House notified of approval by Governor, 469.

Gelder, 311; Shapiro, 311, 312; Buckman, 312; Cavalcante, 312, 313; Harris, 312, 313; Huffman, 313; Turner, 316-319, 320-322; Cohen, 317, 371-372, 375, 376, 378; VanSickle, 319 expunged, 373, 374; Witkin, 319, 320; Shepard, 320; Burke, 322; Andrews, 372, 375-376; Blumberg, 372-375, 378; Eberharter, 372-377; Achterman, 373; Dent, 373-378; Moran, 373; Simon, 373; Kane, 374; Moomaw, 374; Tronzo, 374; Homer S. Brown, 376, 377; Ealy, 450.

Creating Joint Committee to investigate Civil Service Commission of Philadelphia (House) by Holland, read and referred to Committee on Cities, 314.

Favoring adjournment of tax sales during the months of May and June, Senate conc. resolution, by Rankin, agreed to, 131; Referred to Committee on Municipal Corporations in the House, 155; reported as committed 227; concurred in by House, 227; Senate notified of concurrence by House, 220;

Fixing August sixth as date for General Assembly to adjourn sine die (Senate) by Buckman, adopted by Senate, 1328; in the House referred to Committee on Rules, 1335; reported as committed, 1470; concurred in by House, 1470; returned to Senate concurred in, 1435.

Fixing time for Joint Session of Senate and House to hear address of Governor, (Senate) by Sones, read and adopted, 6; conc. in by House, 46; ret. from House conc. in, 32; Joint Session held and address by Governor, 50-58.

Pennsylvania Folk Festival, Legislature accepts invitation to (Senate) by Sordoni, 980; referred to House and adopted, 996, 997.

Petitioning the President and Works Progress Administration to discontinue employment of labor on bermes, gutters and banks of the State Highway and instead to employ labor in the improvement of the traveled surface of highways, (House) by Murrin, 630; referred to Committee on Rules, 630;

Pledging the General Assembly to enact revenue measures to provide for repayment of moneys transferred from the State Insurance Fund and the State School Fund for relief (House) by Andrews, 1320; referred to Committee on Rules, 1320; reported as committed, 1402; called up, 1505; adopted, 1505; concurred in by Senate, 1458.

Recalling from Governor House Bill No. 15, transferring money to General Fund from the Liquid Fuels Fund and providing for its repayment (House) by Cohen, 1406-1407; conc. in by Senate, 1388; ret. from Senate conc. in, 1409; approved by Governor, 1465.

Recalling from Governor House Bill No. 17, making appropriation to State Emergency Relief Board, for direct relief, work relief, and expenses (House) by Cohen, 510, ret. from Senate conc. in 534; conc. in by Senate, 504; approved by Governor, 585.

Recalling from Governor House Bill No. 63, amending Vehicle Code of 1929, by requiring extra fees for issuance of special license plates, for the purpose of amendment (House) by Cohen, 1156; laid on table in Senate, 1120;

Cohen, 1157.

Parks, 1156, 1157.

RESOLUTIONS CONCURRENT.—Continued.

Recalling from Governor House No. 69, authorizing the Department of Forests and Waters to investigate, survey and report on location of certain lands suitable for reforestration with flood control as the objection (House) by Weiss, 1316; conc. in by Senate, 1313; ret. from Senate conc. in, 1321; approved by Governor, 1373.

Recalling from Governor House Bill No. 91, making appropriation to the Department of Forests and Waters for purpose of building and constructing new dikes levees and river bank protections along the Delaware River, (House) by Weiss, 1093; conc. in by Senate, 1077; ret. from Senate conc. in, 1095; approved by Governor, 1114-1115.

Recalling from Governor House Bill No. 109, authorizing municipalities and townships to construct flood control works within or without their territorial limits (House) by Shortz, 889; conc. in by Senate, 875; ret. from Senate conc. in, 923; approved by Governor, 928.

Recalling from Governor House Bill No. 109, authorizing municipalities and townships to construct flood control works within or without their territorial limits, (House) by Weiss, 1245; conc. in by Senate, 1231; ret. from Senate conc. in, 1248; approved by Governor, 1272.

Recalling from Governor Senate Bill No. 17, amending the Personal Property Tax Act of 1935 (Senate) by Bean, 1275; conc. in by House, 1284; ret. from House conc. in, 1280; approved by Governor, 1291.

Regulating preparation of copy for printing and binding of Journals of Senate and House (Senate by B. F. Thompson, 1458; agreed to, 1458; concurred in by House, 1518; Senate notified of concurrence of House, 1459.

Requesting and urging City of Philadelphia to comply at earliest possible moment with the law passed at session of 1935 (P. L. 639) allowing firemen twenty-four hours consecutive rest per week, 509; referred to Committee on Rules, 509; Reported as committed, 586; adopted by House, 739; In the Senate 714; referred to Committee on Municipal Government, 714.

Witkin, 739; Brancato, 739.

Requesting exclusion of politics from relief, House by Wickersham, 456; referred to Committee on Rules, 483.

Requesting information from Edward N. Jones, State Administrator of the W. P. A. (House) by Blumberg, 164; referred to Committee on Judiciary Special, 164; Committee discharged from further consideration 331-333; called up, 352, 353; amendments offered by Blumberg, 353; amendments agreed to, 353; laid over for printing, 353.

Requesting investigation by Public Service Commission of street railway companies operating in Philadelphia County to ascertain possibility of transporting pupils at a rate not to exceed twenty-five cents per week (House) by Brancato, 724; referred to Committee on Rules, 724; reported as committed, 781; adopted by House, 927; referred to Committee on Rules in the Senate 920; reported as amended, 1437; concurred in by Senate, 1437; returned to House as amended, 1483; House concurs in amendments made by Senate, 1483; Senate notified of concurrence by House in amendments made by Senate, 1450.

Requesting investigation by Public Service Commission of street railway companies operating in Philadelphia County to ascertain possibility of transporting pupils at a rate not to exceed twenty-five cents per week (Senate) by McCreesh, 780; adopted by Senate, 780; referred to Committee on Rules in the House, 812; reported from Committee, 1048; concurred in by House, 1048; Senate informed of concurrence by House, 1047; approved by Governor, 1254.

Requesting joint session of legislature for hearing appeal of the unemployed, by their spokesman, David Lasser (House) by Hoopes

RESOLUTIONS CONCURRENT.—Continued.

Requesting Legislative Reference Bureau to prepare a report listing such statutes as in the judgment of the bureau are obsolete (House) by Tumelty, 1272, 1273; referred to Committee on Rules, 1273.

Requesting officers of Steel Corporations to read Sections 7 and 8 of National Labor Relations Act (House) by Fitch, 1058; referred to Committee on Rules, 1093; reported as committed, 1402; adopted by House, 1478, 1479; referred to Committee on Federal Relations in the Senate, 1436, 1437.

Requesting reduction of salaries of State Employes, (House) by McCreary, 226; referred to Committee on Ways and Means, 226.

Requesting the Departments of Justice and Mines to inform the House whether prosecutions are being brought in reference to Gilberton Mine Disaster (House) by Bradley, 1373; referred to Committee on Rules, 1373; reported as amended, 1468.

Requesting the President and Harry L. Hopkins to approve minimum wage of $100 for W. P. A. workers (House) by Jones, 1113; referred to Committee on Rules, 1113.

Requiring members of legislature to spend no more than eighteen cents (18c) per day for food until adequate relief funds are made available (House) by Hoopes, 1034; referred to Committee Rules, 1035.

Returning to Governor House Bill No. 91, making appropriation to the Department of Forests and Waters for purpose of building and constructing new dikes, levees and bank protections along the Delaware River, without amendments, 1407, 1408; concurred in by Senate, 1388; ret. from Senate conc. in, 1409; approved by Governor, 1114.

Thanking State Police for performance given at its barracks at Hershey, 1064; adopted by House, 1064; referred to Senate, 1071; adopted by Senate, 1071; ret. by Senate, 1093-1094.

Urging construction of more ships in Philaedlphia, (House) by Cannon, 630; referred to Committee on Rules, 630; reported as amended, 1405; adopted by House, 1505; concurred in by Senate, 1456.

REVENUE, DEPARTMENT OF, information from, Senate resolution by Bean, requesting, 308.

REYNOLDS, HOBSON R., Representative from Philadelphia County (Twenty-first District).

Leaves of absence granted, 483, 546, 661, 842.

Remarks by, at
Memorial Services for Hon. Samuel B. Hart, 763.

RHYS, BENJAMIN H., Representative from Luzerne County (Second District).

RICE, JOHN S., Senator from Adams and Franklin Counties (Thirty-third District).

Bill introduced by
No. 15
Amending Mothers' Assistance Act of 1919, authorizing Department of Welfare to cooperate with and disburse moneys received from Federal Government, 83.

Leave of absence granted, 571.

Member of Conference Committee, 1417.

Motion by, for
Executive Session to rise, 504, 540, 679, 746, 841, 883, 902, 919, 1150.

Motion by, to
Consent to Executive Nominations, 503, 540, 679, 745, 840, 883, 902, 918, 1150.

Dispense with further reading of the Journal, 767, 1117.

RICE, JOHN S.—Continued.

Reconsider vote on House conc. resolution authorizing transfer of money from the Liquid Fuels Tax Fund and Liquor License Fund to General Fund for relief (part of June and July) 744.

Suspend Rule 38 for immediate consideration of Nominations by the Governor, 503, 540, 679, 745, 840, 883, 902, 918, 1150.

Resolution, concurrent, offered by
Authorizing payment of postage on Legislative Journal, 5.

RINN, ALBERT E., Representative from Lehigh County (Second District).

Congratulations of House extended to, on birthday anniversary, 532.

Leaves of absence granted, 266, 483, 545, 631, 724, 812, 861, 1107, 1243, 1305.

Motion by, to
Adjourn, 445.

Dispense with further reading of the Journal, 1242.

Remarks by, on
Resolution inviting House of Representatives to attend the Allentown Fair, 1219.

Resolution offered by,
Inviting House of Representatives to attend Allentown Fair, 1218.

ROAN, WILLIAM P., Representative from Luzerne County (Fifth District).

Bill introduced by
No. 110.
Providing that no person shall be denied, refused or have discontinued direct or work relief for reason that such person has received payment of World War adjusted service, 314.

Member of Special Committee, 602, 845, 1518.

Motion by, to
Dispense with further reading of the Journal, 1303.

ROBERTS, WARREN R., Senator from Northampton County (Eighteenth District).

Bill reported by
No. 14.
Providing for and regulating assistance to and burial of certain aged, indigent persons, 450.

Leave of absence granted, 495.

Member of Special Committee, 33, 573, 611, 612.

Motion by, for
Executive Session to rise, 660.

Motion by, to
Consent to Executive Nominations, 660.

Suspend Rule 38 for immediate consideration of Nominations by the Governor, 660.

Objections raised by, to
Immediate consideration of resolution memorializing Congress to enact legislation prohibiting employes from engaging in Politics, 179.

Immediate consideration of resolution requesting information from the Budget Secretary on number of employes on per diem basis, 671.

Remarks by, at
Memorial Services for Hon. James E. Norton, 805.

Resolution, concurrent offered by,
Authorizing appointment of Committee to act in conjunction with House Committee to escort Governor to Hall of House for Joint Session, 6; ret. from House conc. in, 33; Senate Committee appointed, 33; conc. in by House, 46; House Committee appointed, 46; Joint Session held and address by Governor, 50-58.

ROBERTS, WARREN R.—Continued.

Authorizing appointment of Committee to act in conjunction with House Committee to escort Governor to Hall of House for Joint Session, 573.

ROBINSON, AL K., Representative from Allegheny County (Tenth District).

Amendments offered by, to
Bill No. 149, amending Act of 1936, abating certain tax penalties, by adding section providing for compensation of delinquent tax collectors, their employes, and expenses for collection of delinquent taxes, 739.

Bill introduced by
No. 149.
Amending Act of 1936 abating certain tax penalties, by adding section providing for compensation of delinquent tax collectors, their employes and expenses for collection of delinquent taxes, 630.

Bill reported by
No. 83.
Relating to keeping of animals, wild by nature, in captivity and on display for evident purpose of attracting trade, 410.

Leaves of absence granted, 184, 661 (withdrawn), 665, 812, 923, 1272, 1316.

Motion by, to
Adjourn, 347.

RODENHAFER, KENNETH W., as Page, election of, 60.

RODGERS, WILLIAM B., Senator from Allegheny County, part of (Fortieth District).

Amendments offered by, to
Bill No. 74, Joint resolution proposing amendment to Constitution of Pennsylvania, relative to qualifications of electors, 807.

Bills introduced by
No. 12.
Abolishing office of collector of delinquent county taxes in counties of the second class and providing for their collection, 61.

No. 118.
Joint resolution proposing amendment to Section 4 of Article IX of the Constitution of Pennsylvania, relative to purposes for which Legislature may provide for issuance of bonds by State, 1302.

Bills reported by
No. 94 (House No. 135), appropriating to State Emergency Relief Board for unemployedment relief all restitutions and overpayments collected by or for said board, 1390.

No. 102 (House No. 136).
Joint resolution proposing an amendment to Article IX of the Constitution of Pennsylvania, by adding thereto a section authorizing the State to issue bonds for acquisition of lands and buildings, and construction and improvement of State owned buildings and the equipment thereof, 1236.

Member of Special Committee, 541.

Motion by, for
Executive session to rise, 1012.

Recess, 1371.

Motion by, to
Consent to Executive Nominations, 1012.

Print Senate Conc. resolution authorizing President Pro Tempore to appoint Committee of six Senators and five citizens to make survey and recommendations on reappointment of Senatorial Districts, 883.

Proceed to consideration of resolution authorizing President Pro Tempore to appoint committee to make survey and recommendations on reapportionment of Senatorial Districts, 943.

RODGERS, WILLIAM B.—Continued.

Read certain bills first time, 541.

Suspend Rule 38 for immediate consideration of Nominations by the Governor, 1012.

Presents preliminary report of Joint Legislative Committee to Investigate Public Relief in Pennsylvania, 1415.

Question of Personal Privilege raised by, on
Motion to adjourn, 1372.

Remarks by, on
Bill No. 6, Joint resolution proposing amendment to Constitution of Pennsylvania, relative to incurring indebtedness, 949.

Bill No. 68 (House No. 70), prescribing powers and duties of Water and Power Resources Board in relation to creation of flood control districts, and making an appropriation, 1314.

Bill No. 105 (House No. 154), confirming transfer of money from special funds to the General Fund, and providing for its subsequent return from the General Fund, 965.

Motion to adjourn, 1372.

Request for roll call by, on
Resolution authorizing President Pro Tempore to appoint Committee to make survey and recommendations on reapportionment of Senatorial Districts, 944.

Resolution reported by
Senate Conc. authorizing President Pro Tempore to appoint Committee of six Senators and five citizens to make survey and recommendations on reapportionment of Senatorial Districts, 883.

ROONEY, JAMES P., Representative from Allegheny County (Seventh District).

ROOT, MORRIS J., Representative from Philadelphia County (Third District).

ROYER, BAKER, Representative from Lancaster County (Second District).

Election returns, 41.

Leaves of absence granted, 1152, 1243, 1316.

Member of Standing Committees, 73.

Oath of Office administered to, 42.

RUBIN, SAUL, as Assistant Clerk, election of, 60.

RUFFENNACH, CYRIL F., Representative from Allegheny County (Twelfth District).

Leaves of absence granted, 77, 749, 842, 923.

RULES, STANDING, used in House during Session of 1935, resolution (House) by Sinwell, authorizing adoption of, 45.

RULES, STANDING, used in Senate during Session of 1935, resolution (Senate) by Buckman, authorizing adoption of, 5.

RUPP, GEORGE A., Senator from Lehigh County (Sixteenth District).

Bill reported by
No. 35 (House No. 40).
Making appropriation for commemmoration of Three Hundredth Anniversary of Earliest Settlement within Pennsylvania, 223.

Motion by, to
Read certain bills first time, 626.

RUTH, FRANK W., resignation of as Member of the House tendered to Speaker, 40.

RUTH, FRANK W., writ of election issued by Chairman of Judiciary General Committee, to fill vacancy caused by resignation of, 36, 38

RUTH, FRANK W., Senator from Berks County (Eleventh District).

Election returns, 2.

Member of Special Committee, 611, 612, 1458.

Member of Standing Committees, 305.

Motion by, for
Memorial session to adjourn, 806.

Oath of Office administered to, 3.

Remarks by, at
Memorial Services for Hon. James E. Norton, 803, 804.

Remarks by, on
Bill No. 74, Joint resolution, proposing amendment to Constitution of Pennsylvania, relating to qualifications of electors, 798, 799.

Resolution, concurrent offered by
Authorizing printing of proceedings of the memorial service held in honor of the late Hon. James E. Norton, 855.

Resolutions offered by
Authorizing appointment of committee to draft suitable resolutions on death of Hon. James E. Norton, 573.

Extending sympathy of Senate to family of Hon. James E. Norton, 34.

SABBATH INVESTIGATING COMMITTEE, of the H. of R. of the United States requesting intervention by Attorney General into the receiverships being investigated by, 410; referred to Committee on Rules 410.

SALARIES AND POSTAGE of Senators and Members of House of Representatives during Extraordinary Session of 1936, concurrent resolution (Senate) by Miller, authorizing payment of 5; ret. from House concurred in, conc. in by House, 46; approved by Governor, 62.

SALUS, SAMUEL W., Senator from Philadelphia County (Second District).

Motion by, to
Dispense with further reading of the Journal, 1327.

Recommit Bill No. 50, limiting amount of moneys allocated to and expended in counties by the State Emergency Relief Board for maintenance of unemployable residents to amounts expended by political subdivisions charged by law with care of the poor, 914.

Question of Personal Privilege raised by, on
Reasons for voting present, 1009.

Remarks by, on
Motion to reconsider vote on Bill No. 50, relating to amount of moneys expended in counties by the State Emergency Relief Board, 916.

Resolution authorizing appointment of Committee to investigate relief and reports of electorial freedom being denied unemployed, 1351-1352.

SANITARY WATER BOARD, members of, nominated, 17; referred to Committee on Executive Nominations, 17; reported, 1441; confirmed, 1449, 1450.

SARIG, WILSON G., motion to adjourn out of respect to the memory of, (By LaRue), 58.

SARIG, WILSON G., writ of election issued by Chairman of Judiciary General Committee, to fill vacancy caused by death of, 36, 38.

SARRAF, GEORGE J., Representative from Allegheny County (Second District).

Bills reported by
No. 14.
Transferring money from Motor License Fund to General Fund, and providing for its return from General Fund, 75.

No. 29.
Making appropriation to provide for expenses of Extraordinary Session of the Legislature, assembly May 4, 1936, 152.

SARRAF, GEORGE J.—Continued.

No. 133.
Making appropriation to Department of Welfare for purpose of rehabilitating and replacing real and personal property of State-aided hospitals damaged or destroyed by flood, 870.

No. 167.
Authorizing counties of second class and cities of second class to sue out write of scire facias on certain tax liens, 1320.

Leave of absence granted, 586.

Point of Order raised by, on
Remarks on resolution must be confined to that resolution, 1488.

SAVING FUND SOCIETY, of Germantown 81st annual report of, presented to Senate 31; to House, 48; appendix, 1648.

SCANLON, JOSEPH A., Representative from Philadelphia County, (Twenty-fifth District).

Bills introduced by
No. 138.
Limiting hours of employment and providing penalties for violation thereof, 629.

No. 148.
Amending Beverage License Law of 1933, by increasing the license fee of manufacturers, 629.

Member of Special Committee, 821.

SCHAEFFER, LLOYD M., Representative from Berks County (Fourth District)

Congratulations of House extended to, on birthday anniversary, 862.

Election returns, 41.

Leave of absence granted, 1152.

Member of Standing Committee, 72, 73.

Motion by, to
Adjourn, 493.

Oath of Office administered to, 42.

Reasons for vote by, on
Bill No. 164 (Senate No. 75), relating to reduction of tax on assessed valuation of real estate, 1501.

Resolution offered by
Extending sympathy on death of Hon. Wilson G. Sarig, 760, 761.

SCHAEFFER, HON. PAUL, oath of office administered to Frank W. Ruth by, 3.

Thanks of Senate, tendered to, for administering oath of office to Frank W. Ruth, resolution (Senate) by Aron, 3.

SCHOOL CODE OF 1911, by providing for discounts and penalties on taxes in school districts of the third and fourth classes, amending

House Bill No. 96.
Read in place in House by Mr. O'Neill, 261.
Referred to Committee on Education, 261.

SCHROCK, JACOB B., Representative from Somerset County.

Motion by, to
Dispense with further reading of the Journal, 1284.

Request for roll call by, on
Motion to lay on table Bill No. 153, making appropriation to State Emergency Relief Board, together with Senate amendments, 993.

Motion to suspend Rule No. 51, which provides that motion to lay on table carries all adhering questions with it, 993.

SCHROPE, EDGAR A., Representative from Schuylkill County (Second District).

Bill introduced by
No. 90.
Making a deficiency appropriation to Department of Welfare for use of Ashland State Hospital, 226.

Motion by, to
Dispense with further reading of the Journal, 1088.

Questions of Information raised by, on
Possibility of declaring recess of the House while Mr. Witkin delivers speech, 692.

SCHWAB, JOHN, Representative from Cameron County.

Bills reported by
No. 20.
Amending Vehicle Code of 1929, as amended, by revising certain registration fees and revising existing regulations for weight of certain motor vehicles, 80.

No. 22.
Imposing emergency State tax for a limited period of time on alcoholic liquors sold by Pennsylvania Liquor Control Board, 74.

Leaves of absence granted, 483, 661, 724, 1243, 1305.

Motion by, to
Dispense with further reading of the Journal, 1188.

Request by, for
Permission to have meeting of Committee on Forestry during session of the House, 149, 161.

Resolution reported by
Disavowing unethical procedure of Committee Investigating Relief in presenting report to House of Representatives after release to newspapers, 161.

SCHWARTZ, LOUIS, resignation of as Member of the House tendered to Speaker, 39.

SCHWARTZ, LOUIS, writ of election issued by Chairman of Judiciary General Committee, to fill vacancy caused by resignation of, 36, 37.

SCOTT, JOHN R. K., Senator from Philadelphia County (Third District).

Bill reported by
No. 38 (House No. 54).
Supplementing the Old Age Assistance Act of 1935, by making appropriation for payment to applicants in counties which do not have sufficient funds available, 1329.

Member of Special Committee, 178.

Member of Standing Committees, 305.

Motion by, to
Proceed to consideration of Bill No. 30 (House No. 27), amending Personal Property Tax Act of 1935, by increasing rate of tax; and removing certain exemptions, 1079.

Proceed to consideration of Bill No. 43 (House No. 26), amending Personal Property Tax Act of 1907, by increasing rate of tax for a limited period of time, 1084.

Proceed to consideration of Bill No. 44 (House No. 28), amending Personal Property Tax Act of 1897, by increasing rate of tax, 1086.

Oath of Office administered to, 3.

SCRANTON STATE HOSPITAL, members of the Board of Trustees of, nominated, 21; referred to Committee on Executive Nominations, 21.

SECRETARY OF FORESTS AND WATERS, James F. Bogardus nominated as, 16; referred to Committee on Executive Nominations, 16.

SECRETARY OF LABOR AND INDUSTRY, Ralph M. Bashore nominated as, 16; referred to Committee on Executive Nominations, 16.

SECRETARY OF REVENUE, John B. Kelly nominated as, 16; referred to Committee on Executive Nominations, 16.

SECRETARY OF REVENUE, to furnish information regarding total amounts of appropriations of this session and total of unrequisitioned funds, (House) resolution by Cordier requesting, 510; referred to Committee on Rules, 545.

SECRETARY OF WELFARE, John D. Pennington, nominated, 18; referred to Committee on Executive Nominations, 18.

SECRETARY TO GOVERNOR, appointment of Robert L. Myers, Jr., as, presented to Senate, 4.

SELINSGROVE STATE COLONY FOR EPILEPTICS, members of the Board of Trustees of, nominated, 19; referred to Committee on Executive Nominations, 19; (Isaac Headings, Clair Groover, Curtis C. Lesher, Lyman Guss, D. Edwin Ditzler, T. G. Herrold, Samuel R. Bashore), reported, 1448; confirmed, 1449, 1450.

SENATE OFFICERS AND EMPLOYES as specified by law and who actually perform such duties, resolution (Senate) by Batchelor, authorizing Chief Clerk of Senate to approve orders for payment of salaries of, 5.

SCENIC AND HISTORIC INTEREST, members of the Commission to Compile, Edit, Publish and Distribute Pamphlets Descriptive of, nominated, 23; referred to Committee on Executive Nominations, 23; reported and confirmed, 1205.

SERRILL, WILLIAM W., Representative from Forest County.

Election returns, 41.

Leaves of absence granted, 981, 1107, 1266, 1305.

Member of Special Committee, 534.

Member of Standing Committees, 72, 73.

Motion by, to
Adjourn, 278.

Oath of Office administered to, 42.

Remarks by, at
Memorial Services for Hon. Alexander R. Wheeler, 761.

SHAW, WILLIAM A., Representative from Allegheny County (Eighth District).

Bills introduced by
No. 83.
Relating to keeping of wild animals by nature in captivity and on display for purpose of attracting trade, 225.

No. 167.
Authorizing counties of second class and cities of second class to sue out writs of scire facias on certain tax liens, 1316.

Bill reported by
No. 3.
Abolishing office of collector of delinquent taxes in counties of second class, and providing for collection thereof by county treasurer, 74.

Leave of absence granted, 923.

Motion by, to
Dispense with further reading of the Journal, 153.

SHAMOKIN STATE HOSPITAL, members of the Board of Trustees of, nominated, 21; referred to Committee on Executive Nominations, 21; (Richard P. Bridy, Wm. Penn Kemble, Victor Marietta, James J. Hanlon, A. E. Konopka and John F. Kramer), reported, 1449; confirmed, 1450.

SHAPIRO, HARRY, Senator from Philadelphia County (Seventh District).

Amendments offered by, to
Bill No. 41 (House No. 55), establishing system of unemployment compensation, 1139, 1134 (not agreed to), 1148 (not agreed to).

Bill No. 67, providing for public sale by cities of the first class, of negotiable tax anticipation certificates, representing registered delinquent taxes, 576, 577.

Bill No. 87, abating under certain circumstances, tax penalties and interest on certain city taxes in cities of the first class, school districts of the first class, and prohibiting sale of real property for non-payment of such taxes, 857, 858.

SHAPIRO, HARRY.—Continued.

Bill No. 107 (House No. 156), making appropriation to State Emergency Relief Board, 1359 (not agreed to).

House conc. resolution transferring moneys from the Motor License and Liquid Fuels Fund to the General Fund for relief, 126.

Motion to adjourn, 544.

Resolution directing sub-committee of Committee on Education to investigate conditions reported to be existing in State Teachers Colleges, 707.

Resolution requesting information from the Relief Administrator, 309.

Bills introduced by

No. 7.

Creating a system of unemployment insurance, 33.

No. 87.

Abating under certain circumstances tax penalties in cities of the first class, school districts of the first class, and prohibiting sale of real property for non-payment of such taxes, 658.

Member of Conference Committee, 1242.

Motion by, for

Recess, 722, 1011, 1229.

Roll call to ascertain presence of quorum, 1282.

Motion by, to

Dispense with Rule 21, which requires amended bills to be noted on calendar, 1120.

Postpone further action for the present on Bill No. 105 (House No. 154), confirming transfer of money, 966 (defeated).

Postpone Bill No. 113 (House No. 159), authorizing issuance of tax anticipation notes, 1259 (not agreed to).

Print House conc. resolution authorizing transfer of money from the Liquid Fuels Tax Fund and Liquor License Fund to General Fund for relief (part of June and July), 715.

Print resolution condemning the Black Legion and calling upon all groups charged with preservation of the law to do all in their power to eradicate any such organizations, 509.

Print resolution memorializing Congress to enact legislation prohibiting employes from engaging in politics, 223.

Print resolution requesting Budget Secretary to furnish information on number of employes on per diem basis, together with names and addresses, 704.

Proceed to consideration of resolution directing sub-committee of Committee on Education to investigate conditions reported to be existing in State Teachers Colleges, 706.

Recommit Bill No. 76, authorizing Board of Revision of Taxes in cities of the first class to classify real estate situated therein, 656, 657.

Recommit Bill No. 84 (House No. 60), making appropriation to Department of Public Instruction for purpose of rehabilitating free public nonsectarian libraries damaged or destroyed by flood, 799.

Suspend Rule requiring resolutions to lie over for one day after being reported from committee, 715.

Objections raised by, to

Granting of unanimous consent for Bill No. 44 (House No. 23), amending Personal Property Tax Act of 1897, by increasing rate of tax, 1129 (withdrawn).

Immediate consideration of resolution requesting information on number of employes on per diem basis, together with names and addresses, 704.

SHAPIRO, HARRY.—Continued.

Suspension of Rule 39 for immediate consideration of House conc. resolution authorizing transfer of money from the Liquid Fuels Tax Fund and Liquor License Fund to General Fund for relief (part of June and July), 715.

Petition presented by, on behalf of the Workers Alliance of Penna., requesting permission for two members to address the Senate, 1229.

Point of information raised by, on

Exact wording of Senate conc. resolution authorizing the adjournment of the legislature until June fifteenth, 543.

Points of order raised by, on

Amendment to Bill No. 105 (House No. 154), confirming transfer of money from special funds to the General Fund, and providing for its subsequent return from the General Fund, 962.

Amendments offered by Senator Law to Senate Resolution authorizing investigation of the Works Progress Administration, 172.

Amendment to House conc. resolution authorizing transfer of money from the Liquor, Liquid Fuels and Motor License Funds, for relief, 84.

Carrying out provisions of Rule 35 requiring Sergeant-at-arms to be sent for absent members, before another motion is put, 1282.

Motion for recess, 1012.

Motion to postpone bill not being debatable, 967.

Motion to reconsider vote by which bill passed second reading is not debatable, 953.

Motion to reconsider vote on Bill cannot be made by Senator who did not vote on Bill, 971.

Motion to reconsider vote on Bill No. 104 (House Bill No. 153), making appropriation to State Emergency Relief Board, not being debatable, 953.

Whether constitutional majority is necessary for passage of bill on second reading, 973.

Questions of Parliamentary Inquiry raised by, on

Length of time after Bill has been acted upon, motion may be made to reconsider vote, 797.

Whether motion to go into Committee of Whole for purpose of considering special amendment to Bill No. 39 (House No. 49), relating to Mothers' Assistance, has effect of amendment being accepted, 575.

Questions of Personal Privilege raised by, on

Allotment of W. P. A. jobs in Philadelphia, 835, 836.

Amounts claimed necessary for relief, 716, 717.

Bill No. 41 (House No. 55), establishing a system of unemployment compensation, 853, 854.

Charges made by Senator Cavalcante, 1255.

Earnings of the gasoline companies, 583.

Editorial in the New York Herald Tribune, 780.

Expense of gathering information requested by Senate from State Relief Administrator, 309.

How death of House Bill No. 55, relating to unemployment insurance, was brought about, 1456, 1457.

Relief situation, 770, 772.

Remarks by Mr. Jones, W. P. A. Administrator, 674, 675.

Taxation in Pennsylvania, 499, 501.

Unemployment insurance, 1456, 1457.

SHAPIRO, HARRY.—Continued.

Remarks by, on

Amendments made by House to Bill No. 87, abating certain tax penalties, 1121.

Amendments to Bill No. 23 (House No. 17), making appropriation to State Emergency Relief Board for direct relief, work relief and expenses, 651.

Amendments to Bill No. 39 (House No. 49), providing for payment to newly organized counties of amounts set aside for unorganized counties, 574, 575.

Amendments to Bill No. 41 (House No. 55), establishing system of unemployment compensation, 1145, 1146, 1148.

Amendment to House conc. resolution authorizing transfer of money, 84.

Bill No. 4, Joint resolution proposing amendment to Section 1 of Article VIII of the Constitution of Pennsylvania, relative to qualifications of electors, 742.

Bill No. 8, Joint resolution proposing amendment to Section 1 of Article XVIII of the Constitution of Pennsylvania, relative to submission of amendments thereto, 743, 1104.

Bill No. 28 (House No. 19), amending the Corporate Net Income Tax Law of 1935, by increasing rate of tax for a limited period of time, 971, 1078, 1198, 1199, 1203.

Bill No. 30 (House No. 27), amending Personal Property Tax Act of 1935, by increasing rate of tax and removing certain exemptions, 1005, 1006, 1024, 1026.

Bill No. 38 (House No. 54), supplementing Old Age Assistance Act of 1935, by making appropriation for payment to applicants in counties which do not have sufficient funds available, 1363, 1364.

Bill No. 39 (House No. 49), further amending Mothers' Assistance Act of 1919, by providing for payment to newly organized counties of amounts set aside for unorganized counties, 614.

Bill No. 41 (House No. 55), establishing a system of unemployment compensation, 1146, 1147, 1169, 1170, 1173.

Bill No. 43 (House No. 26), amending the Personal Property Tax Act of 1907, by increasing rate of tax, 1239.

Bill No. 55 (House No. 59), amending Mothers' Assistance Act of 1919, by providing for appointment of board of trustees of each county and changing qualifications of eligibles, and repealing section 2, 621, 652.

Bill No. 102 (House No. 136), Joint resolution proposing amendment to Article IX of the Constitution of Pennsylvania, by adding thereto a section, authorizing the State to issue bonds for acquisition of lands and buildings, and construction and improvement of State owned buildings and the equipment thereof, 1277, 1278.

Bill No. 104 (House No. 153), making appropriation to State Emergency Relief Board, 953, 956, 959.

Bill No. 105 (House No. 154), confirming transfer of money from special funds to the General Fund, and providing for its subsequent return from the General Fund, 963, 965, 966, 968.

Bill No. 107 (House No. 156), making appropriation to State Emergency Relief Board, 1358.

Bill No. 113 (House No. 159), authorizing issuance of tax anticipation notes, 1258, 1259.

Bill No. 127 (House No. 169), providing revenue for State purposes, by imposing excise tax for a limited period of time on privilege of distilling alcoholic and spirituous liquors, 1343, 1386.

Controversial matters in Senate, 1026.

SHAPIRO, HARRY.—Continued.

House conc. resolution authorizing transfer of moneys heretofore appropriated to S. E. R. B. and now lapsing, to S. E. R. B., 311, 312.

Hunger Marchers, 1283.

Motion for recess, 1265.

Motion to discharge committee from further consideration of Bill No. 41 (House No. 55), establishing a system of unemployment compensation, 852, 853.

Motion to postpone Bill No. 50, relating to moneys expended by the State Emergency Relief Board, in counties, 917.

Motion to recommit Bill No. 84 (House No. 60), making appropriation to Department of Public Instruction for purpose of rehabilitating free public non-sectarian libraries damaged or destroyed by flood, 799.

Motion to reconsider vote on Bill No. 50, relating to moneys expended in counties by the State Emergency Relief Board, 915, 916.

Motion to request information from Mr. DeSchweinitz on relief, 717-718.

Motion to re-refer to Committee on Executive Nominations the name of J. Buell Snyder and Ephraim S. Tyler which were negatively reported, 709, 710.

Motion to suspend Rule 39 for immediate consideration of House conc. resolution authorizing transfer of money from the Liquid Fuels Tax Fund and Liquor License Fund to General Fund for relief (part of June and July), 715.

Motion to suspend Rule 39 for immediate consideration of House conc. resolution authorizing transfer of money from the Liquid Fuels Tax Fund for relief (part of June and July), 721.

Nominations of J. Buell Snyder and Ephraim S. Tyler as Members of Board of Trustees of California State Teachers College, which were reported favorably from Committee on Executive Nominations, 711, 712.

Relief situation, 830, 831-833, 839, 840, 849, 850.

Resolution authorizing appointment of Committee to investigate relief and reports of electoral freedom being denied unemployed, 1350.

Resolution authorizing appointment of Committee to investigate the Works Progress Administration in Pennsylvania, 175-176.

Resolution continuing sub-committee appointed to investigate Indiana State Teachers College, 1422, 1423.

Resolution directing Finance Committee to investigate legality of tax anticipation notes, and amounts of money various boards of the Commonwealth may have available for investment, 1241.

Resolution directing sub-committee of Committee on Education to investigate conditions reported to be existing in State Teachers Colleges, 706-707.

Resolution requesting information from the Relief Administration, 309.

Rule 35 concerning quorum, 1282.

Senate conc. resolution authorizing the Department of Welfare to accelerate payments for Old Age Assistance to all eligible applicants and pledging the General Assembly of 1937 to appropriate additional funds, 1364.

Remonstrances presented by, on behalf of the unemployed of Penna., 1253.

SHAPIRO, HARRY.—Continued.

Request by, for
Bill No. 87, abating under certain circumstances tax penalties and interest on certain city taxes in cities of the first class, school districts of the first class, and prohibiting sale of real property for non-payment of such taxes, to go over in its order, 749, 802.

Senate Rule No. 37, relating to enactment of legislation, to be read, 962.

Unanimous consent to make report from committee, 1390.

Unanimous consent to suspend Rule 39 for immediate consideration of conc. resolution authorizing Department of Welfare to accelerate payments for Old Age Assistance to al leligible applicants and pledging General Assembly of 1937 to appropriate additional funds, 1390.

Unanimous consent to suspend Rule 39 for immediate consideration of Senate Conc. resolution authorizing the Department of Welfare to accelerate payments for Mothers Assistance to all eligible applicants and pledging the General Assembly of 1937 to appropriate additional funds, 1425.

Request for roll call by, on
Adoption of amendments to House conc. resolution authorizing transfer of funds for relief (for May), 126.

Motion for Senate to go into Committee of the Whole for purpose of considering special amendment to Bill No. 39 (House No. 49), relating to Mothers' Assistance, 575.

Motion for Senate to insist upon its amendments to Bill No. 41 (House No. 55), establishing system of unemployment compensation, 1194.

Motion to adjourn, 1265, 1284.

Motion to postpone Bill No. 41 (House No. 55), establishing system of unemployment compensation, 1131.

Motion to postpone Bill No. 43 (House No. 26), amending Personal Property Tax Act of 1907, by increasing rate of tax for a limited period of time, 1204.

Motion to postpone further action for present on Bill No. 105 (House No. 154), confirming transfer of money, 967.

Motion to send for absent members of the Senate, 1283.

Resolution authorizing appointment of Committee to investigate relief and reports of electoral freedom being denied unemployed, 1352.

Resolution authorizing investigation of Works Progress Administration, 178.

Resolution continuing sub-committee appointed to investigate Indiana State Teachers College, 1423.

Request for verification of roll call by, on
Adoption of Conference Committee Report on House Bill No. 19, increasing Corporate Net Income Tax for a limited period of time, 1439.

Bill No. 28 (House No. 19), amending the Corporate Net Income Tax Law of 1935, by increasing rate of tax for a limited period of time, 972.

House conc. resolution authorizing transfer of money from the Liquid Fuels Tax Fund and Liquor License Fund to General Fund for relief (part of June and July), 720.

Resolutions, concurrent, offered by
Authorizing the Department of Welfare to accelerate payments for Mothers' Assistance to all eligible applicants and pledging the General Assembly of 1937 to appropriate additional funds, 1425.

Authorizing the Department of Welfare to accelerate payments for Old Age Assistance to all eligible applicants and pledging the General Assembly of 1937 to appropriate additional funds, 1363.

SHAPIRO, HARRY.—Continued.

Resolution reported by
Senate conc. authorizing Department of Welfare to accelerate payments for Old Age Assistance to all eligible applicants and pledging General Assembly of 1937 to appropriate additional funds, 1390.

SHEPARD, MARSHALL L., Representative from Philadelphia County (Eighteenth District).

Congratulations of House extended to, upon his birthday, 1033.

Leaves of absence granted, 95, 509, 749, 1243.

Member of Special Committee, 821.

Motion by, to
Adopt majority report of the sub-committee of the Judiciary General Committee in place of that presented by the Judiciary General Committee upon the impeachment of Judge B. C. Atlee, 1481.

Strike from record report of the Committee on Judiciary General on the Impeachment of Judge B. C. Atlee, 1480.

Petition presented by
Requesting investigation of conduct of Judge Atlee to decide whether or not he is guilty of an impeachable offense, 1063.

Reasons for vote by, on
Amendments to Bill No. 57, relating to Old Age Assistance, 442.

Remarks by, on
Bill No. 85, safeguarding persons receiving public relief from political coercion, 605.

House conc. resolution authorizing transfer of moneys heretofore appropriated to S. E. R. B. and now lapsing, to S. E. R. B., 320.

Resolution congratulating him upon his birthday, 1033.

Resolution tendering thanks of House to Speaker Furman for efficient manner in which he performed his duties, 1516, 1517.

Statements by Mr. Turner concerning relief, 320.

Resolution offered by
Tendering thanks of House to Rev. Oscar F. R. Treder for his services as Chaplain, 1514.

Statements by, on
Petition to impeach Judge B. C. Atlee, 1062, 1063.

Protesting filing of report of Committee on Judiciary General of Impeachment petition against Judge B. C. Atlee, 1480.

Taxation for relief, 1108.

Thanks of House extended to for services as Chaplain, 1514.

SHERBINE, HON. ALVIN, extending sympathy of House to members of family and friends of, House resolution, by Boyer, 283.

SHIPPENSBURG STATE TEACHERS COLLEGE, members of the Board of Trustees of the, nominated and referred, 402; (Caleb S. Brinton reported and confirmed, 660; (H. B. Hege) reported and confirmed, 1416.

SLIPPERY ROCK STATE TEACHERS COLLEGE, members of the Board of Trustees of, nominated, 24; referred to Committee on Executive Nominations, 24; (John H. Wilson, Mrs. Agnes B. Howley, F. A. Barkley, W. R. Hockenberry, Charles G. Campbell and John Laing Wise) reported, 1447; confirmed, 1449, 1450.

SHORTZ, WILLARD G., Representative from Luzerne County (Sixth District).

Amendments offered by, to
Bill No. 109, authorizing and empowering municipalities and townships to erect and construct flood control works and improvements within or without their territorial limits, 928, 930, 1032, 1272.

SHORTZ, WILLARD G.—Continued.

Bill introduced by
No. 109.
Authorizing municipalities and townships to erect and construct flood control works and improvements within or without their territorial limits, 314.

Motion by, to
Proceed to consideration of House Bill No. 109, relating to construction of flood control work, recalled from the Governor, 1031.

Reconsider vote on Bill No. 109, authorizing and empowering municipalities and townships to erect and construct flood control works and improvements within or without their territorial limits, 928, 1032, 1272.

Request by, for
Bill No. 109, authorizing and empowering municipalities and townships to erect and construct flood control works and improvements within or without their territorial limits, 983.

Resolution, concurrent, offered by
Recalling from Governor House Bill No. 109, authorizing municipalities and townships to construct flood control works within or without their territorial limits, 898.

SHREINER, ROY W., Representative from Dauphin County (First District).

Bill introduced by
No. 87.
Imposing and providing for collection of a tax for State purposes on peddlers of new or used automobile parts, who do not pay mercantile license tax, 225.

Leave of absence granted, 781.

SHUGARTS, BLAKE B., Representative from Clearfield County (First District).

Bills introduced by
No. 39.
Making an appropriation and providing for participation of Commonwealth of Pennsylvania in celebration of 150th Anniversary of Framing of Constitution of United States, 79.

No. 78.
Providing for the imposition and collection of an emergency State tax on elective public offices, 163.

Bills reported by
No. 13.
Amending Liquid Fuels' Tax Law of 1931, by imposing additional tax for a limited period of time, and providing for distribution thereof, 74.

No. 92.
Imposing taxes upon certain classes of personal property to provide revenue for the State, 826.

No. 135.
Appropriating to State Emergency Relief Board for unemployment relief all restitutions and overpayments collected by and for said board, 646.

Motion by, to
Adjourn, 469, 899.

Remarks by, on
Bill No. 85, safeguarding persons receiving or entitled to receive public relief from political coercion, 605.

House conc. resolution authorizing transfer of money from the Liquid Fuels Tax Fund to General Fund for relief (first part of July), 936.

SIEGEL, JOHN H., Representative from Lycoming County.

Bill introduced by
No. 75.
Supplementing Act of 1935, making appropriation to Department of Welfare, by increasing current appropriation for blind pensions to match sufficient funds from Federal Government, to provide pensions for all blind persons eligible to receive same, 154.

SIEGEL, JOHN H.—Continued.

Question of Personal Privilege raised by, on
Proper recording of his vote on House Bill No. 19, increasing Corporate Net Income Tax, 1518.

SIMON, JOSEPH A., Representative from Clinton County.

Amendments offered by, to
Bill No. 163 (Senate No. 60), Joint resolution proposing amendment to Section 1 of Article IX of the Constitution of Pennsylvania, relating to uniformity, levying and collection of property taxes, and providing manner by which exemptions may be made, 1409.

Bills introduced by
No. 60.
Making appropriation to Department of Public Instruction for purpose of rehabilitating free public non-sectarian libraries, damaged or destroyed by flood, 139.

No. 64.
Making appropriation to Department of Welfare, for maintenance of certain hospitals furnishing excess free days of service on account of floods, 140.

No. 111.
Joint Resolution proposing amendment to Section 1 of Article IX of the Constitution of Pennsylvania, relating to levying and collection of property, capitation and excise taxes; and providing exemptions, 352.

Files reasons for vote on amendments to House conc. resolution authorizing transfer of funds, 380.

Leaves of absence granted, 155, 661, 923.

Member of Standing Committee, 75.

Motion by, to
Adjourn, 740.

Dispense with further reading of the Journal, 180; objections raised by Hoopes, 180-183; motion agreed to, 183.

Reasons for vote by, on
Bill No. 164 (Senate No. 75), relating to reduction of tax on assessed valuation of real estate, 1501, 1502.

Remarks by, on
Bill No. 22, imposing emergency State tax for a limited period of time on alcoholic liquors sold by the Pennsylvania Liquor Control Board, 216.

Bill No. 70, prescribing powers and duties of Water and Power Resources Board in relation to creation of flood control districts; and making an appropriation, 529, 530.

House conc. resolution authorizing transfer of moneys heretofore appropriated to S. E. R. B. and now lapsing, to the State Emergency Relief Board, 373.

Resolution inviting House of Representatives to attend the Allentown Fair, 1219.

Resolutions reported by
Authorizing appointment of committee of five to investigate ways and means and methods for program of taxes, on those best able to pay, 1402.

Authorizing appointment of committee to investigate charges of political coercion by industries, 1487, 1488.

Authorizing appointment of committee to investigate conditions in the Pennsylvania Working Home for the Blind at Philadelphia, 781.

House conc. authorizing joint committee to make study with regard to reducing the legal rate of interest from 6 per cent to 4 per cent, 1285.

House conc. authorizing transfer of moneys heretofore appropriated and now lapsing, to the S. E. R. B., 333.

House conc. memorializing Congress to enact Federal Housing Act, 586.

SIMON, JOSEPH A.—Continued.

House conc. urging construction of more ships in Philadelphia, 1405.

Requesting the Departments of Justice and Mines to inform the House whether prosecutions are being brought in reference to Gilberton Mine Disaster, 1468.

SIMPSON, RICHARD M., Representative from Huntingdon County.

Remarks by, on
Bill No. 25, imposing State excise tax on electric power and current generated, manufactured and sold within this Commonwealth, 359, 360.

Bill No. 36, imposing State emergency tax on liquid fuels, payable by those defined as distributors, 432, 433.

Request for roll call by, on
House conc. resolution recalling from Governor House Bill No. 63, amending Vehicle Code of 1929 by requiring extra fees for issuance of special license plates, for purpose of amendment, 1157.

SINWELL, WILLIAM, Representative from Northampton County (First District).

Bill introduced by
No. 108.
Making appropriation to State Emergency Relief Board for adjustment and payment of certain claims, 313.

Leaves of absence granted, 861, 1048.

Motion by, to
Adjourn, 116.

Resolution offered by
Authorizing adoption of Rules used in House during Session of 1935, 45.

Resolutions reported by
House conc. pledging the General Assembly to enact revenue measures to provide for repayment of moneys transferred from the State Insurance Fund and the State School Fund for relief, 1402.

Senate conc. authorizing appointment of a Joint Committee to prepare a plan of permanent administration of unemployment relief, 1266.

Senate conc. authorizing Department of Welfare to accelerate payments for Old Age Assistance to all eligible applicants and pledging General Assembly of 1937 to appropriate additional funds, 1468.

SLOAN, J. CLAIR, Representative from Indiana County.

Leaves of absence granted, 1316, 1332.

SMITH, JOHN A., Representative from Cumberland County.

Bills introduced by
No. 37.
Providing for administration of unemployment relief and work relief by political subdivisions charged by law with care of the poor, 77.

No. 78.
Providing for the imposition and collection of an emergency State tax on elective public offices, 163.

No. 127.
Amending Motor Vehicle Code of 1929, by requiring extra fees for the assignment of special registration plates, 544.

Bill reported by
No. 77.
Further amending Personal Property Tax Law of 1913, by permitting taxation for State purposes of property taxable for county purposes; by making further provision regarding penalties, and making certain information confidential, 277.

Motion by, to
Dispense with further reading of the Journal, 1400.

SMITH, JOHN A.—Continued.

Question of Parliamentary Inquiry raised by, on
Conc. resolution being acted upon by both Houses on the same day, 1039.

Question of Personal Privilege raised by, on
On vote on House Bill No. 2711, session of 1935, request to have same properly registered in Journal, 80.

Remarks by, on
Bill No. 85, safeguarding persons receiving public relief from political coercion, 606-608.

Request by, for
Permission to Introduce Joint Resolution proposing an amendment to the Constitution, 1286.

Statements by, on
Birthday of Hon. Marshall L. Shepard, 1033, 1034.

Relief administration, 1108.

SMITH, WILLIAM G., Representatives from Mercer County.

Motion by, to
Dispense with further reading of the Journal, 1298.

Resolution offered by
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SNYDER, FRANK E., Representative from Tioga County.

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No. 145.
Imposing a State tax upon certain butter substitutes; providing for the collection thereof; requiring distributors to be registered; imposing duties upon various officers and agencies of the State and the Department of Agriculture, 629.

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No. 99.
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House Bill No. 153.
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Referred to Committee on Appropriations, 754.
Reported without amendment, 755.
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Second reading, 880, 881.
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Referred to Committee on Appropriations, 811.
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Senate Bill No. 99.
Read in place in Senate by Mr. Woodward, 792.
Referred to Committee on Appropriations, 792.

STATE EMERGENCY RELIEF BOARD for the maintenance of unemployable residents to amounts expended by political subdivisions charged by law with care of poor, limiting amount of moneys allocated to and expended in counties by the

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STATE EMERGENCY RELIEF BOARD, for unemployment relief all restitutions and overpayments collected by and for said board, appropriating to

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Referred to Committee on Appropriations, 628.
Reported without amendment, 646.
First reading, 661.
Second reading, 687.
Third reading and final passage, 730.
Returned from Senate without amendment, 1476.
Signed by Speaker, 1477.

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Referred to Committee on Appropriations, 711.
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STATE EMPLOYES, reducing salary of, House conc. resolution authorizing study of plan of, by McCreary, 226.

STATE EMPLOYMENT AUTHORITY, to investigate causes of unemployment and provide productive work in factories and mines for unemployed, promoting general welfare by establishing

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STATE INDUSTRIAL HOME FOR WOMEN, members of the Board of Trustees of, nominated, 22; referred to Committee on Executive Nominations, 22;

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STATE INSURANCE FUND to the General Fund; and requiring Department of Property and Supplies to liquidate investments in such fund in order to provide money for transfer, transferring money from the

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STATE STORES FUND, and providing for its return from General Fund or by taxation, House conc. resolution (by Cohen) authorizing transfer of money to State Emergency Relief Board, 295.

STATE STORES FUND, and providing for its return from General Fund or by taxation, House conc. resolution (by Van Sickle) authorizing transfer of money to State Emergency Relief Board, 1321.

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STATE STORES FUND, and providing for its return from General Fund or by taxation, House conc. resolution (by Wickersham), authorizing transfer of money to State Emergency Relief Board, (for first part of July), 1092, 1093.

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STATE TEACHERS COLLEGES, conditions existing in selection of executives, instructors, teachers and employes, Senate resolution, by Graff, authorizing investigation of by Committee on Education, 447, 448.

STATE TREASURER, to furnish information to the Senate setting forth the reasons why payments to State aided Hospitals are being held up, Senate resolution by Harvey requesting, 655.

STAUDENMEIER, CHARLES W., Senator from Schuylkill County (Twenty-ninth District).

Amendments offered by, to
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No. 55 (House No. 59)
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Motion by, to
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Bill No. 102 (House No. 136), Joint resolution proposing amendment to Article IX of the Constitution of Pennsylvania, by adding thereto a section authorizing the State to issue bonds for the acquisition of lands and buildings, and construction and improvement of State owned buildings and equipment thereof, to go over in its order, 1256, 1278.

Unanimous consent to make report from committee, 1437.

Unanimous consent to suspend Rule 39 for immediate consideration of House conc. resolution requesting investigation by Public Service Commission of street railway companies operating in Philadelphia County to ascertain possibility of transporting pupils at a rate not to exceed twenty-five cents per week, 1437.

Resolution offered by
Requesting use of Senate Chamber for hearing on Senate Bill No. 98 (House No. 143) Miners Certificate Bill, 885.

Resolution reported by
House conc. requesting investigation by Public Service Commission of street railways companies operating in Philadelphia County to ascertain possibility of transporting pupils at a rate not to exceed twenty-five cents per week, 1437.

STEVENS, SAMUEL P., Representative from Westmoreland County, (First District).

Motion by, to
Adjourn, 381.

Resolution offered by
Congratulating Hon. James E. Lovett upon his birthday, 1316, 1317.

STEWART, J. T., Representative from Indiana County.

Leaves of absence granted, 781, 861, 1316, 1468.

Remarks by, on
Bill No. 98, creating a State Planing Board, prescribing its powers and duties; imposing certain duties upon political subdivisions; and making an appropriation, 728.

Resolution offered by
Extending sympathy of House to Hon. J. Clair Sloan and members of family upon the death of his mother, 1375.

STOCKHAM, THOMAS B., Representative from Bucks County.

Bill introduced by
No. 91.
Making an appropriation to Department of Forests and Waters for purpose of building and constructing new dikes, levees and river bank protection along the Delaware River, 226.

Leaves of absence granted, 155, 647, 1031.

Member of Special Committee, 469.

Motion by, to
Take from table Bill No. 91, together with communication from Governor, 1407.

Remarks by, on
Bill No. 70, prescribing powers and duties of Water and Power Resources Board in relation to creation of flood control districts; and making an appropriation, 526, 527.

Resolution offered by
Returning to Governor without amendment House Bill No. 91, making appropriation to Department of Forests and Waters for construction of dikes, levees and river bank protections along the Delaware River, which had been recalled, 1407, 1408.

STONE, JOHN F., Representative from Potter County.

Leaves of absence granted, 95, 135, 545, 647, 749, 1107, 1243, 1305.

Motion by, to
Dispense with further reading of the Journal, 265, 1373.

Resolution offered by
Requesting the Department of Banking not to permit the private sale of property in its possession, 1219.

STOTT, CHARLES J., Representative from Chester County (First District).

SUMNEY, FRANK F., Representative from Allegheny County (Eleventh District).

Bill introduced by
No. 78.
Providing for the imposition and collection of an emergency State tax on elective public offices, 163.

Leaves of absence granted, 661, 1243, 1305.

Motion by, to
Dispense with further reading of the Journal, 225.

Question of Personal Privilege raised by, on

Wasting of time by useless talk, 326.

SURFACE, HARVEY A., Representative from Snyder County.

Bills introduced by
No. 33.
Reducing salaries of all State and County officers and employes, 66.

No. 62.
Imposing Emergency State income tax and providing for distribution of proceeds to school districts, 139.

Introduces Hon. John H. Myers, former Speaker of the House of Representatives of the State of Kansas, 410.

Leave of absence granted, 981.

Resolution offered by
Favoring change in relief administration, 510.

SWEENEY, CHARLES W., Representative from Philadelphia County (Tenth District).

Bill reported by
No. 163 (Senate No. 60)
Joint resolution proposing amendment to Section 1 of Article IX of the Constitution of Pennsylvania, relating to uniformity, levying and collection of property taxes, and providing manner by which exemptions may be made, 1378.

Election returns, 40.

Leave of absence granted, 724.

Member of Standing Committees, 72, 73.

Motion by, to
Adjourn, 534.
Oath of office administered to, 42.

Request by, for
Certain bills to be read first time, 1378.

TAHL, HERMAN J., Representative from Philadelphia County (Ninth District).

Reasons for vote by, on
Motion to take from table Bill No. 153, making appropriation to State Emergency Relief Board, 1050.

TALBOT, GROVER, sympathy of House extended to mother and relatives on untimely death of (House) resolution by Nothnagle, 683.

TAXATION, by providing certain exemptions, further amending act of 1897, to provide revenue by

Senate Bill No. 120.
Read in place in Senate by Mr. McGinnis, 1314.
Referred to Committee on Finance, 1314.
Reported without amendment, 1387.
First reading, 1399.
Second reading, 1432, 1433.

Remarks on, by
Reed, 1432.
McGinnis, 1432.

TAXATION, for school purposes, amending General County Assessment Law of 1933, making real estate of public service companies with certain exceptions, subject to

House Bill No. 44.
Read in place in House by Mr. Holland, 133.
Referred to Committee on Education, 133.
Reported with amendment, 315.
First reading, 353.
Second reading, and amended, 415, 416.
Third reading and final passage, 459, 460.
Vote on final passage reconsidered, and bill postponed, 461.
Resumed and made special order, 490.
Defeated on final passage, 526.

TAXATION, REALTY, in Pennsylvania and other states and countries and to prepare and submit bills to carry into effect its recommendations, and making an appropriation, joint resolution, consisting of Commission to examine into

Senate Bill No. 115.
Read in place in Senate by Mr. Ziesenheim, 1120.
Referred to Committee on Finance, 1120.

TAX ANTICIPATION CERTIFICATES, NEGOTIABLE (see Cities, First Class).

TAX ANTICIPATION NOTES, Authorizing the Governor and Fiscal officers to negotiate with the School Employes Retirement Board, the State Employes Retirement Board and the Workmens Insurance Board to ascertain amounts, if any, which they may invest in, resolution (House) by Blumberg, 1220.

TAX ANTICIPATION NOTES, secured by and payable from current revenues, authorizing the Commonwealth to negotiate temporary emergency loans to defray current expenses of the State government, evidenced by

House Bill No. 159.
Read in place in House by Mr. Andrews, 894.
Referred to Committee on Ways and Means, 898.
Reported without amendment, 923.
First reading, 923.

TAX ANTICIPATION NOTES.—Continued.

Second reading, 982.
Third reading and final passage, 1030.
Returned from Senate with amendments, in which House non-concurs, 1269.
Returned from Senate with amendments adhered to, House insists upon its non-concurrence and appoints Conf. Com., 1272.
Report of Conference Committee presented and adopted, 1407.
Returned from Senate with notice of adoption of Conf. Com. Report, 1409.
Signed by Speaker, 1409.
Approved by Governor, 1477.

Remarks on, by
Turner, 1270, 1271.
Cohen, 1270, 1271.

In Senate (No. 113).
Referred to Committee on Finance, 1012.
Reported with amendment, 1013.
First reading, 1013.
Second reading and recommitted, 1076, 1077.
Re-reported with amendments, 1236.
Third reading and final passage, 1257-1260.
Returned from House with amendments non-concurred in, and Senate insists upon its amendments, 1261.
Returned from House with notice of appointment of Conf. Com., and Senate appoints Conf. Com., 1262.
Report of Conference Committee presented and adopted, 1389, 1390.
Signed by President Pro Tempore, 1391.

Remarks on, by
Shapiro, 1258, 1259.
Buckman, 1258.
Cavalcante, 1259.
Huffman, 1259.
Owlett, 1260.
Returned from House with notice of appointment of Conf. Com., and Senate appoints Conf. Com., 1262.
Report of Conference Committee presented and adopted, 1389, 1390.

TAX COLLECTORS, in counties of the second class, and providing for collection of such taxes, abolishing office of delinquent

Senate Bill No. 12.
Read in place in Senate by Mr. Rodgers (By request, Mr. Rankin, Jr.), 61.
Referred to Committee on County Government, 61.

TAX COLLECTORS AND RECEIVERS OF TAXES, to make return of unpaid taxes assessed on seated lands for years 1930, 1931, 1932, 1933, 1934 and 1935, and validating liens of such taxes, enabling

House Bill No. 79.
Read in place in House by Mr. Achterman, 163.
Referred to Committee on Counties, 163.
Reported without amendment, 277.
First reading, 284.
Second reading, 337.
Third reading and final passage, 356.

In Senate (No. 59)
Referred to Committee on County Government, 352.

TAX, CORPORATE NET INCOME, by increasing rate of tax for a limited period of time, amending Act of 1935, imposing

House Bill No. 19.
Read in place in House by Mr. Ominsky, 64.
Referred to Committee on Ways and Means, 64.
Reported without amendment, 74.
First reading, 78.
Second reading, 112.
Third reading and postponed, 149.
Resumed and passed finally, 217, 218.
Returned from Senate with amendments, and laid on table, 1243, 1244.
Taken from table and House non-concurred in Senate amendments, 1317, 1318.

TAX CORPORATE NET INCOME.—Continued.

Returned from Senate with amendments adhered to, House insists upon its non-conc., and appoints Conf. Com., 1375.
Report of Conf. Com. presented, 1408.
Report of Conf. Com. adopted, 1467.
Returned from Senate with notice of adoption of Conf. Com. Report, 1483.
Signed by Speaker, 1503.

Remarks on, by
Eberharter, 149.
Finnerty, 149.

In Senate (No. 28).
Referred to Committee on Finance, 220.
Reported with amendment, 902.
First reading, 919.
Over in its order, 947.
Re-reported without amendment,
Second reading, 969-973.
Third reading and defeated on final passage, 1000.
Vote by which bill was defeated reconsidered, and bill recommitted, 1028.
Re-reported without amendment, 1046.
Over in its order, 1074.
Resumed, and passed third reading with amendment, 1078.
Over in its order, 1121.
Over in its order, 1168.
Final passage, 1196-1203.
Returned from House with Senate amendments non-concurred in, and bill laid on table, 1314.
Taken from table, and Senate insists upon its amendments, 1367.
House insists upon its non-concurrence, and Senate appoints Conf. Com., 1371.
Returned from House with notice of adoption of Conf. Com. Report, 1417.
Report of Conference Committee presented and adopted, 1437-1439.
Signed by President Pro Tempore, 1459.

Remarks on, by
Huffman, 971, 1198, 1199, 1200, 1202.
Shapiro, 971, 1078, 1198, 1199, 1203.
Buckman, 971.
McClure, 971, 1008, 1078, 1198, 1199, 1200-1203.
Thompson, Edw. J., 972, 1008, 1200.
Owlett, 1200-1202.
Buckman, 1202.
Cavalcante, 1203.
McGinnis, 1203.
Aron, 1203.

TAX, CORPORATE NET INCOME, by increasing rate of tax for limited period of time, amending Act of 1935, imposing

House Bill No. 113.
Read in place in House by Mr. Fitch, 352.
Referred to Committee on Ways and Means, 352.

TAX, EMERGENCY STATE, on elective public offices, providing for the imposition and collection of

House Bill No. 78.
Read in place in House by Messrs. Andrews, Haluska, Caputo, Chervenak, LaRue, Yourishin, Smith, Moomaw, Westrick, Achterman, Weiss, Moran, Dent, Lynch, Sumney, Kobelak, Shugarts, Diehl, Arnold, Eberharter, Baine, Bradley and Hindman, 163.
Referred to Committee on Ways and Means, 163.

TAX, GROSS RECEIPTS, on certain companies and persons, by increasing rate of tax for a limited period of time, further amending Act of 1879, imposing

House Bill No. 130.
Read in place in House by Messrs. Eroe and Holland, 567.
Referred to Committee on Ways and Means, 567.
Reported without amendment, 570.
First reading, 596.
Second reading and recommitted, 637, 638.
Re-reported with amendment, 1320.
Over in its order, 1325.
Over in its order, 1332.

TAX GROSS RECEIPTS.—Continued.

Third reading and final passage, 1336-1338.
Returned from Senate without amendment, 1402.
Signed by Speaker, 1410.
Approved by the Governor, 1467.

Remarks on, by
Yourishin, 1337.

In Senate (No. 126).
Referred to Committee on Finance, 1330.
Reported without amendment, 1330.
First reading, 1331.
Second reading, 1366, 1367.
Third reading and final passage, 1385.
Signed by President Pro Tempore, 1391.

TAX LIENS, authorizing counties of second class and cities of second class to sue out writs of scire facias on certain

House Bill No. 167.
Read in place in House by Mr. Shaw, 1316.
Referred to Committee on Municipal Corporations, 1316.
Reported without amendment, 1320.
First reading, 1321.
Second reading, 1323, 1324.
Third reading and final passage, 1332.

In Senate (No. 121).
Referred to Committee on Municipal Government, 1329.
Reported without amendment, 1330.
First reading, 1330.
Second reading, and recommitted, 1367.

Remarks on, by
Reed, George L., 1367.

TAX LIENS, levied by political subdivisions of this Commonwealth, except cities of first and second classes and school districts of first class, providing for the preservation of

House Bill No. 4.
Read in place in House by Mr. Eroe, 63.
Referred to Committee on Municipal Corporations, 63.

TAX, on certain classes of personal property to provide revenue for State and county purposes, imposing

House Bill No. 92.
Read in place in House by Mr. McCreary, 226.
Referred to Committee on Ways and Means, 226.
Reported without amendment, 826.
First reading, 842.
Second reading, and amended, 862-870.
Third reading and postponed, 887-893.
Resumed, and bill passed third reading with amendments, 925.
Postponed on final passage, 983-989.
Resumed, and postponed, 1112.
Resumed, and defeated, 1246, 1247.

Remarks on, by
Sproul, 925, 926.
McCreary, 925, 926, 1246.

TAX ON CHAIN STORES, imposing a temporary license

House Bill No. 21
Referred to Committee on Ways and Means, 64.
Read in place in House by Mr. James W. Patterson, 64.
Reported without amendment, 74.
First reading, 78.
Second reading, 104-105.
Third reading and final passage, 148, 149.

In Senate (No. 20).
Referred to Committee on Finance, 132.

Motion to discharge Committee from further consideration, defeated, 722.

Motion to discharge Committee from further consideration, defeated, 723.

Motion to discharge Committee from further consideration, defeated, 1009.

TAX ON CHAIN STORES.—Continued.

Remarks on, by
Thompson, 722, 723.
Owlett, 722.
Buckman, 723.
Cavalcante, 1009.
McClure, 1009.

TAX, on keepers of all shooting galleries, shuffle-board rooms, billiard or pool rooms for profit, imposing a license

House Bill No. 152.
Read in place in House by Mr. Ominsky, 740.
Referred to Committee on Ways and Means, 740.

TAX on producers and distributors of motion picture films, imposing and providing for payment and collection of

House Bill No. 106.
Read in place in House by Mr. Ominsky, 313.
Referred to Committee on Ways and Means, 313.

TAX PENALTIES, abating certain

House Bill No. 1.
Read in place in House by Mr. Weiss, 63.
Referred to Committee on Municipal Corporations, 63.
Reported with amendment, 116.
First reading, 135.
Second reading and amended, 158-160.
Vote on second reading reconsidered, and bill passed second reading with amendments, 213, 214.
Vote on second reading as amended reconsidered, and bill recommitted, 218.
Re-reported with amendment, 260, 261.
Second reading, 268, 269.
Vote on second reading reconsidered, and bill passed second reading with amendments, 275, 276.
Third reading and final passage, 288-290.
Returned from Senate with amendments in which House concurred, 457, 458.
Signed by Speaker, 458.
Approved by Governor, 585.

Remarks on, by
Weiss, 289.
Woodside, 289, 290.

In Senate (No. 47).
Referred to Committee on County Government, 282.
Reported with amendment, 351.
First reading, 352.
Second reading and recommitted, 400, 401.
Re-reported with amendment, 404.
Third reading and final passage, 448, 449.
Returned from House with Senate amendments concurred in, 450.
Signed by President, 450.

Remarks on, by
Ealy, 351.

TAX PENALTIES, abating certain

House Bill No. 38.
Read in place in House by Mr. Dent and Mr. Weiss, 77.
Referred to Committee on Municipal Corporations, 77.

TAX PENALTIES, abating certain

Senate Bill No. 13.
Read in place in Senate by Mr. Huffman, 62.
Referred to Committee on County Government, 62.

TAX PENALTIES and interest on certain city taxes in cities of the first class, by clarifying the provisions as to taxpayers entitled to anticipate the payment of delinquent taxes during the installment period, amending the Act of 1935 relating to abatement of

House Bill No. 146.
Read in place in House by Messrs. Tumelty and Condon, 629.
Referred to Committee on Cities, 629.

TAX PENALTIES, and interest on certain city taxes in cities of the fist class school districts of the first class and prohibiting sale of real property for non-payment of such taxes, abating under certain circumstances

Senate Bill No. 87.
Read in place in Senate by Mr. Shapiro, 658.
Referred to Committee on Municipal Government, 658.
Reported without amendment, 713.
First reading, 721.
Over in its order, 749.
Over in its order, 802.
Second reading and amended, 857, 858, 859.
Third reading and final passage, 878, 879.
Returned from House with amendments, in which Senate concurred, 1120, 1121.
Signed by President, 1148.
Approved by Governor, 1254.

Remarks on, by
Shapiro, 1121.
Buckman, 1121.

In House (No. 160)
Referred to Committee on Cities, 922.
Reported without amendment, 990.
First reading, 990.
Over in its order, 1029.
Second reading and amended, 1035-1037.
Postponed, 1068.
Resumed, and passed third reading with amendment, 1111, 1112.
Third reading and final passage, 1154-1156.
Returned from Senate with House amendments concurred in, 1158.
Signed by Speaker, 1162.

TAX PENALTIES, and prohibiting sale of real property for non-payment of any such taxes for a certain period, abating certain

Senate Bill No. 21.
Read in place in Senate by Mr. Huffman, 132.
Referred to Committee on County Government, 132.

TAX PENALTIES, by adding section, providing for compensation of delinquent tax collectors, their employes and expenses for collection of delinquent taxes, amending Act of 1936 abating certain

House Bill No. 149.
Read in place in House by Mr. Robinson, 630.
Referred to Committee on Municipal Corporations, 630.
Reported without amendment, 667.
First reading, 684.
Second reading and amended, 738, 739.
Third reading and final passage, 752, 753.
Returned from Senate without amendment, 923.
Signed by Speaker, 923.
Approved by Governor, 1189.

In Senate (No. 97).
Referred to Committee on Municipal Government, 742
Reported without amendment, 802.
First reading, 811.
Second reading, 850, 860.
Third reading and final passage, 879, 880.
Signed by President, 917.

TAX PENALTIES, by extending provisions of Act so as to abate penalties and interest also on taxes for the year 1935, amending the Act of 1936, abating certain

Senate Bill No. 103.
Read in place in Senate by Mr. Mallery, 810.
Referred to Committee on County Government, 810.

TAX RATE on real estate; and providing that the Commonwealth shall pay to school districts amount of such annual loss in revenue, requiring school districts to progressively reduce their

Senate Bill No. 81.
Read in place in Senate by Mr. McGinnis, 628.
Referred to Committee on Education, 628.

TAX SALES, ADJOURNMENT OF, during the months of May and June, House conc. resolution by Weiss, favoring, 140

TAX SALES, ADJOURNMENT OF, during the months of May and June, Senate conc. resolution by Rankin, favoring, 131

TAX, STATE, EXCISE, for a limited period of time upon the privilege of distilling, blending, rectifying and manufacturing alcoholic and spirituous liquors, providing revenue by imposing

House Bill No. 169.
Read in place in House by Mr. Flinchbaugh, 1319
Referred to Committee on Ways and Means, 1320.
Reported without amendment, 1320.
First reading, 1321.
Second reading and recommitted, 1324.
Re-reported with amendment, 1335.
Over in its order, 1333.
Third reading and final passage, 1335, 1336.
Returned from Senate with amendment, in which House concurred, 1403.
Signed by Speaker, 1410.
Approved by the Governor, 1477.

In Senate (No. 127).
Referred to Committee on Finance, 1330.
Reported without amendment, 1330.
First reading, 1331.
Second reading and amended, 1341-1347.
Third reading and final passage, 1385-1387.
Returned from House with Senate amendments concurred in, 1388.
Signed by President Pro Tempore, 1391.

Remarks on, by
McClure, 1341, 1342, 1343, 1344.
Woodward, 1342, 1344.
Huffman, 1342, 1343, 1344, 1386.
Thompson, E. J., 1342.
Coyne, 1342, 1343.
Buckman, 1343.
Reed, J. Albert, 1343.
Trainer, 1343, 1345, 1386.
Shapiro, 1343, 1386.
Reed, George L., 1344.
Owlett, 1344.

TAX, STATE EXCISE, for privilege of using highways of Commonwealth, upon persons, copartnerships, associations and corporations, operating commercial motor vehicles as common carriers upon such highways, imposing

House Bill No. 80.
Read in place in House by Mr. Andrews, 225.
Referred to Committee on Highways, 225.

TAX, STATE EXCISE, on electric power and current generated, manufactured and sold within this Commonwealth, imposing

House Bill No. 25.
Read in place in House by Mr. Eroe, 65.
Referred to Committee on Ways and Means, 65.
Reported without amendment, 74.
First reading, 78.
Second reading, 101-103.
Third reading and postponed, 147.
Resumed, vote on third reading reconsidered, and recommitted, 215, 216.
Re-reported with amendments, 346.
Third reading, 357, 359.
Special Order, 360.
Vote on third reading reconsidered, and bill passed third reading with amendments, 412-414.
Postponed, 486-488.
Resumed, vote on third reading considered, and recommitted, 533.

Remarks on, by
Eroe, 147.
Simpson, 359, 360.

TAX, STATE EXCISE, on natural gas sold within this Commonwealth, imposing

House Bill No. 115.
Read in place in House by Mr. Andrews, 455.
Referred to Committee on Ways and Means, 455.

TAX, STATE EXCISE, on sales of cosmetics, providing revenue by imposing

House Bill No. 10.
Read in place in House by Mr. John E. Brown, 63.
Referred to Committee on Ways and Means, 63.

TAX, STATE EXCISE, on sales of luxuries at retail; requiring vendors to be licensed, imposing duties on vendors; and prescribing penalties, providing for the levy and collection of

House Bill No. 11.
Read in place in House by Mr. John E. Brown, 63.
Referred to Committee on Ways and Means, 63.

TAX, STATE INCOME, and providing for distribution of proceeds to school districts, imposing emergency

House Bill No. 62.
Read in place in House by Mr. Surface, 139.
Referred to Committee on Ways and Means, 139.

TAX, STATE INCOME, on residents of Pennsylvania, including fiduciaries and on income of non-residents derived from property or business in Pennsylvania, imposing

House Bill No. 61.
Read in place in House by Mr. VanSickle, 139.
Referred to Committee on Ways and Means, 139.
Reported without amendment, 160.
First reading, 165.
Postponed, 285.
Second reading and amended, 416-423.
Third reading and amended, 461-469.
Vote on third reading reconsidered, and bill passed third reading with amendments, 513-520.
Postponed, 565.
Postponed, 609.

Remarks on, by
VanSickle, 468.
Mason, 468.
Reising, 468, 609.

TAX, STATE INCOME, on trust estates, imposing

House Bill No. 126.
Read in place in House by Mr. Terry, 544.
Referred to Committee on Ways and Means, 544.

TAX, STATE on all gas and water meters used in this Commonwealth, imposing and providing for collection of a temporary

House Bill No. 119.
Read in place in House by Mr. John J. Baker and Mr. Bradley, 483.
Referred to Committee on Ways and Means, 483.

TAX, STATE on all labor saving machinery, imposing and providing for collection of

House Bill No. 86.
Read in place in House by Mr. Holland, 225.
Referred to Committee on Ways and Means, 225.

TAX, STATE, on all telephone instruments as herein defined, used in this Commonwealth, imposing and providing for the collection of

House Bill No. 94.
Read in place in House by Mr. Moran, 226.
Referred to Committee on Ways and Means, 226.

TAX, STATE, on certain butter substitutes; providing for the collection thereof; requiring distributors to be registered; imposing duties upon various officers and agencies of the State and the Department of Agriculture, imposing

House Bill No. 145.
Read in place in House by Mr. Frank E. Snyder, 629.
Referred to Committee on Ways and Means, 629.

TAX, STATE, on gross receipts derived from business of supplying water and natural or artificial gas for domestic and industrial purposes; and making appropriation imposing and providing for collection of temporary

House Bill No. 104.
Read in place in House by Mr. Caputo, Mr. Nagel and Mr. Reising, 278.
Referred to Committee on Ways and Means, 278.

TAX, STATE, on gross receipts derived from business of supplying water, electric current and natural or artificial gas for domestic and industrial purposes, imposing and providing for collection of

House Bill No. 88.
Read in place in House by Mr. Ominsky, 226.
Referred to Committee on Ways and Means, 226.
Reported without amendment, 491.
First reading, 510.
Second reading, and amended, 547, 548.
Postponed, 604.
Resumed and bill passed third reading and final passage, 689, 690.

In Senate (No. 88).
Referred to Committee on Finance, 678.

TAX, STATE, on peddlers of new or used automobile parts, who do not pay mercantile license tax, imposing and providing for collection of

House Bill No. 87.
Read in place in House by Mr. Shreiner, 225.
Referred to Committee on Ways and Means, 225.

TAX, STATE on safety razor blades by dealers, imposing

House Bill No. 117.
Read in place in House by Mr. Finnerty, 455.
Referred to Committee on Ways and Means, 455.

TAX, STATE, on sales of cigarettes, by dealers, imposing

Senate Bill No. 100.
Read in place in Senate by Mr. Law, 802.
Referred to Committee on Finance, 802.

TAX, STATE, on sales of oleomargarine; requiring persons engaged in sale of oleomargarine at wholesale and retail to secure permits, providing revenue by imposing

House Bill No. 144.
Read in place in House by Mr. Frank E. Snyder, 629.
Referred to Committee on Ways and Means, 629.

TAX, STATE, on telephone instruments, imposing temporary.

House Bill No. 103.
Read in place in House by Mr. Caputo, Mr. Nagel and Mr. Reising, 278.
Referred to Committee on Ways and Means, 278.

TAX, STATE, on telephone pay stations and private switch boards, used in this Commonwealth, imposing and providing for collection of a temporary

House Bill No. 120.
Read in place in House by Mr. John J. Baker and Mr. Bradley, 483.
Referred to Committee on Ways and Means, 483.

TAXES, by distress and sale of goods and chattels, suspending laws of this Commonwealth, authoring collection of local

House Bill No. 122.
Read in place in House by Mr. Baine, 492.
Referred to Committee on Municipal Corporations, 492.
Reported without amendment, 546.
First reading, 595.
Second reading, 631.
Over in its order, 662.
Postponed, 689.
Third reading and amended, 320, 321.
Postponed, 845.

Remarks on, by
Baine, 689.
Sowers, 689.

TAXES, DELINQUENT, abating accrued penalties and interest on certain

House Bill No. 34.
Read in place in House by Mr. Parks, 66.
Referred to Committee on Municipal Corporations, 66.

TAXES, DELINQUENT, except in cities of first and second class and school districts of first class, fixing rate of penalty and interest collectible on certain

House Bill No. 2.
Read in place in House by Mr. Eroe, 63.
Referred to Committee on Cities, 63.

TAXES, DELINQUENT, in counties of second class, and providing for collection thereof by county treasurers; and providing for their compensation, abolishing the office of collector of

House Bill No. 3.
Read in place in House by Mr. O'Keefe, 63.
Referred to Committee on Counties, 63.
Reported without amendment, 74.
First reading, 78.
Second reading, 103-104.
Third reading and final passage, 148.
Returned from Senate with amendments in which House concurred, 411.
Signed by Speaker, 459.
Approved by the Governor, 585.

Remarks on, by
Witkin, 104.
O'Keefe, 104.

In Senate (No. 18).
Referred to Committee on County Government, 132.
Reported with amendment, 310.
First reading, 310.
Second reading, 349.
Third reading and final passage, 400.
Returned from House with Senate amendments concurred in, 404.
Signed by President, 450.

TAXES, DELINQUENT, where such taxes have heretofore been paid in full at face, abating accrued penalties and interest on certain

House Bill No. 118.
Read in place in House by Messrs. Davies and O'Neill, 483.
Referred to Committee on Municipal Corporations, 483.
Reported with amendment, 667.
First reading, 684.
Second reading, 725.
Third reading and final passage, 753.

In Senate (No. 96).
Referred to Committee on Municipal Government, 742.

TERRY, CHARLES L., Representative from Wyoming County.

Bill introduced by
No. 126.
Imposing income tax for State purposes on trust estates, 544.

Files reasons for Vote on House conc. resolution transferring funds for relief, 323.

Leaves of absence granted, 155, 886.

Question of Parliamentary Inquiry raised by, on
When the Committee on Ways and Means will consider House Bill No. 126, imposing tax on trust estates, 1299.

THADDEUS STEVENS INDUSTRIAL SCHOOL, members of the Board of Trustees of, nominated, 21; referred to Committee on Executive Nominations, 21.

THOMPSON, BENJAMIN H., Senator from Westmoreland County (Thirty-ninth District).

Bills reported by
No. 60.
Joint resolution proposing amendment to Section 1 of Article IX of the Constitution of Pennsylvania, relating to uniformity, levying and collection of property taxes, and providing manner by which exemptions may be made, 918.

No. 66 (House No. 83).
Relating to keeping of animals, wild by nature, in captivity and on display for evident purpose of attracting trade, 536.

No. 74.
Joint Resolution proposing amendment to Article IX of Section 1 of the Constitution of the Commonwealth of Pennsylvania, relating to qualifications of electors, 679.

THOMPSON, BENJAMIN H.—Continued.

Member of Conference Committee, 1106.

Member of Special Committees, 33, 807.

Member of Standing Committee, 305.

THOMPSON, EDWARD JACKSON, Senator from Centre and Clearfield Counties (Thirty-fourth District).

Amendments offered by, to
Bill No. 30 (House No. 27), amending Personal Property Tax Act of 1935, by increasing rate of tax, 978 (not agreed to), 979, 1023, 1025.

Bill introduced by
No. 119.
Relieving real and personal property of recipients of Mothers' and Old Age Assistance from liability for assistance received, 1314.

Bill reported by
No. 90 (House No. 98).
Creating a State Planning Board, prescribing its powers and duties, imposing certain duties upon political subdivisions; and making an appropriation, 884.

Leaves of absence granted, 1, 305, 399, 767.

Motion by, for
Nominations reported from Committee on Executive Nominations to be made special order of business, 712.

Senate to go into Committee of Whole for purpose of considering special amendments to Bill No. 55 (House No. 59), amending Mothers' Assistance Act of 1919, by providing for appointment of board of trustees of each county and changing qualifications of eligibles, and repealing section 2, 620 (defeated 622).

Senate to recede from its amendments non-concurred in by House, to House Bill No. 156, making appropriation to State Emergency Relief Board, 1388.

Motion by, to
Discharge Committee on Finance from further consideration of Senate Bill No. 20 (H. B. No. 21) Chain Store Tax, 722.

Postpone Bill No. 106, establishing system of unemployment compensation, 1205.

Proceed to consideration of Senate conc. resolution authorizing appointment of a Joint Committee to prepare a plan of permanent administration of unemployment relief, 1195.

Read certain bills first time, 626.

Receive report of Dr. de Schweinitz in answer to the request contained in the motion of Senator Harris, 720.

Recommit Bill No. 30 (House No. 27), amending Personal Property Tax Act of 1935, by increasing rate of tax and removing certain exemptions, 1028.

Recommit Bill No. 55 (House No. 59), amending certain sections and repealing section 2 of the Mothers' Assistance Act of 1919, by providing for appointment of board of trustees of each county and changing qualifications of eligibles, 479.

Recommit resolution directing sub-committee of Committee on Education to investigate conditions reported to be existing in State Teachers Colleges, for the purpose of amendment, 706, held to be out of order, 706.

Reconsider vote on Bill No. 30 (House No. 27), amending Personal Property Tax Act of 1935, by increasing rate of tax and removing certain exemptions, 1017, 1018, 1027, 1028.

Reconsider vote on Bill No. 104 (House No. 153), making appropriation to State Emergency Relief Board, 952.

THOMPSON, EDWARD JACKSON.—Continued.

Re-refer to Committee on Executive Nominations the names of J. Buell Snyder and Ephraim S. Taylor which were negatively reported, 708.

Suspend Rule 29 for immediate consideration of resolution requesting Senate to appropriate moneys for Direct Relief to January 1937.

Objection raised by, to
Unanimous consent to suspend Rule 39 for immediate consideration of resolution continuing Sub-committee appointed to investigate Indiana State Teachers College, 1371.

Points of Order raised by, on
Motion for Senate to go into Committee of Whole for purpose of considering special amendments on Bill No. 39 (House No. 49), relating to Mothers' Assistance, 575.

Motion to adjourn on Tuesday evening until following week being out of order; sustained by chair; appeal taken from decision of the chair, by Buckman; and chair not sustained by Senate, 543.

Question before the House is motion to re-refer nominations to Committee on Executive Nominations, 709.

Quorum not being present, 914.

Remarks made on motion to recommit Bill No. 50, relating to allocation of moneys expended in counties by State Emergency Relief Board, 796.

Resolution committing the Senate to appropriate funds must be passed by constitutional majority (26 Senators), 722.

Presents communication to the Senate urging immediate passage of adequate relief appropriations, from the Co-operative Legislative of the Four Transportation Brotherhoods of Penna., 1043, 1044.

Presents progress report on Cooperative Mineral Industries Research Program under a special appropriation of the State Legislature for the Biennium 1935-37, 675, 676.

Questions of Personal Privilege raised by, on
Administration of direct relief, 129.

Bill No. 28 (House No. 19), amending the Corporate Net Income Tax Law of 1935, by increasing rate of tax for a limited period of time, 1008.

Bill No. 30 (House No. 27), amending the Personal Property Tax Act of 1935, by increasing rate of tax and removing exemptions, 1008.

Editorial relating to W. P. A., 881.

Lack of action by Senate upon tax measures, 1251-1253.

Method of securing information from departments, 834, 835.

Need of Senate getting to work, 502, 503.

Relief situation, 1008.

Remaining in Session during Democratic Convention, 715, 716.

Report of Cooperative Mineral Industries Research Program under a special appropriation of the State Legislature for the Biennium, 1935-37, 675-676.

Senate Committee investigating the W. P. A., 480, 481.

Tax measures held by Finance Committee, 873, 874

Remarks by, on
Ability of State Boards to invest in tax anticipation notes, 1263, 1264.

Amendments to Bill No. 55 (House No. 59), relating to Mothers' Assistance, in which House non-concurred, 654.

THOMPSON, EDWARD JACKSON.—Continued.

Bill No. 14, providing for and regulating assistance to and the burial of certain aged, indigent persons, 474.

Bill No. 28 (House No. 19), amending the Corporate Net Income Tax Law of 1935, by increasing rate of tax for a limited period of time, 972, 1200.

Bill No. 30 (House No. 27), amending Personal Property Tax Act of 1935, by increasing rate of tax and removing certain exemptions, 1006, 1007, 1008, 1023.

Bill No. 39 (House No. 49), further amending the Mothers' Assistance Act of 1919, by providing for payment to newly organized counties of amounts set aside for unorganized counties, 537, 538.

Bill No. 55 (House No. 59), amending Mothers' Assistance Act of 1919 by providing for appointment of board of trustees of each county and changing qualifications of eligibles, and repealing section 2, 619, 620, 621, 622.

Bill No. 102 (House No. 136), Joint resolution proposing amendment to Article IX of the Constitution, by adding thereto a section, authorizing the State to issue bonds for the acquisition of lands and buildings, and construction and improvement of State owned buildings and equipment thereof, 1295.

Bill No. 104 (House No. 153), making appropriation to State Emergency Relief Board, 952, 955, 956, 957, 959.

Bill No. 105 (House No. 154), confirming transfer of money to the General Fund from special funds, and providing for its subsequent return from the General Fund, 967, 968.

Bill No. 127 (House No. 169), providing for revenue for State purposes by imposing tax for a limited period of time on privilege of distilling alcoholic and spirituous liquors, 1342.

House conc. resolution authorizing transfer of money from the Liquid Fuels Tax Fund and Liquor License Fund to General Fund for relief (part of June and July), 721.

Motion to adjourn, 722.

Motion to discharge Committee on Finance from further consideration of Bill No. 20 (House No. 21), imposing temporary license tax on chain stores, 722, 723.

Motion to recommit Bill No. 50, limiting amount of moneys allocated to and expended in counties by the State Emergency Relief Board for the maintenance of unemployable residents to amounts expended by political subdivisions charged by law with the care of the poor, 796, 797.

Motion to reconsider vote of Bill No. 50, relating to moneys expended in counties by the State Emergency Relief Board, 914, 916.

Motion to re-refer to Committee on Executive Nominations the names of J. Buell Snyder and Ephraim S. Tyler which were negatively reported, 708, 709.

Point of order by Buckman that the Senate must adjourn when less than a majority of the members are present, 482.

Relief situation, 795, 830, 849.

Resolution authorizing appointment of Committee to investigate relief and reports of electoral freedom being denied unemployed, 1348, 1349, 1350, 1351.

Resolution authorizing appointment of committee to investigate the Works Progress Administration in Pennsylvania, 173, 175, 177.

Resolution continuing sub-committee appointed to investigate Indiana State Teachers College, 1419.

Resolution directing Finance Committee to investigate legality of tax anticipation notes, and amounts of money various boards of the Commonwealth may have available for investment, 1240, 1241.

THOMPSON, EDWARD JACKSON.—Continued.

Senate conc. resolution authorizing appointment of Joint Committee to prepare a plan of permanent administration of unemployment relief, 1195.

Request by, for
Unanimous consent to offer resolution, 1458.

Request for roll call by, on
Amendments to Bill No. 28 (House No. 19), amending Corporate Net Income Tax Law of 1935, by increasing rate of tax for a limited period of time, 971.

Appeal from the decision of the Chair holding amendments made by Committee to a resolution to be inconsistent, 543.

Bill No. 28 (House No. 19), amending Corporate Net Income Tax Law of 1935, by increasing rate of tax for a limited period of time, 972.

Bill No. 30 (House No. 27), amending Personal Property Tax Act of 1935, by increasing rate of tax, 979.

Motion for Senate to go into Committee of Whole for purpose of considering special amendments to Bill No. 39 (House No. 49), relating to Mothers' Assistance, 575.

Motion for Senate to go into Committee of Whole for purpose of considering special amendments to Bill No. 55 (House No. 59), amending Mothers' Assistance Act of 1919, and repealing section 2, 622.

Motion that Senate insist upon its amendments to Bill No. 55 (House No. 59), relating to Mothers' Assistance, 655.

Motion to adjourn, 482, 723.

Motion to discharge Committee on Finance from further consideration of Senate Bill No. 20 (H. B. No. 21), Chain Store Tax, 723.

Motion to discharge Committee on State Government from further consideration of Senate resolution requesting members of the Senate to answer certain interrogatories concerning interest they may have in any legislation before the Senate, 1231.

Motion to postpone Bill No. 43 (House No. 26), amending Personal Property Tax Act of 1907, by increasing rate of tax for a limited period of time, 1204.

Motion to recommit Bill No. 50, limiting amount of moneys allocated and expended in counties by the State Emergency Relief Board, 797.

Motion to recommit Bill No. 98 (House No. 143), the Miners' Certificate Bill, 860.

Motion to reconsider vote on Bill No. 50, relating to amount of moneys expended in counties by the State Emergency Relief Board, 916.

Request for verification of roll call by, on
Adoption of amendments to House conc. resolution authorizing transfer of funds for relief (for May), 126.

Bill No. 98 (House No. 143), the Miners' Certificate Bill, 860.

Resolutions, concurrent, offered by
Authorizing appointment of Committee to prepare a plan of permanent administration of unemployment relief, 130.

Regulating preparation of copy for, and printing and binding of Journals of Senate and House, 1458.

Resolutions offered by
Congratulating E. J. Lynett, Sr., publisher of the Scranton Times, upon his eightieth birthday, 1105.

Requesting Senate to proceed immediately to appropriate money for Direct Relief to January 1937, referred to Committee on Appropriations, 281.

Resolution, reported by
Authorizing appointment of Committee to Analyze Report on Mothers' Assistance Boards presented by the Department of Welfare, 1236.

TORRANCE STATE HOSPITAL, members of the Board of Trustees of, nominated, 19; referred to Committee on Executive Nominations, 19; (George K. Brennen, Charles B. Hollingsworth, Mrs. Dora M. Dunn, Thomas St. Clair and Mrs. N. Elizabeth Sherbine) reported, 1448; confirmed, 1449, 1450.

TOWNSHIPS (see Flood Control Works).

TRACTOR CODE OF 1929, by revising certain registration fees and existing regulations for weight of certain vehicles, amending

House Bill No. 24.
Read in place in House by Mr. Moomaw, 65.
Referred to Committee on Highways, 65.
Reported without amendment, 80.
First reading, 100.
Second reading and recommitted, 138, 139.

TRAINER, JOSEPH C., Senator from Philadelphia County (First District).

Amendments offered by, to
Bill No. 127 (House No. 169), providing revenue for State purposes by imposing excise tax on distilled spirituous liquors for limited period of time, 1385 (not agreed to).

Leave of absence granted, 167.

Motion by, for
Senate to resolve itself into Committee of the Whole for purpose of special amendment to Bill No. 127 (House No. 169), providing revenue for State purposes by imposing excise tax on distilled spirituous liquors, 1386 (not agreed to).

Question of Personal Privilege raised by, on
Taxation, 1011.

Remarks by, on
Bill No. 29 (House No. 22), imposing an emergency tax for a limited period of time on alcoholic liquors sold by the Pennsylvania Liquor Control Board, 537.

Bill No. 41 (House No. 55), establishing a system of unemployment compensation, 1147.

Bill No. 107 (House No. 156), making appropriation to the State Emergency Relief Board, 1359.

Bill No. 127 (House No. 169), providing revenue for State purposes by imposing tax for a limited period of time on privilege of distilling alcoholic and spirituous liquors, 1343, 1345, 1386.

Request for roll call by, on
Motion for Senate to resolve itself into Committee of the Whole for purpose of considering special amendment to Bill No. 127 (House No. 169), imposing excise tax for a limited period of time on distilled spirituous liquors, 1386.

TRANSPORTATION OF PUPILS, in Allegheny County, for twenty-five cents per week, resolution conc. (House) by Holland, authorizing study by Public Service Commission of feasibility of, 95.

TREDER, REV. OSCAR F. R., thanks of House to, for his services as Chaplain, resolution (House), tendering, 1514.

TRONZO, AL., Representative from Allegheny County (First District).

Bill introduced by
No. 157.
Joint resolution proposing various amendments to Constitution of Pennsylvania, establishing unicameral system, 822.

Bill reported by
No. 170.
Transferring money from the State School Fund to the General Fund, 1320.

Point of Order raised by, on
Answers to interrogations must be confined to the question, 1057.

Question of Parliamentary Inquiry raised by, on
Member present must vote, 1286.

TRONZO, AL.—Continued.

Remarks by on
House conc. resolution authorizing transfer of moneys heretofore appropriated to S. E. R. B. and now lapsing, to the State Emergency Relief Board, 374.

Resolution authorizing appointment of committee to study the unicameral system as applied to legislative bodies and report its findings, 1306.

Request for roll call by, on
Motion to lay on table resolution discharging Committee on Appropriations from further consideration of House Bill No. 139, making an appropriation to the State Emergency Relief Board and prescribing the powers and duties of the Board with reference thereto, 1286.

Motion to lay on table resolution requesting discharge of Committee on Judiciary General from further consideration of petition urging impeachment of Judge B. C. Atlee, 1492.

Request for verification of roll call by, on
Resolution authorizing appointment of committee to study unicameral system as applied to legislative bodies and report its findings, 1306.

Resolution offered by
Authorizing appointment of committee to study the unicameral System as applied to legislative bodies and report its findings, 1035.

Statement by, on
Resolution requesting members to spend no more than 18 cents per day for food, 1034, 1035.

TROUT, HARRY E., Representative from Lancaster County (Second District).

Leaves of absence granted, 981, 1152, 1243.

Member of Special Committee, 534.

Member of Standing Committees, 73.

Motion by, to
Lay on table resolution requesting discharge of Committee on Judiciary General from further consideration of petition urging impeachment of Judge B. C. Atlee, 1492.

Recommit Bill No. 25, imposing State excise tax on electric power and current generated, manufactured and sold within this Commonwealth, 147.

Point of Order raised by, on
Report of Committee may not be stricken from record, 1480, 1481.

Remarks by, at
Memorial Services for Hon. Edwin R. Spangler, 764.

Remarks by, on
House conc. resolution authorizing transfer of money from the Liquid Fuels Tax Fund for relief (first part of July), 940.

Statement by, on
Transferring funds for relief, 782.

TROUT, JOHN, as Clerk to Committee, election of, 60.

TUMELTY, LEO V., Representative from Philadelphia County (Eleventh District).

Amendments offered by, to
Motion to expunge from record remarks on Mr. VanSickle to include remarks made by Mr. Witkin, 324.

Bills introduced by
No. 66.
Making appropriation to Department of Property and Supplies for increasing capacity of overcrowded State institutions, 153.

TUMELTY, LEO V.—Continued.

No. 146.
Amending the Act of 1935, relating to abatement of tax penalties and interest on certain city taxes in cities of the first class, by clarifying the provisions as to taxpayers entitled to anticipate the payment of delinquent taxes during the instalment period, 629.

Bill reported by
No. 150 (Senate No. 14).
Providing for and regulating assistance to and burial of certain aged, indigent persons, 646.

Motion by, for
Previous question, 322.

Motion by, to
Adjourn, 261.

Dispense with further reading of the Journal, 1266.

Objections raised by, to
Granting of unanimous consent for statement by Mr. Witkin, 1053.

Point of Order raised by, on
Legislation may not be discussed under the question of personal privilege, 1040.

Motion to suspend rule has nothing to do with unemployed, 99.

Remarks under question of personal privilege must be limited to things personal, 1053.

Remarks on House conc. resolution authorizing transfer of money from the Liquid Fuels Tax Fund and Liquor License Fund to General Fund for relief (part of June and July), 692.

When House will get through with matter before it, 1376.

Questions of Parliamentary Inquiry raised by, on
Amending orally a motion made orally, 324.

Motion to call for the order of the day, 1058.

Whether, when motion has been made to take measure from table, and it has been defeated, it is not necessary to reconsider defeated motion, instead of to offer new motion, 1069.

Remarks on, by
Bill No. 164 (Senate No. 75), Joint resolution proposing amendment to Article IX of the Constitution of Pennsylvania, by adding thereto Section 1 C, relating to reduction of tax on assessed valuation or real estate, 1498, 1499.

House conc. resolution authorizing the State Emergency Relief Board and those in charge of distributing relief to refuse help to aliens known to be illegally within this Commonwealth, 750.

Resolution authorizing appointment of committee to study the unicameral system as applied to legislative bodies and report its findings, 1306.

Request by, for
Unanimous consent to read first time, Bill No. 150 (Senate No. 14), providing for and regulating assistance to and the burial of certain aged, indigent persons, 647.

Request for roll call by, on
House conc. resolution authorizing Joint Commission to Investigate Magistrates System in Philadelphia, 1309.

Motion for recess, 995.

Resolution, concurrent, offered by
Requesting Legislative Reference Bureau to prepare a report listing such statutes as in the judgment of the bureau are obsolete, 1272.

TURNER, ELLWOOD J., Representative from Delaware County (Second District).

Amendments offered by, to
House conc. resolution authorizing transfer of moneys from the Motor License Fund and Liquid Fuels Fund to General Fund for relief, 67.

House conc. resolution authorizing transfer of moneys heretofore appropriated to S. E. R. B. and now lapsing, to the State Emergency Relief Board, 316.

Bills introduced by
No. 51.
Joint resolution proposing amendment to Article IX of Section 15 of Constitution of Pennsylvania, relating to municipal indebtedness, 134.

No. 136.
Joint resolution proposing amendment to the Constitution of the Commonwealth of Pennsylvania, by adding thereto a section, authorizing the State to issue bonds for acquisition of lands and buildings, and construction and improvement of State owned buildings, and the equipment thereof, 628.

No. 137.
Making appropriation to State Emergency Relief Board for direct relief, work relief and expenses, 628.

Bill reported by
No. 76.
Amending Unemployment Relief Act of Special Session of 1933, by imposing time limit within which reimbursements may be obtained for premiums on Workmen's Compensation Insurance, covering persons engaged on certain work relief projects, 278.

Leaves of absence granted, 546, 724, 1309.

Member of Conference Committee, 1272.

Member of Special Committee, 42.

Motion by, to
Pass over for the present Bill No. 164 (Senate No. 75), relating to reduction of tax on assessed valuation of real estate, 1500.

Suspend Rule No. 51, which provides that motion to lay on table carries all adhering questions with it, in order that Member making motion to lay on table may be interrogated, 992, 993 (not agreed to).

Take from table Bill No. 153, together with message from Senate, 995, 996 (not agreed to).

Points of Order raised by, on
Interrogation by Shugarts is out of order, 936.

Member may not address the chair while not wearing his coat, 1310.

Member must state purpose for which he arises, 1507.

Member speaking does not yield floor when a motion for previous question is made, 322.

Point of order on remarks on Bill No. 85, safeguarding persons receiving or entitled to receive public relief from political coercion, 608.

Previous motion on Bill No. 85, safeguarding persons receiving or entitled to receive public relief from political coercion, 608.

Remarks must be confined to personal matters under question of personal privilege, 1040.

When report of committee is filed no other report may be filed at that time, 1481.

Questions of Information raised by, on
Business before the House, 146.

Reason for calling meetings and Democratic caucus for same time, 1467.

TURNER, ELLWOOD J.—Continued.

Questions of Parliamentary Inquiry raised by, on
Inability of House to know contents of resolution unless it is read for their information, 189.

Latitude allowed in debate upon various measures, 1270.

Remarks on Bill No. 159, authorizing issuance of anticipation notes, 1270.

Whether if motion to suspend rule is debatable, then is it not also a part of the entire motion that reasons are debatable, 992, 993.

Whether in making motion to suspend rule, it is not necessary to state purpose for which you desire to have rule suspended, 992.

Whether interrogation of Member who makes motion to lay bill on table is in proper order, 992 (out of order).

Whether motion to suspend rules is debatable, 992.

Questions of Personal Privilege raised by, on
Quantity of legislation passed in short time by House, 272, 273.

Remarks of Mr. VanSickle, 323, 324.

Remarks by, at
Memorial Services for Hon. Wilson G. Sarig, 758, 759.

Remarks by, on
Amendment to House conc. resolution authorizing transfer of moneys from the Motor License Fund and Liquid Fuels Fund to the General Fund for relief, 69-71.

Amendments to House conc. resolution authorizing transfer of moneys heretofore appropriated to S. E. R. B. and now lapsing to the S. E. R. B., 316-319.

Amendment to Senate conc. resolution authorizing adjournment of Legislature until May twenty-fifth, 274, 275.

Bill No. 22, imposing an emergency State tax for a limited period of time on alcoholic liquors sold by the Pennsylvania Liquor Control Board, 216.

Bill No. 27, amending the Personal Property Tax Act of 1935, by increasing rate of tax and removing certain exemptions, 1160.

Bill No. 51 (Senate No. 116), Joint resolution, proposing amendment to Article IX of Section 15 of the Constitution of Pennsylvania, relating to municipal indebtedness, 1154.

Bill No. 55, establishing system of unemployment compensation, 248, 249.

Bill No. 68, authorizing Department of Forests and Waters to make survey and investigation with respect to flood control and water conservation; and making an appropriation, 299, 300.

Bill No. 70, prescribing powers and duties of Water and Power Resources Board in relation to creation of flood control districts; and making an appropriation, 524, 525.

Bill No. 71, conferring powers and imposing duties upon Water and Power Resources Board and providing for appropriation of certain waters of the Commonwealth to the Commonwealth for the benefit of the people thereof, 566, 567, 698, 699.

Bill No. 85, safeguarding persons receiving or entitled to receive public relief from political coercion, 608.

Bill No. 159, authorizing the Commonwealth to issue tax anticipation notes, 1270, 1271.

Bill No. 161, making appropriation to Water and Power Resources Board for payment into Flood Control Fund, 1068.

TURNER, ELLWOOD J.—Continued.

House conc. resolution authorizing transfer of money from the Liquid Fuels Tax Fund to General Fund for relief (first part of July), 934-936, 937, 938.

House conc. resolution authorizing transfer of money heretofore appropriated to S. E. R. B. and now lapsing, to S. E. R. B., 316-319, 320-322.

Lobbying, 1189.

Motion to lay on table Bill No. 153, making appropriation to the State Emergency Relief Board, together with Senate amendments, 992.

Motion to recommit Bill No. 110, providing that no person shall be denied, refused or have discontinued direct or work relief, for reason that such person has received payment of adjusted World War service certificate, 485.

Motion to suspend Rule No. 51, in connection with tabling Bill No. 153 and Senate amendments, 992.

Nomination of Morton Witkin for Speaker of House, 43.

Report of Slate Committee nominating officers and employes to fill vacancies, 277.

Resolution congratulating Blumberg upon his forty-third birthday, 1152, 1153.

Resolution extending Honorary Life Membership to Hon. John M. Flynn, 1513.

Resolution tendering thanks of House to Chief Clerk of House for courteous, able and efficient manner in which he attended to the duties of his office, 1514.

Tax Program, 1224, 1225.

Request by, for
Insertion in the Journal of Editorial from the "Oil City Derrick," 1097.

Permission to make statement, 1374.

Request for roll call by, on
Adoption of amendments to House conc. resolution authorizing transfer of moneys heretofore appropriated to S. E. R. B. and now lapsing, to S. E. R. B., 322.

Motion to lay on table Bill No. 153, making appropriation to State Emergency Relief Board, together with Senate amendments, 993.

Motion to suspend Rule No. 51, in connection with motion to lay on table Bill No. 153, making appropriation to State Emergency Relief Board, together with Senate amendments, 993.

Motion to take from table Bill No. 153, together with Senate message, 996.

Request for verification of roll call by, on
Bill No. 71, conferring powers and imposing duties on the Water and Power Resources Board, and providing for appropriation of certain waters of the Commonwealth to the Commonwealth for the benefit of the people thereof, 700.

Resolution offered by
Requesting information from Federal Relief Administration, 95.

Statements by, on
Administration of emergency relief, 1109, 1110.

Report of Slate Committee, 277.

Resolution congratulating Arnold M. Blumberg, 1153.

Resolution requesting information from Federal Relief Administrator concerning W. P. A., 95-97, 271, 272.

Taxes, 1374.

UNDERTAKERS, STATE BOARD OF, members nominated, 17; referred to Committee on Executive Nominations, 17; (Maurice A. Hoff) reported and confirmed, 679; (Leonard A. Levine, John G. Schofer) reported and confirmed, 1205.

UNEMPLOYMENT, by prohibiting, except in certain cases, qualification tests for appointment to public position under this Commonwealth, relieving

House Bill No. 7.
Read in place in House by Mr. Moomaw, 63.
Referred to Committee on Judiciary Special, 63.

UNEMPLOYMENT COMPENSATION, establishing a system of

House Bill No. 55.
Read in place in House by Mr. Moomaw, 134.
Referred to Committee on Labor, 134.
Reported without amendment, 156.
First reading, 165.
Second reading and amended, 202-209.
Motion to reconsider vote on second reading, not agreed to, 247.
Third reading and final passage, 240-251.
Returned from Senate with amendments, in which House nonconcurs, 1208-1215.
Returned from Senate with amendments adhered to, House insists upon its nonc., and appoints Conference Committee, 1227.
Returned from Senate with notice of appointment of Conf. Com., 1249.

Remarks on, by
Wickersham, 247, 248, 250.
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In Senate (No. 41).
Referred to Committee on Insurance, 221.
Motion to discharge Committee from further consideration, defeated, 850.
Reported with amendment, 1104.
First reading, 1106.
Request for bill to go over in order, not granted, 1130, 1131.
Motion to postpone bill, defeated, 1131.
Second reading, 1131-1148.
Third reading and final passage, 1169-1174.
Returned from House with Senate amendments nonc. in, and Senate insists upon its amendments, 1194.
Returned from House with notice of appointment of Conf. Com., 1230.
Senate appoints Conf. Com., 1242.

Remarks on, by
McGinnis, 850, 851, 852, 1172, 1173.
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UNEMPLOYMENT COMPENSATION, establishing a system of

Senate Bill No. 106.
Read in place in Senate by Mr. McClure, 848.
Referred to Committee on Insurance, 848.
Reported with amendment, 1119.
First reading, 1151.
Second reading, 1176-1187.
Postponed, 1205.

UNEMPLOYMENT RELIEF AND WORK RELIEF, by political subdivisions charged by law with care of poor, providing for administration of

House Bill No. 37.
Read in place in House by Mr. John A. Smith, 77.
Referred to Committee on Counties, 77.

UNEMPLOYMENT RELIEF ORDERS to be presented for payment within a certain period, otherwise to be cancelled, requiring

House Bill No. 134.
Read in place in House by Mr. Cohen, 628.
Referred to Committee on Appropriations, 628.
Reported without amendment, 646.
First reading, 661.
Second reading and amended, 686.
Third reading and final passage, 728, 729.
Returned from Senate without amendment, 1289.
Signed by Speaker, 1299.
Approved by Governor, 1465.

In Senate (No. 93).
Referred to Committee on Appropriations, 711.
Reported without amendment, 1205.
First reading, 1207.
Second reading and recommitted, 1233.
Re-reported without amendment, 1266.
Third reading and final passage, 1276, 1277.
Signed by President, 1291.

UNEMPLOYMENT RELIEF, report of Joint Legislative to investigate, 79; appendix, 1680, 1765.

UNICAMERAL SYSTEM OF LEGISLATURE, authorizing appointment of committee to study the (House) resolution by Harkins, Caputo, Eroe and Tronzo, 1035.

UNIFORM STATE LAWS, members of the Board of Commissioners on, nominated, 22; referred to Committee on Executive Nominations, 22; reported, 1442; confirmed, 1449, 1450.

UNIONIZATION OF STEEL EMPLOYES, Officers of Steel Corporations requested to read Sections 7 and 8 of National Labor Relations Act, House conc. resolution by Fitch, 1058.

VALLEY FORGE PARK COMMISSION, members of the, nominated, 18; referred to the Committee on Executive Nominations, 18; reported, 1440; confirmed, 1449, 1450.

VAN ALLSBURG, JOHN E., Representative from Erie County (Third District).

Reasons for vote by, on
Bill No. 164 (Senate No. 75), relating to reduction of tax on assessed valuation of real estate, 1502.

Leaves of absence granted, 781, 1272.

Motion by, to
Dispense with further reading of the Journal, 483, 628.

VANSICKLE, HENRY K., Representative from Northampton County (Second District).

Amendments offered by, to
Bill No. 56, making appropriation to Department of Health to defray cost of pumping water from flooded anthracite mines, 193.

Bill No. 61, imposing income tax for State purposes on residents of Pennsylvania, including fiduciaries and on income of non-residents derived from property or business in Pennsylvania, 423, 468.

Bills introduced by
No. 61.
Imposing income tax for State purposes on residents of Pennsylvania, including fiduciaries and on income of non-residents derived from property or business in Pennsylvania, 139.

No. 108.
Making appropriation to State Emergency Relief Board for adjustment of certain claims, 313.

No. 171.
Confirming transfer of money from State Stores Fund and Liquid Fuels Tax Fund to the General Fund, 1319.

Bill reported by
No. 47.
Amending Act of 1935 relating to hours of rest of members of police departments, by extending provisions thereof to Cities of Second Class A, 161.

Motion by, to
Expunge certain remarks from the record, 324.

VANSICKLE, HENRY K.—Continued.

Invite Governor to address the members of the General Assembly in Joint Session, 46.

Postpone Bill No. 61, imposing income tax for State purposes on residents of Pennsylvania, including fiduciaries, and on income of non-residents derived from property or business in Pennsylvania, 285.

Recommit Bill No. 105, providing revenue by authorizing the Liquor Control Board to issue package retailers' licenses for sale of malt or brewed beverages for consumption off the premises, 784.

Resume consideration of Bill No. 61, imposing income tax for State purposes on residents of Pennsylvania, including fiduciaries and on income of non-residents derived from property or business in Pennsylvania, 416.

Question of Parliamentary Inquiry raised by, on
Whether Member should not be in seat when talking, 608.

Question of Personal Privilege raised by, on
Estimates of relief needs, 395.

Remarks by, on
Bill No. 57, providing for and regulating assistance to and burial of aged, indigent persons, 438, 440.

Bill No. 68, authorizing Department of Forests and Waters to make survey and investigation with respect to flood control and water conservation; and making appropriation, 300.

Bill No. 108, making appropriation to State Emergency Relief Board, for adjustment and payment of certain claims, 729.

House conc. resolution authorizing transfer of money from the Liquid Fuels Tax Fund to Feneral Fund for relief (first part of July), 932.

House conc. resolution authorizing transfer of moneys heretofore appropriated to S. E. R. B. and now lapsing, to the State Emergency Relief Board, 373, 374.

House conc. resolution authorizing transfer of moneys heretofore appropriated to S. E. R. B. and now lapsing, to S. E. R. B., 319, expunged.

Motion by Witkin, to expunge certain remarks made by him from record, 323.

Motion to recommit Bill No. 105, relating to issuance by Liquor Control Board of retailers' licenses for sale of malt and brewed beverages for consumption off the premises, 784.

Relief, 319, 320.

Request for roll call by, on
Amendments to Bill No. 61, imposing income tax for State purposes on residents of Pennsylvania, including fiduciaries and on income of non-residents derived from property or business in Pennsylvania, 469.

Request for verification of roll call by, on
Motion to recommit Bill No. 105, authorizing issuance by Liquor Control Board of package retailers' licenses for sale of malt or brewed beverages for consumption off the premises, 784.

Resolution, concurrent offered by
Authorizing transfer of money from the State Stores Fund and Liquid Fuels Tax Fund to General Fund, for relief (last part of July), 1318.

Resolution offered by
Tendering thanks of House to Director and employes of Legislative Reference Bureau for valuable assistance rendered, 1514.

VEHICLE CODE of 1929, by requiring extra fees for assignment of special registration plates, amending

House Bill No. 63.
Read in place in House by Mr. Parks, 139, 140.
Referred to Committee on Highways, 140.
Reported with amendment, 736.
First reading, 751.
Second reading, 787.
Third reading and final passage, 816, 817.
Returned from Senate without amendment, 990.
Signed by Speaker, 991.
Concurrent resolution recalling bill from Governor, 1156.
Vetoed by Governor, 1191.
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Remarks on, by
Parks, 786, 788, 816, 1156, 1157.
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Mason, 816.
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In Senate (No. 101).
Referred to Committee on Military Affairs, 807.
Reported without amendment, 882.
First reading, 884.
Second reading, 913, 914.
Motion to recommit, defeated, 945, 946.
Third reading and final passage, 946, 947.
Signed by President, 948.
Resolution recalling bill from Governor, laid on table, 1120.

Remarks on, by
Huffman, 946.
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VEHICLE CODE OF 1929, by requiring extra fees for assignment of special license plates, amending

House Bill No. 140.
Read in place in House by Mr. Powers, 629.
Referred to Committee on Highways, 629.

VETERANS COMMISSION, member of the State, nominated, 18; referred to the Committee on Executive Nominations, 18; reported, 1441; confirmed, 1449, 1450.

WALKER, GEORGE E., Representative from Sullivan County.

Leave of absence granted, 66.

WALL, ARTHUR J., Representative from Wayne County.

Leaves of absence granted, 155, 266, 315, 484, 724, 886, 1272.

WARREN STATE HOSPITAL, members of the Board of Trustees of, nominated, 20; referred to Committee on Executive Nominations, 20; (C. W. Elder, Fred W. Moser, James K. Bell, James G. Paul, Merle L. Russell, Merrit H. Davis and R. A. Cartright) reported, 1448; confirmed, 1449, 1450.

WASHINGTON CROSSING PARK COMMISSION, members of, nominated 18; referred to Committee on Executive Nominations, 18; reported, 1441; confirmed, 1449, 1450.

WASSERMAN, A. ALFRED, Representative from Philadelphia County (Twenty-third District).

Bill introduced by
No. 89.
Amending Mothers' Assistance Act of 1919 by vesting duties of State Supervisor in Department of Welfare, 226.

Leave of absence granted, 661.

Member of Standing Committee, 72.

Remarks by, on
Bill No. 57, providing for and regulating assistance to and burial of aged, indigent persons, 490.

Resigns as member of the Committee on Railroads and Railways, 74.

WATER AND POWER RESOURCES BOARD, and providing for appropriation of certain waters of the Commonwealth to the Commonwealth for the benefit of the people thereof, conferring powers and imposing duties upon

House Bill No. 71.
Read in place in House by Messrs. Weiss and Andrews, 153.
Referred to Committee on Forestry, 153.
Reported without amendment, 161.
First reading, 166.
Second reading, 229.
Postponed, 270.
Resumed and passed third reading with amendments, 295, 296.
Vote on third reading reconsidered, and bill passed third reading with amendments, 345, 346.
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Postponed, 424.
Resumed, vote on third reading reconsidered, and bill passed third reading with amendments, 532, 533.
Postponed, 567.
Time extended five days, 664.
Resumed and passed finally, 698-700.

Remarks on, by
Turner, 566, 567, 698, 699.
Weiss, 567.

In Senate (No. 89).
Referred to Committee on Judiciary General, 703.

WATER AND POWER RESOURCES BOARD, for payment into Flood Control Fund, making appropriation to

House Bill No. 161.
Read in place in House by Mr. Weiss, 927.
Referred to Committee on Appropriations, 927.
Reported without amendment, 991.
First reading, 991.
Second reading, 1030.
Third reading and final passage, 1068, 1069.
Returned from Senate with amendments, in which House concurred, 1471.
Signed by Speaker, 1478.

Remarks on, by
Turner, 1068.

In Senate (No. 114).
Referred to Committee on Appropriations, 1072.
Reported with amendment, 1328.
First reading, 1330.
Second reading, 1364.
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Third reading and amended, 1399.
Final passage, 1423.
Returned from House with Senate amendment conc. in, 1435.
Signed by President Pro Tempore, 1436.

WATER AND POWER RESOURCES BOARD, of the Department of Forests and Waters in relation to creation of flood control districts; and making an appropriation, prescribing powers and duties of

House Bill No. 70.
Read in place in House by Messrs. Weiss and Andrews, 153.
Referred to Committee on Forestry, 153.
Reported without amendment, 161.
First reading, 166.
Second reading, 230-224.
Third reading and amended, 270.
Vote on third reading reconsidered, and bill passed third reading with amendments, 290-295.
Vote on third reading reconsidered, and bill passed third reading with amendments, 340-345.
Postponed, 369.
Resumed and vote on third reading reconsidered, and bill passed third reading with amendments, 491, 492.
Final passage, 520-532.
Returned from Senate with amendments in which House concurred, 1471-1475.
Signed by Speaker, 1478.

WATER AND POWER RESOURCES BOARD.—Continued.

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In Senate (No. 68).
Referred to Committee on Judiciary General, 536.
Reported without amendment, 882.
First reading, 884.
Second reading and recommitted, 905-909.
Re-reported with amendment, 1314.
Recommitted, 1328.
Third reading and final passage, 1426-1430.
Returned from House with Senate amendments conc. in, 1435.
Signed by President Pro Tempore, 1435.

Remarks on, by
Ealy, 882.
Mallery, 1314.
Rodgers, 1314.
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WEIDEMANN, THOMAS, Representative from Delaware County (Second District).

Bill reported by
No. 129 (Senate No. 17).
Amending the Personal Property Tax Act of 1935, by changing certain penalties, 989.

Member of Conference Committee, 1465.

Motion by, to
Dispense with further reading of the Journal, 886, 1316.

Request by, for
Certain bill to be read first time, 990.

Request for roll call by, on
Motion for House to resolve itself into Committee of Whole for purpose of amending Bill No. 164 (Senate No. 75), relating to reduction of tax on assessed valuation of real estate, 1500.

WEISS, SAMUEL A., Representative from Allegheny County (Tenth District).

Amendments offered by, to
Bill No. 1, providing for abatement of tax penalties, 213.

Bill No. 69, authorizing and directing Department of Forests and Waters to investigate survey and report on location and availability for purchase of certain lands suitable for reforestation and flood control; and making appropriation, 1407.

Bill No. 70, prescribing powers and duties of Water and Power Resources Board of the Department of Forests and Waters, in relation to creation of flood control districts, and making an appropriation, 270, 294, 345, 492.

Bill No. 71, conferring powers and imposing duties on the Water and Power Resources Board, and providing for appropriation of certain waters of the Commonwealth to the Commonwealth for the benefit of the people thereof, 296, 346, 370, 532.

Bills introduced by
No. 1.
Abating certain tax penalties, 63.

No. 38.
Abating certain tax penalties, 77.

WEISS, SAMUEL A.—Continued.

No. 67.
Creating Pennsylvania Soil Conservation Board, promoting flood control, preventing soil erosion and promoting agriculture; and making an appropriation, 153.

No. 68.
Authorizing Department of Forests and Waters to make survey and investigation with respect to flood control and water conservation, 153.

No. 69.
Authorizing and directing Department of Forests and Waters to investigate survey and report certain lands suitable for reforestation and flood control, 153.

No. 70.
Prescribing powers and duties of Water and Power Resources Board of the Department of Forests and Waters in relation to creation of flood control districts; and making an appropriation, 153.

No. 71.
Conferring powers and imposing duties upon Water and Power Resources Board and providing for appropriation of certain waters of the Commonwealth to the Commonwealth for the benefit of the people thereof, 153.

No. 78.
Providing for the imposition and collection of an emergency State tax on elective public offices, 163.

No. 161.
Making appropriation to Water and Power Resources Board for payment into the Flood Control Fund for flood control purposes, 927.

No. 170.
Transferring money from State School Fund to the General Fund, 1319.

Files reasons for vote on motion to adjourn, 384.

Leaves of absence granted, 484, 586, 812, 1031, 1316.

Member of Special Committee, 469.

Motion by, for
House to recede from its amendments to House Bill No. 69, relating to reforestation and flood control, recalled from the Governor, 1502.

Motion by, to
Extend time five days on Bill No. 71, providing for appropriation of certain waters of the Commonwealth to the Commonwealth for the benefit of the people thereof, 664.

Lay on table communication from Governor, returning Bill No. 69, recalled for purpose of amendment, 1373.

Pass over in order Bill No. 71, relative to use of waters of Commonwealth by people thereof, 567 (withdrawn).

Postpone Bill No. 68, authorizing Department of Forests and Waters to make survey and investigation with respect to flood control and water conservation; and making an appropriation, 271.

Postpone Bill No. 69, authorizing and directing Department of Forests and Waters to investigate, survey and report on location and availability for purchase of certain lands, suitable for reforestation and flood control, and making an appropriation, 271.

Postpone Bill No. 70, prescribing powers and duties of Water and Power Resources Board, in relation to creation of flood control districts, and making appropriations, 369.

Postpone Bill No. 71, conferring powers and duties upon Water Resources Board, 270, 424, 567.

Reconsider vote on Bill No. 1, providing for abatement of certain tax penalties, 213, 218.

WEISS, SAMUEL A.—Continued.

Reconsider vote on Bill No. 69, authorizing Department of Forests and Waters to investigate, survey and report on location and availability for purchase of certain lands suitable for reforestation and flood control; and making an appropriation, 1407.

Reconsider vote on Bill No. 70, prescribing powers and duties of Water and Power Resources Board of Department of Forests and Waters, in relation to creation of flood control districts, and making appropriation, 345, 492.

Reconsider vote on Bill No. 71, conferring powers and imposing duties upon the Water and Power Resources Board, and providing for appropriation of certain waters of the Commonwealth for the benefit of the people thereof, 370, 532.

Resume consideration of Bill No. 68, authorizing Department of Forests and Waters to make survey and investigation with respect to flood control and water conservation; and making an appropriation, 296.

Resume consideration of Bill No. 69, authorizing and directing the Department of Forests and Waters to investigate, survey and report on location and availability for purchase of certain lands, suitable for reforestation and flood control; and making appropriation, 301.

Resume consideration of Bill No. 70, prescribing powers and duties of Water and Power Resources Board of the Department of Forests and Waters, in relation to creation of flood control districts, 491.

Resume consideration of Bill No. 71, conferring powers and duties on Water and Power Resources Board, and providing for appropriation of certain waters of the Commonwealth to the Commonwealth for the benefit of the people thereof, 295, 532.

Take from table House Bill No. 69, together with message from Governor, 1407.

Take from table House Bill No. 69, together with message from Senate, 1502.

Question of Personal Privilege raised by, on
Vote on Bill No. 105, relating to issuance of package retailers' licenses by Liquor Control Board, 814.

Remarks by, on
Bill No. 68, authorizing Department of Forests and Waters to make survey and investigation with respect to flood control and water conservation; and making an appropriation, 297, 298, 300.

Bill No. 70, prescribing powers and duties of Water and Power Resources Board in relation to creation of flood control districts; and making an appropriation, 524, 525, 528, 529.

Motion to recommit Bill No. 63, amending Vehicle Code of 1929, by requiring extra fees for assignment of special registration plates, 788.

Resolution tendering thanks of House to Speaker Furman for efficient manner in which he performed his duties, 1517.

Request by, for
Permission to have meeting of Committee on Ways and Means during session of the House, 1107.

Resolutions, concurrent, offered by
Authorizing appointment of joint legislative committee to personally urge upon the President and Congress of the United States the necessity of adequate Federal flood control measures, 65.

Recalling from Governor House Bill No. 69, authorizing the Department of Forests and Waters to investigate survey and report on location of certain lands suitable for reforestation with flood control as the objection, 1316.

WEISS, SAMUEL A.—Continued.

Recalling from Governor House Bill No. 91, making appropriation to the Department of Forests and Waters for purpose of building and constructing new dikes levees and river bank protections along the Delaware River, 1093.

Recalling from Governor House Bill No. 109, authorizing municipalities and townships to construct flood control works within or without their territorial limits, 1245.

Requesting adjournment of tax sales, 140.

Resolutions offered by
Commending Nellie H. Granger, hostess of the air liner "Sun Racer" for heroic action in aiding injured in fatal crash, 456.

Congratulating Hon. Joseph David Burke and bride-to-be upon their pending marriage, 817, 818.

Statement by, on
Absence of Mr. Witkin, 1091.

WELFARE COMMISSION, members of the State, nominated, 18; referred to Committee on Executive Nominations, 18; (Mrs. Catharine Hansell Earle, Mrs. Emma Guffey Miller, Paul N. Schaeffer, S. J. Waterworth, and Frank E. Baker) reported, 1441; confirmed, 1449-1450.

WELFARE, DEPARTMENT OF, authorized to accelerate payments for Mothers' Assistance to all eligible applicants and pledging the General Assembly of 1937 to appropriate additional funds, conc. resolution (Senate) by Shapiro, 1425.

WELFARE, DEPARTMENT OF, authorized to accelerate payments for Old Age Assistance to all eligible applicants and pledging the General Assembly of 1937 to appropriate additional funds, conc. resolution (Senate) by Shapiro, 1363.

WELFARE, DEPARTMENT OF, by increasing the current appropriation for blind pensions to match sufficient funds from Federal Government, to provide pensions for all blind persons eligible to receive same, supplementing Act of 1935, making appropriation for pensions for blind to

House Bill No. 75.
Read in place in House by Mr. Siegel, 154.
Referred to Committee on Constitutional Amendments, 154.
Reported without amendment, 277.
First reading, 284.
Second reading, 337.
Third reading and final passage, 355, 356.
Returned from Senate without amendment, 1373.
Signed by Speaker, 1374.

In Senate (No. 58).
Referred to Committee on Appropriations, 351.
Reported without amendment, 451.
First reading, 453.
Second reading, 479.
Recommitted, 479.
Re-reported without amendment, 1329.
Third reading and final passage, 1341.
Signed by President Pro Tempore, 1371.

Remarks on, by
Gelder, 451, 452.

WELFARE, DEPARTMENT OF, for purpose of rehabilitating and replacing real and personal property of State-aided hospitals damaged or destroyed by flood, making appropriation to

House Bill No. 133.
Read in place in House by Mr. Andrews, 628.
Referred to Committee on Appropriations, 628.
Reported with amendment, 870.
First reading, 887.
Second reading and placed on postponed calendar, 924, 925.
Resumed and bill passed finally, 995.

In Senate (No. 112).
Referred to Committee on Appropriations, 1012.

WELFARE, DEPARTMENT OF, to furnish information relative to removals of Trustees of Mothers' Assistance Boards, Senate resolution, by Harris, requesting, 808.

WELFARE, SECRETARY OF, communication of presented to Senate listing names of Mothers' Assistance Fund Trustees affected by changes, 1001, 1002.

WELLIVER, LLOYD W., Representative from Montour County.

Congratulations of House extended to, on his public service, 1163

Motion by, to
Adjourn, 941.

Dispense with further reading of the Journal, 163.

Remarks by, on
Resolution congratulating him upon his public service, 1163.

WELSH, MATTHEW J., Representative from Fayette County (Second District).

Amendments offered by, to
No. 32.
Making appropriation to Connellsville State Hospital for erection of laundry and garage, 229.

Bill introduced by
No. 32.
Making appropriation to Connellsville State Hospital for erection of laundry and garage, 66.

Bill reported by
No. 75.
Supplementing Act of 1935, making appropriation to Department of Welfare for pensions for blind, by increasing appropriation to match sufficient funds from Federal Government, to provide pensions for all blind persons eligible to receive same, 277.

Motion by, to
Dispense with further reading of the Journal, 680.

Point of order raised by, on
Remarks not being confined to Bill No. 85, safeguarding persons receiving or entitled to receive relief from political coercion, 608.

Resolutions offered by
Congratulating John Woodruff, Winner of the 800 metre run at the Olympic Games in Berlin, 1408.

Congratulating Hon. Leo A. Achterman upon his birthday, 1114.

WERNERSVILLE STATE HOSPITAL, members of the Board of Trustees of, nominated, 19; referred to Committee on Executive Nominations, 19; reported, 1449; confirmed, 1449-1450.

WERNERSVILLE STATE HOSPITAL, members of the Board of Trustees of, nominated, 170; referred to Committee on Executive Nominations, 170; reported and confirmed, 1417.

WEST CHESTER STATE TEACHERS COLLEGE, members of the Board of Trustees of, nominated, 23; referred to Committee on Executive Nominations, 23.

WESTERN SAVING FUND SOCIETY of Philadelphia, report of, for 1935, presented to House, 48; appendix, 1651.

WESTERN STATE PENITENTIARY, members of the Board of Trustees of, nominated, 19; referred to Committee on Executive Nominations, 19; reported, 1442; confirmed, 1449, 1450.

WESTRICK, DENIS L., Representative from Cambria County (Second District).

Bills introduced by
No. 78.
Providing for the imposition and collection of an emergency State tax on elective public offices, 163.

Bill reported by
No. 67.
Creating Pennsylvania Soil Conservation Board, promoting flood control, preventing soil erosion, and promoting agriculture, 266.

Files reasons for vote on motion to adjourn, 398.

Leaves of absence granted, 455, 861, 1468.

WHEELER, ALEXANDER R., motion to adjourn out of respect to the memory of (by LaRue), 58.

WHEELER, ALEXANDER R., writ of election issued by Chairman of Judiciary General Committee, to fill vacancy caused by death of, 36, 38, 39.

WHITE, HAINES D., Representative from Chester County (Second District).

Motion by, to
Dispense with further reading of the Journal, 1208.

WICKERSHAM, THOMAS R., Representative from Dauphin County (First District).

Amendments offered by, to
Bill No. 27, amending Personal Property Tax Act of 1935, 110.

Member of Conference Committee, 1227.

Motion by, for
House to resolve itself into Committee of the Whole for purpose of amending Bill No. 164 (Senate No. 75), relating to reduction of tax on assessed valuation of real estate, 1500 (not agreed to).

Motion by, for
Recess, 1482

Motion by, to
Suspend Rules 84 and 14 for immediate consideration of House Conc. resolution authorizing transfer of money from the Liquid Fuels Tax Fund for relief (first part of July), 931.

Suspend Rules 84 and 14 for immediate consideration of resolution 1051.

Question of Parliamentary Inquiry by, on
Necessity of member present to be recorded on roll call, 379.

Question of Personal Privilege raised by, on
Promises made by members with regard to resolution authorizing transfer of funds, 396.

Relief situation, 930, 1039.

Remarks by, on
Bill No. 27, relating to increase of personal property tax rate, 214.

Bill No. 55, relating to system of unemployment compensation, 247, 248, 250.

Bill No. 74, proposing amendment to Section 8 of Article IX of the Constitution of Pennsylvania, relating to amount of indebtedness which may be incurred by municipalities, 353.

Bills relating to relief situation, 1050.

Request for immediate consideration of House conc. resolution authorizing transfer of money from the State Stores Fund to the General Fund for relief (first part of July), 1038.

Request by, for
Unanimous consent to make statement (objections raised), 930.

Unanimous consent to make statement, 1038.

Request for roll call by, on
House conc. resolution authorizing transfer of money from the Liquid Fuels Tax Fund for relief (first part of July), 940.

Motion for House to resolve itself into Committee of Whole for purpose of amending Bill No. 164 (Senate No. 75), relating to reduction of tax on assessed valuation of real estate, 1500.

Motion to lay on table, Bill No. 153, confirming transfer of money from special funds to the General Fund, and providing for its subsequent return from the General Fund, together with Senate amendments, 996.

WICKERSHAM, THOMAS R.—Continued.

Motion to recommit Bill No. 61, imposing income tax for State purposes on residents of Pennsylvania, including fiduciaries and on income of non-residents derived from property or business in Pennsylvania, 609.

Motion to suspend Rules 84 and 14 for immediate consideration of resolution authorizing transfer of money, 1052.

Motion to take from table Bill No. 153, together with Senate message, 995.

Non-concurrence of House to certain amendments of Senate to House conc. resolution authorizing transfer of funds, 146.

Request for verification of roll call by, on
House conc. resolution authorizing transfer of money from the Liquid Fuels Tax Fund for relief (first part of July), 940.

Motion for House to resolve itself into Committee of Whole for purpose of amending Bill No. 164 (Senate No. 75), relating to reduction of tax on assessed valuation of real estate, 1500.

Resolutions concurrent offered by
Authorizing transfer of money from the Liquid Fuels Tax Fund to General Fund for relief (first part of July), 931.

Authorizing transfer of money from the State Stores Fund, to General Fund for relief (first part of July), 1030.

Authorizing transfer of money from the State Stores Fund, to General Fund for relief (first part of July), 1038.

Authorizing transfer of money from the State Stores Fund, to General Fund for relief (first part of July), 1092.

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Statement by, on
Deadlock in relief situation, 1037, 1038; 1050, 1051.

Unemployment Insurance Bill, 1507.

Yields to the gentleman from Delaware Mr. Turner, 322.

WILSON, MRS. LILITH M., Representative from Berks County (First District).

Leaves of absence granted, 42, 77, 95.

WILSON, S. DAVIS, Mayor of Philadelphia, thanks of House of Representatives, House resolution by Witkin, extending, 781, 782.

WILSON, S. DAVIS, remarks by, in House of Representatives, 782.

WINGARD, LENORE KIGHT, congratulating on becoming member of Olympic Women's Swimming Team, 1097, 1098.

WINNER, EDWIN, Representative from Montgomery County (Third District).

Bill introduced by
No. 48.
Making it unlawful to have animals wild by nature, in captivity and on display for purpose of attracting trade, 133.

Request for roll call by, on
Motion to lay on table resolution authorizing appointment of Committee of five to investigate ways, means and methods for program of taxes, on those best able to pay, 1491.

WITKIN, MORTON, Representative from Philadelphia County (Eighth District).

Amendments offered by, to
Resolution authorizing appointment of Committee of five to investigate ways, means and methods for program of taxes, on those best able to pay, 1491, 1492.

Announcement by, 1090.

Appeals from the decision of the chair by, on
Forbidding reference to contents of report while resolution is before the House; appeal withdrawn, 188.

WITKIN, MORTON.—Continued.

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Bills introduced by
No. 84.
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